

2 State of Arkansas

3 93rd General Assembly

4 Third Extraordinary Session, 2022

# A Bill

JMB/JMB

HOUSE BILL

5  
6 By: Representatives D. Ferguson, M. Gray

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

## 9 For An Act To Be Entitled

10 AN ACT TO ESTABLISH THE ARKANSAS ANESTHESIOLOGIST  
11 ASSISTANT ACT; TO PROVIDE FOR LICENSURE OF  
12 ANESTHESIOLOGIST ASSISTANTS; AND FOR OTHER PURPOSES.

## 13 14 15 Subtitle

16 TO ESTABLISH THE ARKANSAS  
17 ANESTHESIOLOGIST ASSISTANT ACT; AND TO  
18 PROVIDE FOR LICENSURE OF ANESTHESIOLOGIST  
19 ASSISTANTS.

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

23  
24 SECTION 1. Arkansas Code Title 17, Chapter 95, is amended to add an  
25 additional subchapter to read as follows:

26 Subchapter 12 – Arkansas Anesthesiologist Assistant Act

27  
28 17-95-1201. Title.

29 This subchapter shall be known and may be cited as the “Arkansas  
30 Anesthesiologist Assistant Act”.

31  
32 17-95-1202. Definitions.

33 As used in this subchapter:

34 (1) “Anesthesiologist assistant” means a graduate of an approved  
35 program who is licensed to perform services delegated and directly supervised  
36 by a supervising anesthesiologist;

1           (2) "Approved program" means a program for the education and  
2 training of anesthesiologist assistants approved by the Arkansas State  
3 Medical Board; and

4           (3) "Direct supervision" means the on-site, personal supervision  
5 by an anesthesiologist who is:

6                   (A) Present in the office or surgical or obstetrical suite  
7 when a procedure is being performed in the office or surgical or obstetrical  
8 suite; and

9                   (B) In all instances immediately available to provide  
10 assistance and direction to the anesthesiologist assistant while anesthesia  
11 services are being performed.

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13           17-95-1203. Power and duties.

14           (a) The Arkansas State Medical Board shall:

15                   (1) License and renew the licenses of qualified applicants;

16                   (2)(A) Maintain a current list of every person licensed to  
17 practice under this subchapter.

18                   (B) The list shall show the licensee's last known place of  
19 residence, and the date and number of the license;

20                   (3) Prosecute persons who violate this subchapter and incur  
21 necessary expenses of the prosecution;

22                   (4) Keep a record of all proceedings of the board and make the  
23 record available to the public for inspection during reasonable business  
24 hours;

25                   (5) Conduct hearings regarding discipline of a licensee or  
26 denial, revocation, or suspension of a license; and

27                   (6)(A) Share information on a case-by-case basis of a person  
28 whose license has been suspended, revoked, or denied.

29                   (B) The information under subdivision (a)(6)(A) of this  
30 section shall not include the following:

31                           (i) The name of the person whose license has been  
32 suspended, revoked, or denied;

33                           (ii) The type and cause of the action;

34                           (iii) The date upon which a penalty is imposed;

35                           (iv) The type of penalty imposed; or

36                           (v) The duration of the penalty imposed.

1                   (C) The information under subdivision (a)(6)(A) of this  
2 section shall be available for public inspection during reasonable business  
3 hours and shall be supplied to licensing entities in other states upon  
4 request.

5           (b) The board may:

6                   (1) Promulgate rules as necessary to enforce the provisions of  
7 this subchapter consistent with state law;

8                   (2) Employ personnel as necessary to assist the board in  
9 performing its function under this subchapter;

10                   (3) Establish license renewal requirements and procedures as  
11 deemed appropriate;

12                   (4)(A) Secure the services of resource consultants as deemed  
13 necessary by the board.

14                   (B) The board shall reimburse resource consultants for all  
15 actual and necessary expenses incurred while engaged in consultative service  
16 to the board; and

17                   (5) Establish license examination fees by rule.

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19           17-95-1204. Licensing.

20                   (a) A person applying for licensure as an anesthesiologist assistant  
21 shall submit an application to the Arkansas State Medical Board on forms  
22 approved by the board.

23                   (b)(1) The application shall not be effective for more than one (1)  
24 year from the date of the original submission of the application and fee.

25                   (2) After one (1) year from the date that the original  
26 application and fee have been received in the office of the board, a new  
27 application and fee is required from any applicant who desires licensure as  
28 an anesthesiologist assistant.

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30           17-95-1205. Application for licensure.

31                   (a) An applicant for licensure as an anesthesiologist assistant shall  
32 submit an application form approved by the Arkansas State Medical Board.

33                   (b)(1) An applicant shall obtain a passing score on the examination  
34 administered through the National Commission for Certification of  
35 Anesthesiologist Assistants.

1           (2) The passing score shall be established by the National  
2 Commission for Certification of Anesthesiologist Assistants.

3           (c) The applicant shall be certified in advanced cardiac life support.

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5           17-95-1206. Supervisory relationship.

6           (a) An anesthesiologist or a group of anesthesiologists, upon entering  
7 into a supervisory relationship with a licensed anesthesiologist assistant,  
8 shall file with the Arkansas State Medical Board a written protocol,  
9 including without limitation:

10           (1) The name, address, and license number of the  
11 anesthesiologist assistant;

12           (2) The name, address, license number, and United States Drug  
13 Enforcement Administration registration number of each anesthesiologist who  
14 will supervise the anesthesiologist assistant;

15           (3) The address of the anesthesiologist assistant's primary  
16 practice location where the anesthesiologist assistant may practice;

17           (4) The date the protocol was developed and the date of all  
18 revisions;

19           (5) The designation and signature of the primary supervising  
20 anesthesiologist;

21           (6) The signatures of the anesthesiologist assistant and all  
22 supervising anesthesiologists;

23           (7) The duties and functions of the anesthesiologist assistant;

24           (8) The conditions or procedures that require the provision of  
25 care by a supervising anesthesiologist; and

26           (9) The procedures to be followed in the event of an anesthetic  
27 emergency.

28           (b) The protocol required under subsection (a) of this section shall  
29 be filed with the board before the time that the anesthesiologist assistant  
30 begins practice with the supervising anesthesiologist or anesthesiology  
31 group.

32           (c) An anesthesiologist assistant may perform the following duties  
33 under the direct supervision of an anesthesiologist:

34           (1) Obtain a comprehensive patient history and present the  
35 history to the supervising anesthesiologist;

1           (2) Pretest and calibrate anesthesia delivery systems and  
2 monitor, obtain, and interpret information from the systems and monitors;

3           (3) Assist the supervising anesthesiologist with implementation  
4 of monitoring techniques;

5           (4) Establish basic and advanced airway interventions, including  
6 intubations of the trachea and perform ventilator support;

7           (5) Administer intermittent vasoactive drugs and start and  
8 adjust vasoactive infusions;

9           (6) Administer anesthetic drugs, adjuvant drugs, and accessory  
10 drugs;

11           (7) Perform epidural anesthetic procedures and spinal anesthetic  
12 procedures;

13           (8) Administer blood, blood products, and supportive fluids;

14           (9) Support life functions during the administration of  
15 anesthesia, including without limitation induction and intubation procedures,  
16 the use of appropriate mechanical supportive devices, and the management of  
17 fluids; electrolytes, and blood component balances;

18           (10) Recognize and take appropriate corrective action for  
19 abnormal patient responses to anesthesia, adjunctive medication, or other  
20 forms of therapy;

21           (11) Participate in management of the patient while in the post-  
22 anesthesia recovery area, including the administration of supporting fluids;  
23 and

24           (12) Place special peripheral and central venous and arterial  
25 lines for blood sampling and monitoring as appropriate.

26           (d)(1) The supervising anesthesiologist shall delegate only tasks and  
27 procedures to the anesthesiologist assistant that are within the supervising  
28 anesthesiologist's scope of practice.

29           (2) The anesthesiologist assistant may work in any setting that  
30 is within the scope of practice of the supervising anesthesiologist's  
31 practice.

32           (e) Continuity of supervision in practice settings requires the  
33 anesthesiologist assistant to document in the anesthesia record any change in  
34 supervisor.

35           (f) The tasks and procedures performed by the anesthesiologist  
36 assistant shall be documented in the appropriate medical record.

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Referred by Representative D. Ferguson

Prepared by: JMB/JMB