

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1492

Short Title: Anesthesiologist Assistants Licensure. (Public)

Sponsors: Representatives England, J. Harrell (Primary Sponsors); Blackwood, Carney, Current, Dollar, Goforth, Grady, Hilton, Howard, Justus, Lewis, McComas, McGee, Neumann, Tarleton, Tillis, and Wilkins.

Referred to: Health, if favorable, Finance.

April 17, 2007

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE LICENSURE OF ANESTHESIOLOGIST ASSISTANTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-11 is amended by adding a new subsection to read:

"(a1) Every applicant for licensure as an anesthesiologist assistant in the State shall meet the following criteria:

- (1) Satisfy the North Carolina Medical Board that the applicant is of good moral character.
- (2) Submit to the Board proof of completion of a graduate level training program accredited by the Commission of Accreditation of Allied Health Education Programs or its successor organization.
- (3) Submit to the Board proof of current certification from the National Commission of Certification of Anesthesiologist Assistants (NCCAA) or its successor organization, including passage of a certification examination administered by the NCCAA. The applicant shall take the certification exam within 12 months after completing training.
- (4) Meet any additional qualifications for licensure pursuant to rules adopted by the Board."

SECTION 2. G.S. 90-15 reads as rewritten:

"§ 90-15. **License fee; salaries, fees, and expenses of Board.**

Each applicant for a license by examination shall pay to the North Carolina Medical Board a fee which shall be prescribed by the Board in an amount not exceeding the sum of four hundred dollars (\$400.00) plus the cost of test materials before being admitted to the examination. Whenever a license is granted without examination, as authorized in G.S. 90-13, the applicant shall pay to the Board a fee in an amount to be prescribed by the Board not in excess of two hundred fifty dollars (\$250.00). Whenever a limited

1 license is granted as provided in G.S. 90-12, the applicant shall pay to the Board a fee
2 not to exceed one hundred fifty dollars (\$150.00), except where a limited license to
3 practice in a medical education and training program approved by the Board for the
4 purpose of education or training is granted, the applicant shall pay a fee of twenty-five
5 dollars (\$25.00), and where a limited license to practice medicine and surgery only at
6 clinics that specialize in the treatment of indigent patients is granted, the applicant shall
7 not pay a fee. A fee of twenty-five dollars (\$25.00) shall be paid for the issuance of a
8 duplicate license. All fees shall be paid in advance to the North Carolina Medical Board,
9 to be held in a fund for the use of the Board. The compensation and expenses of the
10 members and officers of the Board and all expenses proper and necessary in the opinion
11 of the Board to the discharge of its duties under and to enforce the laws regulating the
12 practice of medicine or surgery shall be paid out of the fund, upon the warrant of the
13 Board. The per diem compensation of Board members shall not exceed two hundred
14 dollars (\$200.00) per day per member for time spent in the performance and discharge
15 of duties as a member. Any unexpended sum or sums of money remaining in the
16 treasury of the Board at the expiration of the terms of office of the members of the
17 Board shall be paid over to their successors in office.

18 For the initial and annual ~~registration-licensure~~ of an assistant to a physician, the
19 Board may require the payment of a fee not to exceed a reasonable amount.

20 For the initial and annual licensure of an anesthesiologist assistant, the Board may
21 require the payment of a fee not to exceed one hundred fifty dollars (\$150.00)."

22 **SECTION 3.** G.S. 90-18(c) is amended by adding a new subdivision to read:

23 "(c) The following shall not constitute practicing medicine or surgery as defined
24 in subsection (b) of this section:

25 ...

26 (20) The provision of anesthesia services by a licensed anesthesiologist
27 assistant under the supervision of an anesthesiologist licensed under
28 Article 1 of this Chapter in accordance with rules adopted by the
29 Board."

30 **SECTION 4.** Article 1 of Chapter 90 of the General Statutes is amended by
31 adding a new section to read:

32 **§ 90-18.5. Limitations on anesthesiologist assistants.**

33 (a) Any person who is licensed to provide anesthesia services as an assistant to
34 an anesthesiologist licensed under Article 1 of this Chapter may use the title
35 'anesthesiologist assistant.' Any other person who uses the title in any form or holds
36 himself or herself out to be an anesthesiologist assistant or to be so licensed without first
37 obtaining a license shall be deemed in violation of this Article. A student in any
38 anesthesiologist assistant training program shall be identified as a 'student
39 anesthesiologist assistant' or an 'anesthesiologist assistant student,' but under no
40 circumstances shall the student use or permit to be used on the student's behalf, the
41 terms 'intern,' 'resident,' or 'fellow.' Nothing in this subsection shall limit or expand the
42 scope of practice of physician assistants under existing law.

1 **(b)** Anesthesiologist assistants are authorized to provide anesthesia services
2 under the supervision of an anesthesiologist licensed under Article 1 of this Chapter
3 under the following conditions:

4 **(1)** The North Carolina Medical Board has adopted regulations governing
5 the provision of anesthesia services by an anesthesiologist assistant
6 consistent with the requirements of subsection (c) of this section.

7 **(2)** The anesthesiologist assistant holds a current license issued by the
8 Board or is a student anesthesiologist assistant participating in a
9 training program leading to certification by the National Commission
10 for Certification of Anesthesiologist Assistants and licensure as an
11 anesthesiologist assistant under G.S. 90-11(a1).

12 **(c)** The North Carolina Medical Board shall adopt rules to implement this section
13 that include requirements and limitations on the provision of anesthesia services by an
14 anesthesiologist assistant as determined by the Board to be in the best interests of
15 patient health and safety. Rules adopted by the Board pursuant to this section shall
16 include the following requirements:

17 **(1)** That an anesthesiologist assistant be supervised by an anesthesiologist
18 licensed under Article 1 of this Chapter who is actively engaged in
19 clinical practice and immediately available on-site to provide
20 assistance to the anesthesiologist assistant. One anesthesiologist may
21 supervise no more than two licensed anesthesiologist assistants at one
22 time. However, the limitation shall in no way restrict the number of
23 other qualified anesthesia service providers an anesthesiologist may
24 concurrently supervise.

25 **(2)** That no more than two student anesthesiologist assistants be
26 supervised by one anesthesiologist at one time. However, the
27 limitation shall in no way restrict the number of other qualified
28 anesthesia providers an anesthesiologist may concurrently supervise.

29 **(3)** That anesthesiologist assistants comply with all continuing education
30 requirements and recertification requirements of the National
31 Commission for Certification of Anesthesiologist Assistants or its
32 successor organization.

33 After January 1, 2010, the Board may, by rule, allow an anesthesiologist to supervise up
34 to four licensed anesthesiologist assistants concurrently and revise the supervision
35 limitations of student anesthesiologist assistants such that the supervision requirements
36 for student anesthesiologist assistants are similar to the supervision requirements for
37 student nurse anesthetists."

38 **SECTION 5.** This act is effective when it becomes law.