

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1492
Committee Substitute Favorable 5/7/07
Senate Finance Committee Substitute Adopted 6/20/07

Short Title: Anesthesiologist Assistants Licensure.

(Public)

Sponsors:

Referred to:

April 17, 2007

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE LICENSURE OF ANESTHESIOLOGIST
3 ASSISTANTS.

4 The General Assembly of North Carolina enacts:

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

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

8 (1) Satisfy the North Carolina Medical Board that the applicant is of good
9 moral character.

10 (2) Submit to the Board proof of completion of a graduate level training
11 program accredited by the Commission of Accreditation of Allied
12 Health Education Programs or its successor organization.

13 (3) Submit to the Board proof of current certification from the National
14 Commission of Certification of Anesthesiologist Assistants (NCCAA)
15 or its successor organization, including passage of a certification
16 examination administered by the NCCAA. The applicant shall take the
17 certification exam within 12 months after completing training.

18 (4) Meet any additional qualifications for licensure pursuant to rules
19 adopted by the Board."

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

21 **"§ 90-15. License fee; salaries, fees, and expenses of Board.**

22 Each applicant for a license by examination shall pay to the North Carolina Medical
23 Board a fee which shall be prescribed by the Board in an amount not exceeding the sum
24 of four hundred dollars (\$400.00) plus the cost of test materials before being admitted to
25 the examination. Whenever a license is granted without examination, as authorized in
26 G.S. 90-13, the applicant shall pay to the Board a fee in an amount to be prescribed by
27 the Board not in excess of two hundred fifty dollars (\$250.00). Whenever a limited
28 license is granted as provided in G.S. 90-12, the applicant shall pay to the Board a fee

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

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

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

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

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

24 ...

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

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

31 **§ 90-18.5. Limitations on anesthesiologist assistants.**

32 (a) Any person who is licensed to provide anesthesia services as an assistant to
33 an anesthesiologist licensed under Article 1 of this Chapter may use the title
34 'anesthesiologist assistant.' Any other person who uses the title in any form or holds
35 himself or herself out to be an anesthesiologist assistant or to be so licensed without first
36 obtaining a license shall be deemed in violation of this Article. A student in any
37 anesthesiologist assistant training program shall be identified as a 'student
38 anesthesiologist assistant' or an 'anesthesiologist assistant student,' but under no
39 circumstances shall the student use or permit to be used on the student's behalf the terms
40 'intern,' 'resident,' or 'fellow.'

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

1 (1) The North Carolina Medical Board has adopted rules governing the
2 provision of anesthesia services by an anesthesiologist assistant
3 consistent with the requirements of subsection (c) of this section.

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

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

14 (1) That an anesthesiologist assistant be supervised by an anesthesiologist
15 licensed under this Article who is actively engaged in clinical practice
16 and immediately available on-site to provide assistance to the
17 anesthesiologist assistant.

18 (2) That an anesthesiologist may supervise no more than two
19 anesthesiologist assistants or student anesthesiologist assistants at one
20 time. The limitation on the number of anesthesiologist assistants and
21 student anesthesiologist assistants that an anesthesiologist may
22 supervise in no way restricts the number of other qualified anesthesia
23 providers an anesthesiologist may concurrently supervise. After
24 January 1, 2010, the Board may allow an anesthesiologist to supervise
25 up to four licensed anesthesiologist assistants concurrently and may
26 revise the supervision limitations of student anesthesiologist assistants
27 such that the supervision requirements for student anesthesiologist
28 assistants are similar to the supervision requirements for student nurse
29 anesthetists.

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

34 (d) Nothing in this section shall limit or expand the scope of practice of physician
35 assistants under existing law."

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