

**SENATE . . . . . No. 658**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Marc R. Pacheco***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/31/2017</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>2/2/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/2/2017</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	<i>2/2/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/2/2017</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/3/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/3/2017</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/3/2017</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/3/2017</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/3/2017</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>6/20/2017</i>

**SENATE . . . . . No. 658**

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 658) of Marc R. Pacheco, Angelo L. D'Emilia, Michael F. Rush, Sal N. DiDomenico and other members of the General Court for legislation to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission. Health Care Financing.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act to remove the restrictions on the licenses of certified registered nurse anesthetists as recommended by the Institute of Medicine and the Federal Trade Commission.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 94C of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by inserting after the definition for Marihuana the following  
3 definition:-

4 Medication Order, an order entered on a patient's medical record maintained at a hospital,  
5 other health facility, or ambulatory health care setting registered under this chapter and that is  
6 dispensed only for immediate administration at the facility to the ultimate user by an individual  
7 who under chapter 94C administers such medication.

8 SECTION 2. The definition of practitioner, in said section 1 of said chapter 94C, as so  
9 appearing, is hereby amended by adding the following subsection:-

10 (d) A nurse anesthetist authorized by section 80H of chapter 112 and registered pursuant  
11 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in  
12 teaching or chemical analysis, a controlled substance in the course of professional practice or  
13 research in the commonwealth.

14 SECTION 3. Section 7 of said chapter 94C, as so appearing, is hereby amended in  
15 subsection (f) by adding in lines 121, 124 and 125 after the word podiatrist, the following words:  
16 - nurse anesthetist

17 SECTION 4. Said section 7 of said chapter 94C, as so appearing, is hereby further  
18 amended in subsection (g) by striking out the last paragraph in its entirety.

19 SECTION 5. Section 9 of said chapter 94C, as so appearing, is hereby amended in  
20 subsection (a) by inserting in line 1 after the word podiatrist, the following words:- nurse  
21 anesthetist,

22 SECTION 6. Said subsection (a) of section 9 of said chapter 94C, as so appearing, is  
23 hereby further amended in lines 8 and 9 by striking the words: “nurse anesthetist, as limited by  
24 subsection (g) of said section 7 and section 80H of said chapter 112,”.

25 SECTION 7. Said section 9 of said chapter 94C, as so appearing, is hereby further  
26 amended in subsection (b) by inserting in line 29 after the words “nurse-midwifery,” the  
27 following words:- advanced practice nursing

28 SECTION 8. Section 18 of said chapter 94C, as so appearing, is hereby amended in lines  
29 10, 27, 54 and 55 by adding after the words “to practice medicine’ the following words:- or  
30 advanced practice nursing

31 SECTION 9. Said section 18 of chapter 94C, as so appearing, is hereby further amended  
32 in line 25, 34 and 35 by adding after the words “physician” the following words:- or nurse  
33 anesthetist

34 SECTION 10. Said section 18 of chapter 94C, as so appearing, is hereby further amended  
35 by striking out, in lines 38 and 39, the words “a physician who is licensed to practice medicine”  
36 and by inserting in place thereof the following words:- a practitioner who is licensed to practice  
37 medicine or advanced practice nursing

38 SECTION 11. Section 80B of chapter 112, as so appearing in the 2014 Official Edition  
39 is hereby amended by inserting in line 12 after the word “practitioners” the following words:- ,  
40 nurse anesthetists

41 SECTION 12. Said section 80B of chapter 112, as so appearing, is hereby further  
42 amended in the seventh paragraph by adding the following sentence:- Notwithstanding  
43 provisions in this section to the contrary, the board shall promulgate regulations independent of  
44 the board of registration in medicine which govern the provision of nurse anesthetist services and  
45 related care, including, but not limited to, the ordering and interpreting of tests, the ordering and  
46 evaluation of treatment and therapeutics and any registration as a practitioner, under chapter 94C

47 SECTION 13. Chapter 112 of the General Laws, as so appearing, is hereby amended by  
48 striking out the first three sentences in Section 80H and inserting in place thereof the following  
49 sentence:- Pursuant to section 80B, a nurse anesthetist may be registered to distribute, dispense,  
50 conduct research with respect to, or use in teaching or chemical analysis, a controlled substance  
51 in the course of professional practice or research in the commonwealth in accordance with

52 regulations promulgated by the board of registration in nursing after consultation with the  
53 commissioner of public health.

54 SECTION 14. Section 211 of said chapter 112, as so appearing, is hereby amended in  
55 line 31 by inserting after the word physician the following words:- or nurse anesthetist

56 SECTION 15. Said section 211 of said chapter 112, as so appearing, is hereby further  
57 amended in line 34 by adding after the word anesthesiologist the following words:- or nurse  
58 anesthetist

59 SECTION 16. The department of public health and the board of registration in nursing  
60 shall promulgate regulations under sections 80B, 80H and 211 of chapter 112 and sections 1, 7,9  
61 and 18 of chapter 94C of the General Laws by December 31, 2018.