SB156

197317-2

By Senator McClendon

RFD: Healthcare

First Read: 20-MAR-19
SYNOPSIS: Under existing law, the Board of Nursing is responsible for the regulation of the practice of nursing in the state, which includes Certified Registered Nurse Anesthetists (CRNAs). Under existing law, CRNAs function under the direction of a licensed physician who must be immediately available.

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

A BILL TO BE ENTITLED
AN ACT

Relating to the Board of Nursing; to amend Section 34-21-81, Code of Alabama 1975, to revise the scope of practice of Certified Registered Nurse Anesthetists; and to allow Certified Registered Nurse Anesthetists to practice in coordination with a licensed physician.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§34-21-81. "As used in this article, the following terms shall have the following meanings:

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

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

"(3) ADVANCED PRACTICE NURSE. A registered nurse that who has gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles and has been certified by the Board of Nursing to engage in the practice of advanced practice nursing. There shall be four categories of advanced practice nurses: Certified registered nurse practitioners (CRNP), certified nurse midwives (CNM), certified registered nurse anesthetists (CRNA), and clinical nurse specialists (CNS). Certified registered nurse practitioners and certified nurse midwives are subject to collaborative practice agreements with an Alabama physician. Certified registered nurse anesthetists and clinical nurse specialists are not subject to collaborative practice agreements with an Alabama physician and are not subject to the requirements of Sections 34-21-82, 34-21-83, and 34-21-85 to 34-21-92, inclusive, and are prohibited from engaging in
any of the acts or functions of a certified registered nurse practitioner (CRNP) or a certified nurse midwife (CNM) as established by this article and regulations adopted under this article.

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

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

"b. Practice as a certified nurse midwife (CNM) means the performance of nursing skills by a registered nurse who has demonstrated by certification that he or she has advanced knowledge and skills relative to the management of women's health care focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning, and gynecological needs of women, within a health care system that provides for consultation, collaborative management, or referral as indicated by the health status of the client.
"c. Practice as a certified registered nurse anesthetist (CRNA) means providing anesthesia care, and the performance of or the assistance in any act involving the determination, preparation, administration, ordering, or monitoring of any drug used to render an individual insensible to pain for surgical and other therapeutic or diagnostic procedures. The nurse anesthetist is qualified in accordance with Section 27-46-3 and is licensed by the Board of Nursing and functions under the direction of in coordination with a physician licensed to practice medicine, a podiatrist, or a dentist, who is immediately available.

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

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

"2. Perform any of the functions of a certified registered nurse practitioner or a certified nurse midwife as described in this article and the regulations adopted under this article, whether or not performed within a collaborative practice relationship.
"3. Prescribe drugs of any type. A clinical nurse specialist may perform nursing services permitted under this subdivision as an independent contractor.

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

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

"(6)(7) PHYSICIAN or COLLABORATING PHYSICIAN. A doctor of medicine or a doctor of osteopathy licensed to practice medicine in Alabama who agrees in writing to practice in collaboration with one or more certified registered nurse practitioners or certified nurse midwives in accordance with
the rules and regulations adopted by the State Board of
Medical Examiners and the Board of Nursing.

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

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

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

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

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

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

"(9) LEGEND DRUG. Any drug, medicine, chemical,
or poison bearing on the label the words, "Caution, Federal
Law prohibits dispensing without prescription" or similar
words indicating that such drug, medicine, chemical, or poison
may be sold or dispensed only upon the prescription of a
licensed practitioner, except that the term legend drug shall
not include any drug, substance, or compound which is listed in Schedules I through V of the Alabama Uniform Controlled Substances Act.

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

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

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

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