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INTERIM STUDY PROPOSAL 2019-043

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1252

By: Representative Magie

Filed with: House Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO ESTABLISH THE ARKANSAS ANESTHESIOLOGIST
ASSISTANT ACT; TO PROVIDE FOR LICENSURE OF
ANESTHESIOLOGIST ASSISTANTS; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE ARKANSAS
ANESTHESIOLOGIST ASSISTANT ACT; AND TO
PROVIDE FOR LICENSURE OF ANESTHESIOLOGIST
ASSISTANTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 17, Chapter 95, is amended to add an
additional subchapter to read as follows:

Subchapter 11 – Arkansas Anesthesiologist Assistant Act

17-95-1101. Title.

This chapter shall be known and may be cited as the “Arkansas
Anesthesiologist Assistant Act”.

17-95-1102. Definitions.

As used in this chapter:

1 (1) "Anesthesiologist assistant" means a graduate of an approved
2 program who is licensed to perform medical services delegated and directly
3 supervised by a supervising anesthesiologist;

4 (2) "Approved program" means a program for the education and
5 training of anesthesiologist assistants approved by the Arkansas State
6 Medical Board; and

7 (3) "Direct supervision" means the on-site, personal supervision
8 by an anesthesiologist who is:

9 (A) Present in the office or surgical or obstetrical suite
10 when a procedure is being performed in the office or surgical or obstetrical
11 suite; and

12 (B) In all instances immediately available to provide
13 assistance and direction to the anesthesiologist assistant while anesthesia
14 services are being performed.

15
16 17-95-1103. Powers and duties.

17 (a) The Arkansas State Medical Board shall:

18 (1) License and renew the licenses of qualified applicants;

19 (2)(A) Maintain an up-to-date list of every person licensed to
20 practice under this subchapter.

21 (B) The list shall show the licensee's last known place of
22 employment, last known place of residence, and the date and number of the
23 license;

24 (3) Prosecute persons who violate this subchapter and incur
25 necessary expenses of the prosecution;

26 (4) Keep a record of all proceedings of the board and make the
27 record available to the public for inspection during reasonable business
28 hours;

29 (5) Conduct hearings regarding discipline of a licensee or
30 denial, revocation, or suspension of a license; and

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

33 (B) The information under subdivision (a)(6)(A) of this
34 section shall include the following:

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

- (ii) The type and cause of the action;
- (iii) The date upon which a penalty is imposed;
- (iv) The type of penalty imposed; and
- (v) The duration of the penalty imposed.

(C) The information under subdivision (a)(6)(A) of this section shall be available for public inspection during reasonable business hours and shall be supplied to licensing entities in other states upon request.

(b) The board may:

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

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

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

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

(B) The board shall reimburse resource consultants for all actual and necessary expenses incurred while engaged in consultative service to the board; and

(5) Establish license examination fees by rule.

17-95-1104. Licensing.

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

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

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

17-95-1105. Application for licensure.

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

1 (b)(1) An applicant shall obtain a passing score on the examination
2 administered through the National Commission for Certification of
3 Anesthesiologist Assistants.

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

6 (c) The applicant shall be certified in advanced cardiac life support.
7
8 17-95-1106. Supervisory relationship.

9 (a) An anesthesiologist or a group of anesthesiologists, upon entering
10 into a supervisory relationship with an anesthesiologist assistant, shall
11 file with the Arkansas State Medical Board a written protocol, including
12 without limitation:

13 (1) The name, address, and license number of the
14 anesthesiologist assistant;

15 (2) The name, address, license number, and Drug Enforcement
16 Administration registration number of each anesthesiologist who will
17 supervise the anesthesiologist assistant;

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

21 (4) The date the protocol was developed and the dates of all
22 revisions;

23 (5) The designation and signature of the primary supervising
24 anesthesiologist;

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

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

28 (8) The conditions or procedures that require the provision of
29 care by a supervising anesthesiologist; and

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

32 (b) The protocol required under subsection (a) of this section shall
33 be filed with the board before the time that the anesthesiologist assistant
34 begins practice with the supervising anesthesiologist or anesthesiology
35 group.

1 (c) An anesthesiologist assistant may perform the following duties
2 under the direct supervision of an anesthesiologist:

3 (1) Obtain a comprehensive patient history and present the
4 history to the supervising anesthesiologist;

5 (2) Pretest and calibrate anesthesia delivery systems and
6 monitor, obtain, and interpret information from the systems and monitors;

7 (3) Assist the supervising anesthesiologist with implementation
8 of monitoring techniques;

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

11 (5) Administer intermittent vasoactive drugs and start and
12 adjust vasoactive infusions;

13 (6) Administer anesthetic drugs, adjuvant drugs, and accessory
14 drugs;

15 (7) Assist the supervising anesthesiologist with the performance
16 of epidural anesthetic procedures and spinal anesthetic procedures;

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

18 (9) Support life functions during the administration of
19 anesthesia, including induction and intubation procedures, the use of
20 appropriate mechanical supportive devices, and the management of fluid,
21 electrolyte, and blood component balances;

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

25 (11) Participate in management of the patient while in the post-
26 anesthesia recovery area, including the administration of supporting fluids;
27 and

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

30 (d)(1) The supervising anesthesiologist shall delegate only tasks and
31 procedures to the anesthesiologist assistant that are within the supervising
32 anesthesiologist's scope of practice.

33 (2) The anesthesiologist assistant may work in any setting that
34 is within the scope of practice of the supervising anesthesiologist's
35 practice.

1 (e) Continuity of supervision in practice settings requires the
2 anesthesiologist assistant to document in the anesthesia record any change in
3 supervisor.

4 (f) The tasks and procedures performed by the anesthesiologist
5 assistant shall be documented in the appropriate medical record.

6
7 17-95-1107. Licensure without examination.

8 (a) A person who was engaged in anesthesiology work for at least one
9 (1) year before January 1, 2020, may receive a license as an anesthesiologist
10 assistant without examination.

11 (b) A person seeking licensure under this section shall register with
12 the Arkansas State Medical Board before December 31, 2019, and shall pay the
13 license fee.

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15 SECTION 2. EFFECTIVE DATE. This act shall become effective on and
16 after January 1, 2020.

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19 Referred requested by the Arkansas House of Representatives
20 Prepared by: JMB/VJF

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