

SENATE No. 716

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:

Marc R. Pacheco

DISTRICT/ADDRESS:

First Plymouth and Bristol

SENATE No. 716

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 716) of Marc R. Pacheco 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 658 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

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 2016
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.

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

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

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

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

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

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

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

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

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

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

SECTION 11. Section 80B of chapter 112, as so appearing in the 2016 Official Edition is hereby amended by inserting in line 12 after the word “practitioners” the following words:- , nurse anesthetists

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

SECTION 13. Chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the first three sentences in Section 80H and inserting in place thereof the following 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, 2020.