

1 SB156
2 197317-2
3 By Senator McClendon
4 RFD: Healthcare
5 First Read: 20-MAR-19

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8 SYNOPSIS: Under existing law, the Board of Nursing is
9 responsible for the regulation of the practice of
10 nursing in the state, which includes Certified
11 Registered Nurse Anesthetists (CRNAs). Under
12 existing law, CRNAs function under the direction of
13 a licensed physician who must be immediately
14 available.

15 This bill would revise the scope of practice
16 of CRNAs and would provide that CRNAs may practice
17 in coordination with a licensed physician.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 Relating to the Board of Nursing; to amend Section
24 34-21-81, Code of Alabama 1975, to revise the scope of
25 practice of Certified Registered Nurse Anesthetists; and to
26 allow Certified Registered Nurse Anesthetists to practice in
27 coordination with a licensed physician.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 34-21-81, Code of Alabama 1975,
3 is amended to read as follows:

4 "§34-21-81.

5 "As used in this article, the following terms shall
6 have the following meanings:

7 "(1) BOARD OF MEDICAL EXAMINERS. The State Board of
8 Medical Examiners established pursuant to Section 34-24-53.

9 "(2) BOARD OF NURSING. The Board of Nursing
10 established under Section 34-21-2.

11 "(3) ADVANCED PRACTICE NURSE. A registered nurse
12 ~~that~~ who has gained additional knowledge and skills through
13 successful completion of an organized program of nursing
14 education that prepares nurses for advanced practice roles and
15 has been certified by the Board of Nursing to engage in the
16 practice of advanced practice nursing. There shall be four
17 categories of advanced practice nurses: Certified registered
18 nurse practitioners (CRNP), certified nurse midwives (CNM),
19 certified registered nurse anesthetists (CRNA), and clinical
20 nurse specialists (CNS). Certified registered nurse
21 practitioners and certified nurse midwives are subject to
22 collaborative practice agreements with an Alabama physician.
23 Certified registered nurse anesthetists and clinical nurse
24 specialists are not subject to collaborative practice
25 agreements with an Alabama physician and are not subject to
26 the requirements of Sections 34-21-82, 34-21-83, and 34-21-85
27 to 34-21-92., inclusive, and are prohibited from engaging in

1 ~~any of the acts or functions of a certified registered nurse~~
2 ~~practitioner (CRNP) or a certified nurse midwife (CNM) as~~
3 ~~established by this article and regulations adopted under this~~
4 ~~article.~~

5 "(4) ADVANCED PRACTICE NURSING. The delivery of
6 health care services by registered nurses who have gained
7 additional knowledge and skills through successful completion
8 of an organized program of nursing education that prepares
9 nurses for advanced practice roles as certified registered
10 nurse practitioners, certified nurse midwives, certified nurse
11 anesthetists, and clinical nurse specialists:

12 "a. Practice as a certified registered nurse
13 practitioner (CRNP) means the performance of nursing skills by
14 a registered nurse who has demonstrated by certification that
15 he or she has advanced knowledge and skills in the delivery of
16 nursing services within a health care system that provides for
17 consultation, collaborative management, or referral as
18 indicated by the health status of the client.

19 "b. Practice as a certified nurse midwife (CNM)
20 means the performance of nursing skills by a registered nurse
21 who has demonstrated by certification that he or she has
22 advanced knowledge and skills relative to the management of
23 women's health care focusing on pregnancy, childbirth, the
24 postpartum period, care of the newborn, family planning, and
25 gynecological needs of women, within a health care system that
26 provides for consultation, collaborative management, or
27 referral as indicated by the health status of the client.

1 "c. Practice as a certified registered nurse
2 anesthetist (CRNA) means providing anesthesia care, and the
3 performance of or the assistance in any act involving the
4 determination, preparation, administration, ordering, or
5 monitoring of any drug used to render an individual insensible
6 to pain for surgical and other therapeutic or diagnostic
7 procedures. The nurse anesthetist is qualified in accordance
8 with Section 27-46-3 and is licensed by the Board of Nursing
9 and functions ~~under the direction of~~ in coordination with a
10 physician licensed to practice medicine, a podiatrist, or a
11 dentist, ~~who is immediately available.~~

12 "d. Practice of clinical nurse specialist (CNS)
13 nursing means the performance of nursing skills by a
14 registered nurse who, through study and supervised practice at
15 the graduate level and as evidenced by certification, has
16 advanced knowledge and practice skills in a specialized area
17 of practice, except that a clinical nurse specialist may not
18 do any of the following:

19 "1. Perform delegated medical acts or engage in
20 collaborative practice as described in this article.

21 "2. Perform any of the functions of a certified
22 registered nurse practitioner or a certified nurse midwife as
23 described in this article and the regulations adopted under
24 this article, whether or not performed within a collaborative
25 practice relationship.

1 "3. Prescribe drugs of any type. A clinical nurse
2 specialist may perform nursing services permitted under this
3 subdivision as an independent contractor.

4 "(5) COLLABORATION. A formal relationship between
5 one or more certified registered nurse practitioners and
6 certified nurse midwives and a physician or physicians under
7 which these nurses may engage in advanced practice nursing as
8 evidenced by written protocols approved in accordance with the
9 requirements of this article or exempted in accordance with
10 requirements of this article. The term collaboration does not
11 require direct, on-site supervision of the activities of a
12 certified registered nurse practitioner or a certified nurse
13 midwife by the collaborating physician. The term does require
14 such professional oversight and direction as may be required
15 by the rules and regulations of the State Board of Medical
16 Examiners and the Board of Nursing.

17 "(6) COORDINATION. The working relationship with a
18 medical doctor, osteopathic physician, podiatric physician, or
19 dentist, each contributing his or her respective expertise in
20 the provision of patient care, and includes the discussion of
21 patient treatment and coordination in the management and
22 delivery of health care.

23 "~~(6)~~ (7) PHYSICIAN or COLLABORATING PHYSICIAN. A
24 doctor of medicine or a doctor of osteopathy licensed to
25 practice medicine in Alabama who agrees in writing to practice
26 in collaboration with one or more certified registered nurse
27 practitioners or certified nurse midwives in accordance with

1 the rules and regulations adopted by the State Board of
2 Medical Examiners and the Board of Nursing.

3 ~~"(7)(8)~~ JOINT COMMITTEE OF THE STATE BOARD OF
4 MEDICAL EXAMINERS AND THE BOARD OF NURSING FOR ADVANCED
5 PRACTICE NURSES. The Joint Committee of the State Board of
6 Medical Examiners and the Board of Nursing for Advanced
7 Practice Nurses shall mean and shall be a committee composed
8 of all of the following:

9 "a. Two physicians licensed to practice medicine in
10 the State of Alabama.

11 "b. One registered nurse licensed to practice
12 professional nursing in the State of Alabama.

13 "c. One licensed physician engaged in a
14 collaborative practice with a certified registered nurse
15 practitioner or a certified nurse midwife in the State of
16 Alabama.

17 "d. One certified registered nurse practitioner
18 engaged in advanced practice with a physician in the State of
19 Alabama.

20 "e. One certified nurse midwife engaged in advanced
21 practice with a physician in the State of Alabama.

22 ~~"(8)(9)~~ LEGEND DRUG. Any drug, medicine, chemical,
23 or poison bearing on the label the words, "Caution, Federal
24 Law prohibits dispensing without prescription" or similar
25 words indicating that such drug, medicine, chemical, or poison
26 may be sold or dispensed only upon the prescription of a
27 licensed practitioner, except that the term legend drug shall

1 not include any drug, substance, or compound which is listed
2 in Schedules I through V of the Alabama Uniform Controlled
3 Substances Act.

4 "~~(9)~~ (10) PRESCRIBE or PRESCRIBING. The act of
5 issuing a written prescription for a legend drug.

6 "~~(10)~~ (11) PRESCRIPTION. An order for a legend drug
7 which is written and signed by a practitioner authorized by
8 law to prescribe and administer such drugs and which is
9 intended to be filled, compounded, or dispensed by a
10 pharmacist.

11 "~~(11)~~ (12) PROTOCOL. A document approved in
12 accordance with Section 34-21-87 establishing the permissible
13 functions and activities to be performed by certified
14 registered nurse practitioners and certified nurse midwives
15 and signed by collaborating physicians and any nurse
16 practitioners or nurse midwives practicing with those
17 physicians."

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.