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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 899 Session of  
2023

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INTRODUCED BY J. WARD, COLLETT, BARTOLOTTA, SCHWANK, HUTCHINSON,  
YAW, ROTHMAN, FONTANA, CAPPELLETTI, DILLON, ARGALL, COMMITTA  
AND FLYNN, SEPTEMBER 6, 2023

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
SEPTEMBER 6, 2023

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AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
2 act relating to the practice of professional nursing;  
3 providing for the licensing of nurses and for the revocation  
4 and suspension of such licenses, subject to appeal, and for  
5 their reinstatement; providing for the renewal of such  
6 licenses; regulating nursing in general; prescribing  
7 penalties and repealing certain laws," further providing for  
8 definitions and for scope of practice for certified  
9 registered nurse anesthetists.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Sections 2(1) and (17) and 8.9 of the act of May  
13 22, 1951 (P.L.317, No.69), known as The Professional Nursing  
14 Law, are amended to read:

15 Section 2. Definitions.--When used in this act, the  
16 following words and phrases shall have the following meanings  
17 unless the context provides otherwise:

18 (1) The "Practice of Professional Nursing" means diagnosing  
19 and treating human responses to actual or potential health  
20 problems through such services as casefinding, health teaching,

1 health counseling, and provision of care supportive to or  
2 restorative of life and well-being, and executing medical  
3 regimens as prescribed by a licensed physician or dentist. The  
4 foregoing shall not be deemed to include acts of medical  
5 diagnosis or prescription of medical therapeutic or corrective  
6 measures, except as performed by a certified registered nurse  
7 practitioner or certified registered nurse anesthetist acting in  
8 accordance with rules and regulations promulgated by the Board.

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10 [(17) "Overall direction" means oversight of anesthesia  
11 services and medical management of patient care by a qualified  
12 individual who is present and available onsite, but not  
13 necessarily present in the same procedure room as a certified  
14 registered nurse anesthetist performing anesthesia services for  
15 the duration of the services provided.]

16 Section 8.9. Scope of Practice for Certified Registered  
17 Nurse Anesthetists.--(a) A certified registered nurse  
18 anesthetist shall have the authority to perform anesthesia  
19 services in cooperation with a physician, podiatrist or dentist  
20 involved in a procedure for which anesthesia care is being  
21 [provided if the anesthesia services are performed under the  
22 overall direction of any of the following:

23 (1) A physician licensed by the State Board of Medicine or  
24 the State Board of Osteopathic Medicine who has completed an  
25 accredited residency training program in anesthesiology.

26 (2) A physician licensed by the State Board of Medicine or  
27 the State Board of Osteopathic Medicine who is performing the  
28 procedure for which the certified registered nurse anesthetist  
29 is performing anesthesia services.

30 (3) A podiatrist licensed by the State Board of Podiatry who

1 is performing the procedure for which the certified registered  
2 nurse anesthetist is performing anesthesia services.

3 (4) A dentist licensed by the State Board of Dentistry and  
4 permitted by the act of May 1, 1933 (P.L.216, No.76), known as  
5 "The Dental Law," or the State Board of Dentistry to administer,  
6 supervise or direct the administration of anesthesia.] provided.

7 (b) Anesthesia services include the authority to prescribe,  
8 dispense and administer prescription drugs, including  
9 prescriptions for controlled substances listed in Schedules II,  
10 III, III N, IV and V under 21 U.S.C. § 812 (relating to  
11 schedules of controlled substances); to order and evaluate  
12 laboratory and diagnostic test results and perform point-of-care  
13 testing that the certified registered nurse anesthetist is  
14 qualified to perform; and to order and evaluate radiographic  
15 imaging studies that the certified registered nurse anesthetist  
16 is qualified to order and interpret. A certified registered  
17 nurse anesthetist may prescribe prescription drugs for a supply  
18 of not more than ten (10) days with no refills and only for an  
19 individual for whom the certified registered nurse anesthetist  
20 has, at the time of the prescription, established a client or  
21 patient record.

22 (c) Nothing in this section requires a certified registered  
23 nurse anesthetist to obtain prescriptive authority from a  
24 physician, podiatrist or dentist to select, order and administer  
25 controlled substances in connection with the procedure for which  
26 anesthesia care is being provided.

27 (d) A certified registered nurse anesthetist may perform the  
28 following services and procedures:

29 (1) be responsible for performing and documenting total  
30 anesthesia care of a patient, including, but not limited to,

1 preanesthetic preparation and evaluation, requesting  
2 consultations and diagnostic studies, obtaining informed consent  
3 for anesthesia and selection and administration of anesthetic  
4 agents or other agents administered in the management of  
5 anesthetic care, anesthesia induction, maintenance, emergence  
6 and post anesthesia care;

7 (2) develop and implement an anesthetic care plan;

8 (3) select and initiate the planned anesthesia technique  
9 which may include general, regional and local anesthesia and  
10 sedation;

11 (4) select, apply or insert appropriate noninvasive and  
12 invasive monitoring modalities for collecting and interpreting  
13 patient physiological data;

14 (5) support life functions during the perioperative period;

15 (6) select, obtain and administer the anesthetics, adjuvant  
16 drugs, accessory drugs and fluids necessary to manage the  
17 anesthetic to maintain the patient's physiologic homeostasis,  
18 and to correct abnormal responses to the anesthesia or surgery;

19 (7) recognize and be able to take appropriate action for  
20 untoward patient responses during anesthesia;

21 (8) observe and manage the patient's emergence from  
22 anesthesia by selecting, obtaining, ordering or administering  
23 medications, fluids or ventilatory support in order to maintain  
24 homeostasis;

25 (9) discharge patients from a postanesthesia care area;

26 (10) participate in the life support of the patient,  
27 including, but not limited to, perianesthetic and clinical  
28 support functions;

29 (11) implement acute and chronic pain management modalities;

30 (12) respond to emergency situations by providing airway

1 management, administration of emergency fluids or drugs, or  
2 using basic or advanced cardiac life support techniques;

3 (13) supervise anesthesia care being provided by nurse  
4 trainees enrolled in a course approved by the Council on  
5 Accreditation of Nurse Anesthesia Educational Programs; and

6 (14) direct administration of anesthesia by a graduate of an  
7 approved anesthesia program until the announcement of results of  
8 the first examination given for certification for which the  
9 graduate is eligible.

10 [(b)] (e) Nothing in this section shall be construed to:

11 [(1) prohibit a certified registered nurse anesthetist who  
12 would otherwise require direction from providing brief periods  
13 of care in the event of an emergency that temporarily prevents  
14 or interferes with overall direction;

15 [(2)] (1) restrict the authority of a health care facility to  
16 provide for additional oversight requirements for a certified  
17 registered nurse anesthetist practicing within the facility; or

18 [(3)] (2) limit or prohibit a certified registered nurse  
19 anesthetist from engaging in those activities which normally  
20 constitute the practice of professional nursing as defined in  
21 section 2.

22 (f) For purposes of this section, a licensed physician,  
23 licensed podiatrist or licensed dentist is not liable for any  
24 act or omission of a certified registered nurse anesthetist who  
25 orders or administers anesthetics.

26 (g) As used in this section, the following words and phrases  
27 shall have the meanings given to them in this subsection unless  
28 the context clearly indicates otherwise:

29 "Cooperation" means a process in which the certified  
30 registered nurse anesthetist and the physician, dentist or

1 podiatrist work together with each contributing an area of  
2 expertise, at their individual and respective levels of  
3 education and training.

4 Section 2. This act shall take effect in 60 days.