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HOUSE BILL 35

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Marian Matthews

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO NURSING; PROVIDING FOR AN INDEPENDENT ROLE FOR
CERTIFIED REGISTERED NURSE ANESTHETISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-3-23.3 NMSA 1978 (being Laws 1991,
Chapter 190, Section 15, as amended) is amended to read:

"61-3-23.3. CERTIFIED REGISTERED NURSE ANESTHETIST--
QUALIFICATIONS--LICENSURE--PRACTICE--ENDORSEMENT--EXPEDITED
LICENSURE.--

A. The board may license for advanced practice as a
certified registered nurse anesthetist an applicant who
furnishes evidence satisfactory to the board that the
applicant:

- (1) is a registered nurse;
- (2) has successfully completed a nurse

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1 anesthesia education program accredited by the council on
2 accreditation of nurse anesthesia [~~education~~] educational
3 programs; provided that, if the applicant is initially licensed
4 by the board or a board in another jurisdiction after January
5 1, 2001, the program shall be at a master's level or higher;
6 and

7 (3) is certified by the [~~council on~~] national
8 board of certification [~~of~~] and recertification for nurse
9 anesthetists.

10 B. A certified registered nurse anesthetist may
11 provide preoperative, intraoperative and postoperative
12 anesthesia care and related services, including ordering of
13 diagnostic tests, in accordance with the current American
14 association of nurse anesthetists' guidelines for nurse
15 anesthesia practice.

16 C. Certified registered nurse anesthetists [~~shall~~]
17 may function in either an [~~interdependent~~] independent role [~~as~~
18 ~~a member of a health care team in which the medical care of the~~
19 ~~patient is directed by a licensed physician, osteopathic~~
20 ~~physician, dentist or podiatrist licensed in New Mexico~~
21 ~~pursuant to Chapter 61, Article 5A, 6, 8 or 10 NMSA 1978. The~~
22 ~~certified registered nurse anesthetist shall collaborate with~~
23 ~~the licensed physician, osteopathic physician, dentist or~~
24 ~~podiatrist concerning the anesthesia care of the patient] or in
25 collaboration with other health care providers in accordance~~

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1 with the policies of a health care facility. As used in this
2 subsection, "collaboration" means the process in which each
3 health care provider contributes the health care provider's
4 respective expertise. [~~Collaboration includes systematic~~
5 ~~formal planning and evaluation between the health care~~
6 ~~professionals involved in the collaborative practice~~
7 ~~arrangement.~~]

8 D. A certified registered nurse anesthetist who has
9 fulfilled the requirements for prescriptive authority in the
10 area of anesthesia practice is authorized to prescribe and
11 administer therapeutic measures, including dangerous drugs and
12 controlled substances included in Schedules II through V of the
13 Controlled Substances Act within the emergency procedures,
14 perioperative care or perinatal care environments. Dangerous
15 drugs and controlled substances, pursuant to the Controlled
16 Substances Act, that have been prepared, packaged or fabricated
17 by a registered pharmacist or doses of drugs that have been
18 prepackaged by a pharmaceutical manufacturer in accordance with
19 the Pharmacy Act and the New Mexico Drug, Device and Cosmetic
20 Act may be prescribed and administered.

21 E. A certified registered nurse anesthetist who has
22 fulfilled the requirements for prescriptive authority in the
23 area of anesthesia practice may prescribe in accordance with
24 rules, regulations and guidelines. The board shall adopt rules
25 concerning a prescriptive authority formulary for certified

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1 registered nurse anesthetists that shall be based on the scope
2 of practice of certified registered nurse anesthetists. The
3 board, in collaboration with the New Mexico medical board,
4 shall develop the formulary. Certified registered nurse
5 anesthetists who prescribe shall do so in accordance with the
6 prescriptive authority formulary.

7 F. From July 1, 2014 through June 30, 2019, upon a
8 determination by the board that an application is complete and
9 approved, the board shall issue a license to a certified
10 registered nurse anesthetist licensed in another state if the
11 applicant meets the qualifications required of certified
12 registered nurse anesthetists in this state. The board shall
13 expedite the issuance of the license within five business days.

14 G. A health care facility may adopt policies
15 relating to the providing of anesthesia care.

16 H. A certified registered nurse anesthetist
17 licensed by the board shall maintain this certification with
18 the American association of nurse anesthetists' council on
19 certification."