

2 State of Arkansas
3 90th General Assembly
4 Regular Session, 2015

A Bill

DRAFT JMB/BAT
HOUSE BILL

5
6 By: Representative Magie

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 ANESTHESIOLOGISTS ASSISTANTS; AND FOR OTHER PURPOSES.

13 14 15 Subtitle

16 TO ESTABLISH THE ARKANSAS
17 ANESTHESIOLOGIST ASSISTANT ACT.

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. Arkansas Code Title 17, is amended to add an additional
23 chapter to read as follows:

24 CHAPTER 108

25 ANESTHESIOLOGIST ASSISTANT

26 27 17-108-101. Title.

28 This chapter shall be known and may be cited as the "Arkansas
29 Anesthesiologist Assistant Act".

30 31 17-108-102. Definitions.

32 As used in this chapter:

33 (1) "Anesthesiologist assistant" means a graduate of an approved
34 program who is licensed to perform medical services delegated and directly
35 supervised 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 present in the office when the procedure is
6 being performed in that office, or by an anesthesiologist who is present in
7 the surgical or obstetrical suite when the procedure is being performed in
8 the surgical or obstetrical suite, and who is in all instances immediately
9 available to provide assistance and direction to the anesthesiologist
10 assistant while anesthesia services are being performed.

11
12 17-108-103. Powers and duties.

13 (a) The Arkansas State Medical Board shall:

14 (1) Examine, license, and renew the licenses of qualified
15 applicants;

16 (2)(A) Maintain an up-to-date list of every person licensed to
17 practice under this chapter.

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

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

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

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

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

30 (B) The information shall include the following:

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

33 (ii) The Social Security number of the person whose
34 license has been suspended, revoked, or denied;

35 (iii) The type and cause of the action;

36 (iv) The date of a penalty incurred;

1 (v) The penalty incurred; and

2 (vi) The length of the penalty incurred.

3 (C) The information shall be available for public
4 inspection during reasonable business hours and shall be supplied to similar
5 boards in other states upon request.

6 (b) The board may:

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

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

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

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

15 (B) Resource consultants shall be reimbursed for all
16 actual and necessary expenses incurred while engaged in consultative service
17 to the board;

18 (5)(A) Enter into agreements or contracts, consistent with state
19 law, with outside organizations for the purpose of developing, administering,
20 grading, or reporting the results of the licensing examinations.

21 (B) The outside organization shall be capable of providing
22 an examination that meets the standards of the National Commission for
23 Certification of Anesthesiologist Assistants or its equivalent; and

24 (6) Establish license examination fees by rule.

25
26 17-108-104. Licensing.

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

30 (b)(1) The application shall not be used for more than one (1) year
31 from the date of original submission of the application and fee.

32 (2) After one (1) year from the date that the original
33 application and fee have been received in the office of the board, a new
34 application and fee shall be required from any applicant who desires
35 licensure as an anesthesiologist assistant.

1 (c) Application information shall be submitted no later than fifteen
2 (15) days before the meeting at which the applicant desires the application
3 to be considered.

4
5 17-108-105. Application for licensure.

6 (a)(1) An applicant for licensure as an anesthesiologist assistant
7 shall submit an application approved by the Arkansas State Medical Board.

8 (2)(A) The applicant shall submit two (2) personalized and
9 individualized letters of recommendation from anesthesiologists.

10 (B)(i) Letters of recommendation shall be composed and
11 signed by the applicant's supervising physician or, for recent graduates, the
12 faculty physician, and give details of the applicant's clinical skills and
13 ability.

14 (ii) Each letter shall be addressed to the board and
15 shall have been written no more than six (6) months before the filing of the
16 application for licensure.

17 (b)(1) The applicant shall have obtained a passing score on the
18 examination administered through the National Commission for Certification of
19 Anesthesiologist Assistants.

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

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

23
24 17-108-106. Supervisory relationship.

25 (a) An anesthesiologist or a group of anesthesiologists, upon entering
26 into a supervisory relationship with an anesthesiologist assistant, shall
27 file with the Arkansas State Medical Board a written protocol, including
28 without limitation:

29 (1) The name, address, and license number of the
30 anesthesiologist assistant;

31 (2) The name, address, license number, and Drug Enforcement
32 Administration registration number of each anesthesiologist who will
33 supervise the anesthesiologist assistant;

34 (3) The address of the anesthesiologist assistant's primary
35 practice location and any other locations where the assistant may practice;

1 (4) The date the protocol was developed and the dates of all
2 revisions;

3 (5) The designation and signature of the primary supervising
4 anesthesiologist;

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

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

8 (8) The conditions or procedures that require the personal
9 provision of care by an anesthesiologist; and

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

12 (b) The protocol shall be filed with the board before the time the
13 anesthesiologist assistant begins practice with the anesthesiologist or the
14 anesthesiology group.

15 (c) The protocol shall be updated biennially.

16 (d) Anesthesiologist assistants may perform the following duties under
17 the direct supervision of an anesthesiologist:

18 (1) Obtain a comprehensive patient history and present the
19 history to the supervising anesthesiologist;

20 (2) Pretest and calibration of anesthesia delivery systems and
21 monitor, obtain, and interpret information from the systems and monitors;

22 (3) Assist the anesthesiologist with implementation of
23 monitoring techniques;

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

26 (5) Administer intermittent vasoactive drugs and start and
27 adjust vasoactive infusions;

28 (6) Administer anesthetic drugs, adjuvant drugs, and accessory
29 drugs;

30 (7) Assist the anesthesiologist with the performance of epidural
31 anesthetic procedures and spinal anesthetic procedures;

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

33 (9) Support life functions during anesthesia health care,
34 including induction and intubation procedures, the use of appropriate
35 mechanical supportive devices, and the management of fluid, electrolyte, and
36 blood component balances;

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

4 (11) Participate in management of the patient while in the post-
5 anesthesia recovery area, including the administration of supporting fluids;
6 and

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

9 (e)(1) The supervising anesthesiologist shall delegate only tasks and
10 procedures to the anesthesiologist assistant that are within the supervising
11 anesthesiologist's scope of practice.

12 (2) The anesthesiologist assistant may work in any setting that
13 is within the scope of practice of the supervising anesthesiologist's
14 practice.

15 (f) Continuity of supervision in practice settings requires the
16 anesthesiologist assistant to document in the anesthesia record any change in
17 supervisor.

18 (g) The tasks and procedures performed by the anesthesiologist
19 assistant shall be documented in the appropriate medical record.

20
21 17-108-107. Licensure without examination.

22 (a) A person who was engaged in anesthesiology work for at least one
23 (1) year before the effective date of this chapter is entitled to receive a
24 license without examination.

25 (b) A person seeking licensure under this section shall register with
26 the Arkansas State Medical Board before December 31, 2016, and shall pay the
27 license fee.

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29 SECTION 2. EFFECTIVE DATE. This act shall become effective on and
30 after January 1, 2016.

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33 Referral requested by: Representative Stephen Magie

34 Prepared by: JMB