



Ohio Legislative Service Commission

Bill Analysis

Elizabeth Molnar

H.B. 548

131st General Assembly
(As Introduced)

Reps. Schuring, Sprague

BILL SUMMARY

- Grants a certified registered nurse anesthetist (CRNA) authority to select, order, or administer an appropriate drug if specified conditions are met.
- Authorizes a CRNA to direct another licensed or certified person to administer the drug or perform clinical support functions.
- Provides that a physician, podiatrist, or dentist who supervises a CRNA is not liable in damages in a civil action for injury, death, or loss arising from an action or omission of the nurse, unless the physician, podiatrist, or dentist exercised control over or participated in the CRNA's action or omission.

CONTENT AND OPERATION

Authority of a CRNA to select, order, and administer drugs

The bill grants a certified registered nurse anesthetist (CRNA) authority to select, order, and administer appropriate drugs if the selection, ordering, or administration meets the following conditions:

- (1) Is consistent with the CRNA's education and certification;
- (2) Either is authorized by the CRNA's clinical privileges granted by the medical staff of the facility in which the services are provided or within the scope of practice of the supervising dentist, physician, or podiatrist.

The bill specifies that a CRNA's order for drugs is valid for the dispensing and administration of drugs only in the facility or other setting where anesthesia services are being provided.¹

Directing another to administer a drug

The bill also authorizes a CRNA to direct another licensed or certified person to do the following within the person's scope of practice:

- (1) Administer a drug selected and ordered by the CRNA;
- (2) Perform clinical support functions.²

Respiratory care

Current law requires that a respiratory care professional licensed by the Ohio Respiratory Care Board practice only under the supervision of, and pursuant to a prescription or other order for respiratory care issued by, one of the following:

- (1) A physician;
- (2) A certified nurse practitioner or clinical nurse specialist who has entered into a standard care arrangement with a physician that allows the nurse to prescribe or order respiratory care services;
- (3) A physician assistant who holds a valid prescriber number, has been granted physician-delegated prescriptive authority, and has entered into a supervision agreement that allows the physician assistant to prescribe or order respiratory care services.

Under the bill, a respiratory care professional may also practice under the supervision of, and pursuant to an order for respiratory care issued by, a CRNA who issues an order for drugs or directs other licensed or certified persons to administer drugs. The CRNA must be acting under the supervision of a physician and in compliance with all other provisions of existing law and the bill governing the scope of practice of CRNAs.³

¹ R.C. 4723.43.

² R.C. 4723.43(B).

³ R.C. 4761.01(C), not in the bill, and 4761.17(A)(3) and (B)(3).



The bill specifies that, when practicing under an order or the supervision of a CRNA, the respiratory professional's administration of medication is limited to the drugs that the CRNA is authorized to order or direct the professional to administer.⁴

Criminal penalty

The bill prohibits a CRNA from issuing orders for drugs or directing other licensed or certified persons to administer drugs unless the nurse acts in a manner that complies with all provisions of existing law and the bill governing the scope of practice of CRNAs. A CRNA who violates this prohibition is guilty of a fifth degree felony on a first offense and a fourth degree felony on each subsequent offense.⁵

Immunity for supervising dentists, physicians, or podiatrists

The bill specifies that a supervising dentist, physician, or podiatrist is not liable in damages in a civil action for injury, death, or loss that arises from an action or omission of the supervised CRNA, unless the supervising dentist, physician, or podiatrist exercised control over or participated in the nurse's action or omission.⁶

Prescriber definition

The bill includes a CRNA within the definition of "licensed health professional authorized to prescribe drugs" or "prescriber," as those terms are used in the laws administered by the State Board of Pharmacy and other drug-related laws. The bill specifies that the inclusion of a CRNA within these terms applies only to the extent that the nurse is authorized to issue orders for drugs or to direct other licensed or certified persons to administer drugs.⁷

Certificates to prescribe – background

At present, a registered nurse who holds a certificate of authority as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner may apply for a certificate to prescribe issued by the Board of Nursing. A certificate to prescribe allows the holder to prescribe a drug or device listed in the formulary established by the Board.⁸ A certificate to prescribe also permits the nurse to delegate to a person not

⁴ R.C. 4761.17(C)(2).

⁵ R.C. 4723.44(C)(7) and 4723.99(A).

⁶ R.C. 4723.43(B).

⁷ R.C. 4729.01(I).

⁸ R.C. 4723.48 and 4723.481, not in the bill.

otherwise authorized to do so the authority to administer to a specified patient a drug listed in the Board formulary.⁹

The statutes governing application for and issuance of certificates to prescribe do not address CRNAs. Current law, which is extended to the bill's provisions, specifies that a CRNA is not required to obtain a certificate to prescribe in order to provide the anesthesia care described in those laws.¹⁰

HISTORY

ACTION	DATE
Introduced	05-03-16

H0548-I-131.docx/emr

⁹ R.C. 4723.48, not in the bill.

¹⁰ R.C. 4723.43(B).

