

# SENATE BILL 698

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CF HB 863

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By: **Senator Conway**

Introduced and read first time: February 2, 2018

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Nursing – Advanced Practice Registered Nurses – Certification**  
3 **and Practice**

4 FOR the purpose of providing that an advanced practice registered nurse’s certification  
5 expires on the same date as a certain license; authorizing an advanced practice  
6 registered nurse to renew a certain certification for an additional time period under  
7 certain circumstances; prohibiting the State Board of Nursing from renewing the  
8 certification of an advanced practice registered nurse under certain circumstances;  
9 authorizing a nurse anesthetist to provide certain care, administer certain drugs,  
10 manage certain therapy, order and evaluate certain tests and studies, perform  
11 certain tests, and perform certain other acts; requiring a nurse anesthetist to  
12 administer anesthesia in collaboration with certain health care practitioners;  
13 providing that a certain provision of this Act may not be construed to require a  
14 collaboration agreement between a nurse anesthetist and certain health care  
15 practitioners; defining certain terms; and generally relating to the certification and  
16 practice of advanced practice registered nurses.

17 BY renumbering

18 Article – Health Occupations  
19 Section 8–101(l) through (p), respectively  
20 to be Section 8–101(n) through (r), respectively  
21 Annotated Code of Maryland  
22 (2014 Replacement Volume and 2017 Supplement)

23 BY repealing and reenacting, without amendments,

24 Article – Health Occupations  
25 Section 8–101(a), (b), and (c) and 8–312(a)  
26 Annotated Code of Maryland  
27 (2014 Replacement Volume and 2017 Supplement)

28 BY adding to

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Health Occupations  
2 Section 8–101(k) and (m), 8–312(h), and 8–513  
3 Annotated Code of Maryland  
4 (2014 Replacement Volume and 2017 Supplement)

5 BY repealing and reenacting, with amendments,  
6 Article – Health Occupations  
7 Section 8–101(k)  
8 Annotated Code of Maryland  
9 (2014 Replacement Volume and 2017 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
11 That Section(s) 8–101(l) through (p), respectively, of Article – Health Occupations of the  
12 Annotated Code of Maryland be renumbered to be Section(s) 8–101(n) through (r),  
13 respectively.

14 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
15 as follows:

16 **Article – Health Occupations**

17 8–101.

18 (a) In this title the following words have the meanings indicated.

19 (b) “Advanced practice registered nurse” means an individual who:

20 (1) (i) Is licensed by the Board to practice registered nursing; or

21 (ii) Has a multistate licensure privilege to practice registered  
22 nursing under the Nurse Licensure Compact; and

23 (2) Is certified by the Board to practice as:

24 (i) A nurse practitioner;

25 (ii) A nurse anesthetist;

26 (iii) A nurse midwife; or

27 (iv) A clinical nurse specialist.

28 (c) “Applicant” means, unless the context requires otherwise:

29 (1) An individual applying for an initial license by examination or  
30 endorsement;

1 (2) A licensee applying for renewal of a license;

2 (3) An individual applying for an initial advanced practice registered nurse  
3 certification;

4 (4) A licensee applying for renewal of an advanced practice registered  
5 nurse certification; or

6 (5) An individual applying for reinstatement of a license in accordance with  
7 § 8–319 of this title.

8 **(K) “NURSE ANESTHETIST” MEANS AN INDIVIDUAL WHO:**

9 **(1) IS LICENSED BY THE BOARD TO PRACTICE REGISTERED NURSING;**  
10 **AND**

11 **(2) IS CERTIFIED BY THE BOARD TO PRACTICE AS A NURSE**  
12 **ANESTHETIST.**

13 **[(k)] (L) “Practice advanced practice registered nursing” means to practice**  
14 **registered nursing within the scope of practice in the area of specialty for which the**  
15 **individual holds a certification from a nationally recognized certifying body recognized by**  
16 **the Board.**

17 **(M) “PRACTICE AS A NURSE ANESTHETIST” MEANS TO PERFORM ACTS**  
18 **RELATED TO THE ADMINISTRATION OF ANESTHESIA AS PROVIDED UNDER § 8–513**  
19 **OF THIS TITLE.**

20 8–312.

21 (a) A license expires on the 28th day of the birth month of the licensee and may  
22 not be renewed for a term longer than 2 years.

23 **(H) (1) AN ADVANCED PRACTICE REGISTERED NURSE’S CERTIFICATION**  
24 **EXPIRES ON THE SAME DATE AS THE ADVANCED PRACTICE REGISTERED NURSE’S**  
25 **LICENSE TO PRACTICE REGISTERED NURSING.**

26 **(2) BEFORE AN ADVANCED PRACTICE REGISTERED NURSE’S**  
27 **CERTIFICATION EXPIRES, THE ADVANCED PRACTICE REGISTERED NURSE MAY**  
28 **RENEW THE CERTIFICATION FOR AN ADDITIONAL 2–YEAR TERM.**

29 **(3) THE BOARD MAY NOT RENEW THE CERTIFICATION OF AN**  
30 **ADVANCED PRACTICE REGISTERED NURSE IF THE BOARD DOES NOT HAVE**  
31 **DOCUMENTATION OF THE LICENSEE’S CURRENT CERTIFICATION AS AN ADVANCED**  
32 **PRACTICE REGISTERED NURSE BY A NATIONAL CERTIFYING BODY RECOGNIZED BY**

1 THE BOARD AS REQUIRED UNDER § 8-302.1(B)(3)(IV) OF THIS SUBTITLE.  
2 8-513.

3 (A) (1) IN THIS SECTION, "PERIOPERATIVE CARE" MEANS:

4 (I) THE ASSESSMENT AND MANAGEMENT OF A PATIENT  
5 REQUIRING ANESTHESIA BEFORE AND AFTER A SURGICAL PROCEDURE; AND

6 (II) THE MONITORING OF A PATIENT DURING THE  
7 ADMINISTRATION OF ANESTHESIA.

8 (2) "PERIOPERATIVE CARE" INCLUDES ORDERING DRUGS AND  
9 MEDICATIONS TO BE ADMINISTERED TO A PATIENT BY A LICENSED, CERTIFIED, OR  
10 REGISTERED HEALTH CARE PRACTITIONER BEFORE A SURGICAL PROCEDURE  
11 TAKES PLACE AND UNTIL THE PATIENT IS DISCHARGED FROM POSTANESTHESIA  
12 CARE.

13 (B) A NURSE ANESTHETIST MAY:

14 (1) PROVIDE PERIOPERATIVE CARE;

15 (2) ADMINISTER ANESTHETICS;

16 (3) MANAGE FLUID IN INTRAVENOUS THERAPY;

17 (4) PROVIDE RESPIRATORY CARE;

18 (5) ORDER AND EVALUATE LABORATORY AND DIAGNOSTIC TESTS;

19 (6) PERFORM POINT-OF-CARE TESTING THAT THE NURSE  
20 ANESTHETIST IS QUALIFIED TO PERFORM;

21 (7) ORDER AND EVALUATE RADIOGRAPHIC IMAGING STUDIES THAT  
22 THE NURSE ANESTHETIST IS QUALIFIED TO ORDER AND INTERPRET; AND

23 (8) PERFORM ANY OTHER ACT THAT THE NURSE ANESTHETIST IS  
24 AUTHORIZED TO PERFORM UNDER THIS ARTICLE OR THE HEALTH - GENERAL  
25 ARTICLE.

26 (C) (1) A NURSE ANESTHETIST SHALL ADMINISTER ANESTHESIA IN  
27 COLLABORATION WITH AN ANESTHESIOLOGIST, A PHYSICIAN, OR A DENTIST.

1                   **(2) PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE CONSTRUED**  
2 **TO REQUIRE A COLLABORATION AGREEMENT BETWEEN A NURSE ANESTHETIST AND**  
3 **AN ANESTHESIOLOGIST, A PHYSICIAN, A PODIATRIST, OR A DENTIST.**

4                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2018.