

SENATE BILL 1011

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CF HB 55

By: **Senator Klausmeier**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session
Introduced and read first time: March 4, 2022

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 7, 2022

Committee Report: Favorable

Senate action: Adopted

Read second time: March 25, 2022

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Nurse Anesthetists – Drug Authority**

3 FOR the purpose of authorizing a nurse anesthetist to prescribe, order, and administer
4 drugs, including controlled dangerous substances, subject to certain limitations; and
5 generally relating to nurse anesthetists.

6 BY repealing and reenacting, with amendments,
7 Article – Health Occupations
8 Section 8–513, 12–101(b), and 12–102(e)
9 Annotated Code of Maryland
10 (2021 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Health Occupations**

14 8–513.

15 (a) In this section, “perioperative assessment and management” means the
16 assessment and management of a patient preoperatively, intraoperatively, and
17 postoperatively.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) (1) A nurse anesthetist may perform the following functions:

2 (i) Perioperative assessment and management of patients requiring
3 anesthesia services;

4 (ii) Administration of anesthetic agents;

5 (iii) Management of fluids in intravenous therapy; [and]

6 (iv) Respiratory care; AND

7 (V) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION,
8 PRESCRIPTION, ORDERING, AND ADMINISTRATION OF DRUGS, INCLUDING A DRUG
9 THAT IS CLASSIFIED AS A CONTROLLED DANGEROUS SUBSTANCE UNDER TITLE 5,
10 SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE.

11 (2) A nurse anesthetist has the right and obligation to refuse to perform a
12 delegated act if in the nurse anesthetist's judgment, the act is:

13 (i) Unsafe;

14 (ii) An invalidly prescribed medical act; or

15 (iii) Beyond the clinical skills of the nurse anesthetist.

16 (3) Paragraph (1) of this subsection may not be construed to authorize a
17 nurse anesthetist to:

18 (i) Diagnose a medical condition;

19 (ii) Provide care that is not consistent with the scope of practice of
20 nurse anesthetists; or

21 (iii) Provide care for which the nurse anesthetist does not have proper
22 education and experience.

23 (4) A NURSE ANESTHETIST MAY PRESCRIBE DRUGS UNDER
24 PARAGRAPH (1) OF THIS SUBSECTION:

25 (I) ONLY IN AN AMOUNT THAT DOES NOT EXCEED A 10-DAY
26 SUPPLY;

27 (II) ONLY FOR AN INDIVIDUAL WITH WHOM THE NURSE
28 ANESTHETIST HAS, AT THE TIME OF PRESCRIPTION, ESTABLISHED A CLIENT OR
29 PATIENT RECORD; AND

1 **(III) ONLY IN CONNECTION WITH THE DELIVERY OF ANESTHESIA**
2 **SERVICES.**

3 (c) A nurse anesthetist shall collaborate with an anesthesiologist, a licensed
4 physician, or a dentist in the following manner:

5 (1) An anesthesiologist, a licensed physician, or a dentist shall be
6 physically available to the nurse anesthetist for consultation at all times during the
7 administration of, and recovery from, anesthesia;

8 (2) An anesthesiologist shall be available for consultation to the nurse
9 anesthetist for other aspects of the practice of nurse anesthesia; and

10 (3) If an anesthesiologist is not available, a licensed physician or dentist
11 shall be available to provide this type of consultation.

12 (d) The nurse anesthetist shall ensure that a qualified anesthesia provider:

13 (1) Performs a thorough and complete preanesthetic assessment;

14 (2) Obtains informed consent for the planned anesthetic intervention from
15 the patient or an individual responsible for the patient; and

16 (3) Formulates a patient-specific plan for anesthesia care.

17 (e) The nurse anesthetist as part of the standards of practice shall:

18 (1) Implement and adjust an anesthesia care plan as needed to adapt to
19 the patient's response to the anesthesia;

20 (2) Monitor a patient's physiologic condition for untoward identifiable
21 reactions and initiate appropriate corrective actions as required;

22 (3) Enter prompt, complete, and accurate documentation of pertinent
23 information on a patient's record;

24 (4) Transfer responsibility for care of a patient to other qualified providers
25 in a manner that ensures continuity of care and patient safety;

26 (5) Ensure that appropriate safety precautions are taken to minimize the
27 risks of fire, explosion, electrical shock, and equipment malfunction;

28 (6) Maintain appropriate infection control standards;

29 (7) Evaluate anesthesia care to ensure its quality;

30 (8) Maintain continual competence in anesthesia practice; and

1 (9) Respect and maintain the basic rights of patients.

2 (f) This section may not be construed to require a written collaboration
3 agreement between a nurse anesthetist and an anesthesiologist, a physician, or a dentist.

4 12–101.

5 (b) “Authorized prescriber” means any licensed dentist, licensed dental hygienist
6 with prescriptive authority under § 4–206.4 of this article, licensed physician, licensed
7 podiatrist, licensed veterinarian, advanced practice nurse with prescriptive authority
8 under § 8–508 of this article, **LICENSED NURSE ANESTHETIST**, or other individual
9 authorized by law to prescribe prescription or nonprescription drugs or devices.

10 12–102.

11 (e) (1) This title does not prohibit:

12 (i) A dentist, physician, or podiatrist from administering a
13 prescription drug or device in the course of treating a patient; [or]

14 (ii) A licensed dental hygienist from administering medication under
15 § 4–206.4 of this article; **OR**

16 **(III) A NURSE ANESTHETIST FROM ADMINISTERING**
17 **MEDICATION UNDER § 8–513 OF THIS ARTICLE.**

18 (2) For the purposes of paragraph (1)(i) of this subsection, “administering”
19 means the direct introduction of a single dosage of a drug or device at a given time, whether
20 by injection or other means, and whether in liquid, tablet, capsule, or other form.

21 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
22 October 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.