

House Engrossed

anesthesiologist assistants; licensure

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2457

AN ACT

AMENDING TITLE 32, CHAPTER 13, ARIZONA REVISED STATUTES, BY ADDING
ARTICLE 7; RELATING TO THE ARIZONA MEDICAL BOARD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 13, Arizona Revised Statutes, is
3 amended by adding article 7, to read:

4 ARTICLE 7. ANESTHESIOLOGIST ASSISTANTS

5 32-1492. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "ANESTHESIOLOGIST" MEANS A PHYSICIAN WHO IS LICENSED PURSUANT TO
8 THIS CHAPTER OR CHAPTER 17 OF THIS TITLE AND WHO HAS COMPLETED A RESIDENCY
9 IN ANESTHESIOLOGY APPROVED BY THE AMERICAN BOARD OF ANESTHESIOLOGY OR THE
10 AMERICAN OSTEOPATHIC BOARD OF ANESTHESIOLOGY.

11 2. "ANESTHESIOLOGIST ASSISTANT" MEANS A PERSON WHO MEETS THE
12 REQUIREMENTS OF SECTION 32-1492.02 AND WHO IS LICENSED BY THE BOARD TO
13 ASSIST IN DEVELOPING AND IMPLEMENTING ANESTHESIA CARE PLANS FOR PATIENTS
14 UNDER THE SUPERVISION OF AN ANESTHESIOLOGIST.

15 3. "ASSISTS" MEANS THE PERSONAL PERFORMANCE BY AN ANESTHESIOLOGIST
16 ASSISTANT OF THOSE DUTIES AND RESPONSIBILITIES DELEGATED BY THE
17 ANESTHESIOLOGIST ASSISTANT'S SUPERVISING ANESTHESIOLOGIST.

18 4. "CERTIFICATION EXAMINATION" MEANS THE INITIAL CERTIFYING
19 EXAMINATION APPROVED BY THE BOARD FOR THE CERTIFICATION OF
20 ANESTHESIOLOGIST ASSISTANTS, INCLUDING THE EXAMINATION ADMINISTERED BY THE
21 NATIONAL COMMISSION FOR CERTIFICATION OF ANESTHESIOLOGIST ASSISTANTS OR
22 ANOTHER NATIONAL ANESTHESIOLOGIST ASSISTANT CERTIFYING AGENCY THAT HAS
23 BEEN REVIEWED AND APPROVED BY THE BOARD AND THAT IS CURRENTLY CERTIFIED.

24 5. "SUPERVISING ANESTHESIOLOGIST" MEANS AN ANESTHESIOLOGIST WHO
25 HOLDS A CURRENT UNRESTRICTED LICENSE, WHO SUPERVISES AN ANESTHESIOLOGIST
26 ASSISTANT AND WHO ASSUMES LEGAL RESPONSIBILITY FOR HEALTH CARE TASKS
27 PERFORMED BY THE ANESTHESIOLOGIST ASSISTANT.

28 6. "SUPERVISION" MEANS THE AVAILABILITY OF AN ANESTHESIOLOGIST WHO
29 DELEGATES, COORDINATES, DIRECTS OR CONSULTS WITH AN ANESTHESIOLOGIST
30 ASSISTANT AND OVERSEES THE IMPLEMENTATION OF THE ANESTHESIOLOGIST'S
31 INTENTIONS.

32 32-1492.01. Board: duties

33 A. THE BOARD SHALL REVIEW AND DETERMINE THE QUALIFICATIONS AND
34 FITNESS OF ALL PERSONS APPLYING FOR A LICENSE TO PRACTICE AS AN
35 ANESTHESIOLOGIST ASSISTANT.

36 B. THE BOARD SHALL:

37 1. GRANT, DENY, REVOKE, SUSPEND, RESTRICT AND REINSTATE LICENSES
38 UNDER THIS ARTICLE.

39 2. INVESTIGATE ALLEGATIONS THAT AN ANESTHESIOLOGIST ASSISTANT OR A
40 SUPERVISING ANESTHESIOLOGIST HAS ENGAGED IN CONDUCT CONSTITUTING A GROUND
41 FOR REVOCATION. IF THE SUPERVISING ANESTHESIOLOGIST IS LICENSED PURSUANT
42 TO CHAPTER 17 OF THIS TITLE, THE ARIZONA MEDICAL BOARD SHALL TRANSFER THE
43 COMPLAINT TO THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND
44 SURGERY FOR INVESTIGATION AND ADJUDICATION.

45 3. CONDUCT INFORMAL INTERVIEWS AND HEARINGS.

1 32-1492.03. Scope of practice

2 A. THIS SECTION DOES NOT APPLY TO PERSONS WHO ARE ENROLLED IN AN
3 ANESTHESIOLOGIST ASSISTANT EDUCATION PROGRAM APPROVED BY THE BOARD.

4 B. AN ANESTHESIOLOGIST ASSISTANT MAY ASSIST IN THE PRACTICE OF
5 MEDICINE ONLY UNDER THE SUPERVISION OF AN ANESTHESIOLOGIST. THE
6 ANESTHESIOLOGIST ASSISTANT MAY PERFORM ONLY THOSE DUTIES AND
7 RESPONSIBILITIES DELEGATED TO THE ANESTHESIOLOGIST ASSISTANT BY THE
8 SUPERVISING ANESTHESIOLOGIST.

9 C. THE SUPERVISING ANESTHESIOLOGIST SHALL BE ALLOWED TO SUPERVISE
10 ANESTHESIOLOGIST ASSISTANTS IN A MANNER CONSISTENT WITH FEDERAL
11 REGULATIONS ADOPTED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR
12 REIMBURSEMENT FOR ANESTHESIA SERVICES.

13 D. THE SUPERVISING ANESTHESIOLOGIST SHALL BE IMMEDIATELY AVAILABLE
14 TO THE ANESTHESIOLOGIST ASSISTANT WHO ASSISTS IN DELIVERING MEDICAL CARE
15 SUCH THAT THE SUPERVISING ANESTHESIOLOGIST IS ABLE TO INTERVENE IF NEEDED.

16 E. AN ANESTHESIOLOGIST ASSISTANT'S PRACTICE MAY NOT EXCEED THE
17 ANESTHESIOLOGIST ASSISTANT'S EDUCATION AND TRAINING OR THE SCOPE OF
18 PRACTICE OF THE SUPERVISING ANESTHESIOLOGIST. A MEDICAL CARE TASK ASSIGNED
19 BY THE SUPERVISING ANESTHESIOLOGIST TO THE ANESTHESIOLOGIST ASSISTANT MAY
20 NOT BE DELEGATED BY THE ANESTHESIOLOGIST ASSISTANT TO ANOTHER PERSON.

21 F. A SUPERVISING ANESTHESIOLOGIST MAY DELEGATE TO AN
22 ANESTHESIOLOGIST ASSISTANT ANY OF THE FOLLOWING DUTIES:

23 1. DEVELOPING AND IMPLEMENTING AN ANESTHESIA CARE PLAN FOR A
24 PATIENT.

25 2. OBTAINING A COMPREHENSIVE PATIENT HISTORY AND PERFORMING
26 RELEVANT ELEMENTS OF A PHYSICAL EXAM.

27 3. PERFORMING PREOPERATIVE AND POSTOPERATIVE ANESTHESIA EVALUATIONS
28 AND MAINTAINING PATIENT PROGRESS NOTES.

29 4. ORDERING AND PERFORMING PREOPERATIVE PATIENT CONSULTATIONS.

30 5. ORDERING PREOPERATIVE MEDICATIONS, INCLUDING CONTROLLED
31 SUBSTANCES, WHICH MAY BE ADMINISTERED BEFORE THE SUPERVISING
32 ANESTHESIOLOGIST COSIGNS.

33 6. CHANGING OR DISCONTINUING A MEDICAL TREATMENT PLAN AFTER
34 CONSULTING WITH THE SUPERVISING ANESTHESIOLOGIST.

35 7. OBTAINING INFORMED CONSENT FOR ANESTHESIA OR RELATED PROCEDURES.

36 8. ORDERING THE PERIOPERATIVE CONTINUATION OF CURRENT MEDICATIONS,
37 WHICH MAY BE ADMINISTERED BEFORE THE SUPERVISING ANESTHESIOLOGIST COSIGNS.

38 9. PRETESTING AND CALIBRATING ANESTHESIA DELIVERY SYSTEMS AND
39 OBTAINING AND INTERPRETING INFORMATION FROM THE SYSTEMS AND MONITORS.

40 10. IMPLEMENTING MEDICALLY ACCEPTED MONITORING TECHNIQUES.

41 11. PERFORMING BASIC AND ADVANCED AIRWAY INTERVENTIONS, INCLUDING
42 ENDOTRACHEAL INTUBATION, LARYNGEAL MASK INSERTION AND OTHER ADVANCED
43 AIRWAYS TECHNIQUES.

44 12. ESTABLISHING PERIPHERAL INTRAVENOUS LINES, INCLUDING
45 SUBCUTANEOUS LIDOCAINE USE.

1 13. PERFORMING INVASIVE PROCEDURES, INCLUDING ARTERIAL LINES,
2 CENTRAL LINES AND SWAN GANZ CATHETERS.

3 14. PERFORMING GENERAL ANESTHESIA, INCLUDING INDUCTION,
4 MAINTENANCE, EMERGENCE AND PROCEDURES ASSOCIATED WITH GENERAL ANESTHESIA,
5 SUCH AS GASTRIC INTUBATION.

6 15. ADMINISTERING ANESTHETIC DRUGS, ADJUVANT DRUGS AND ACCESSORY
7 DRUGS.

8 16. ADMINISTERING VASOACTIVE DRUGS AND STARTING AND TITRATING
9 VASOACTIVE INFUSIONS TO TREAT PATIENT RESPONSES TO ANESTHESIA.

10 17. PERFORMING, MAINTAINING, EVALUATING AND MANAGING EPIDURAL,
11 SPINAL AND REGIONAL ANESTHESIA, INCLUDING CATHETERS.

12 18. PERFORMING MONITORED ANESTHESIA CARE.

13 19. OBTAINING VENOUS AND ARTERIAL BLOOD SAMPLES.

14 20. ADMINISTERING BLOOD, BLOOD PRODUCTS AND SUPPORTIVE FLUIDS.

15 21. PERFORMING, ORDERING AND INTERPRETING APPROPRIATE PREOPERATIVE,
16 POINT-OF-CARE, INTRA-OPERATIVE OR POSTOPERATIVE DIAGNOSTIC TESTS OR
17 PROCEDURES.

18 22. OBTAINING AND ADMINISTERING PERIOPERATIVE ANESTHETIC AND
19 RELATED PHARMACEUTICAL AGENTS, INCLUDING INTRAVENOUS FLUIDS AND BLOOD
20 PRODUCTS.

21 23. MANAGING THE PATIENT WHILE IN THE PREOPERATIVE SUITE, RECOVERY
22 AREA OR LABOR SUITE.

23 24. ORDERING ANY OF THE FOLLOWING:

24 (a) POSTOPERATIVE SEDATION, ANXIOLYSIS OR ANALGESIA.

25 (b) POSTOPERATIVE RESPIRATORY THERAPY AND MEDICINES TO TREAT
26 PATIENT RESPONSES TO ANESTHESIA.

27 (c) POSTOPERATIVE OXYGEN THERAPY, INCLUDING INITIAL VENTILATOR
28 THERAPY, WHICH MAY BE ADMINISTERED BEFORE THE SUPERVISING ANESTHESIOLOGIST
29 COSIGNS.

30 25. INITIATING AND MANAGING CARDIOPULMONARY RESUSCITATION IN
31 RESPONSE TO A LIFE-THREATENING SITUATION.

32 26. PARTICIPATING IN ADMINISTRATIVE, RESEARCH AND CLINICAL TEACHING
33 ACTIVITIES, INCLUDING SUPERVISING STUDENT ANESTHESIOLOGIST ASSISTANTS AND
34 OTHER STUDENTS INVOLVED IN ANESTHESIA EDUCATION.

35 27. PERFORMING SUCH OTHER TASKS NOT PROHIBITED BY LAW THAT AN
36 ANESTHESIOLOGIST ASSISTANT HAS BEEN TRAINED AND IS PROFICIENT TO PERFORM.

37 G. THIS ARTICLE DOES NOT PREVENT AN ANESTHESIOLOGIST ASSISTANT FROM
38 HAVING ACCESS TO AND BEING ABLE TO OBTAIN PRESCRIPTION DRUGS AS DIRECTED
39 BY THE SUPERVISING ANESTHESIOLOGIST.

40 32-1492.04. Regulation and restriction of licenses; written
41 orders

42 A. THE BOARD MAY REFUSE TO RENEW AND MAY REVOKE, SUSPEND OR
43 RESTRICT A LICENSE OR TAKE OTHER DISCIPLINARY ACTION, INCLUDING IMPOSING
44 CONDITIONS OR RESTRICTIONS ON A LICENSE PURSUANT TO THIS ARTICLE AND THE
45 RULES ADOPTED PURSUANT TO THIS ARTICLE.

1 B. IF THE BOARD DETERMINES THAT A PERSON IS INELIGIBLE FOR
2 LICENSURE, THAT AN APPLICATION FOR LICENSURE SHOULD BE DENIED, THAT A
3 LICENSE SHOULD BE REVOKED, SUSPENDED OR RESTRICTED OR THAT ANY OTHER
4 ACTION SHOULD BE TAKEN ON A CURRENT LICENSE, THE BOARD SHALL ADOPT AND
5 ENTER ITS WRITTEN ORDER AND FINDINGS.

6 32-1492.05. Reinstatement of license; requirements

7 A. THE BOARD MAY ISSUE A NEW LICENSE TO AN ANESTHESIOLOGIST
8 ASSISTANT WHOSE LICENSE WAS PREVIOUSLY REVOKED BY THE BOARD IF THE
9 APPLICANT APPLIES IN WRITING TO THE BOARD AND DEMONSTRATES TO THE BOARD'S
10 SATISFACTION THAT THE APPLICANT IS COMPLETELY REHABILITATED WITH RESPECT
11 TO THE CONDUCT THAT WAS THE BASIS FOR THE REVOCATION. IN MAKING ITS
12 DECISION, THE BOARD SHALL DETERMINE:

13 1. THAT THE APPLICANT HAS NOT ENGAGED IN ANY CONDUCT DURING THE
14 REVOCATION PERIOD THAT WOULD CONSTITUTE A BASIS FOR REVOCATION PURSUANT TO
15 RULES ADOPTED BY THE BOARD.

16 2. IF A CRIMINAL CONVICTION WAS A BASIS OF THE REVOCATION, THAT THE
17 APPLICANT'S CIVIL RIGHTS HAVE BEEN FULLY RESTORED PURSUANT TO STATUTE OR
18 ANY OTHER APPLICABLE RECOGNIZED JUDICIAL OR GUBERNATORIAL ORDER.

19 3. THAT THE APPLICANT HAS MADE RESTITUTION TO ANY AGGRIEVED PERSON
20 AS ORDERED BY A COURT OF COMPETENT JURISDICTION.

21 4. THAT THE APPLICANT DEMONSTRATES ANY OTHER STANDARD OF
22 REHABILITATION THE BOARD DETERMINES IS APPROPRIATE.

23 B. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, A PERSON MAY
24 NOT APPLY FOR LICENSE REINSTATEMENT FEWER THAN TWO YEARS AFTER THE DATE OF
25 REVOCATION.

26 C. IF A LICENSE REVOCATION WAS BASED ON A CONVICTION OF A FELONY OR
27 AN OFFENSE INVOLVING MORAL TURPITUDE AND THAT CONVICTION HAS BEEN REVERSED
28 ON APPEAL, THE BOARD SHALL VACATE ITS PREVIOUS ORDER TO REVOKE THE LICENSE
29 AND THE ANESTHESIOLOGIST ASSISTANT MAY APPLY FOR REINSTATEMENT AS SOON AS
30 THE COURT ENTERS THE REVERSAL.

31 D. AN APPLICANT FOR REINSTATEMENT SHALL COMPLY WITH ALL INITIAL
32 LICENSURE REQUIREMENTS PRESCRIBED BY THIS ARTICLE AND RULES ADOPTED BY THE
33 BOARD PURSUANT TO THIS ARTICLE.

34 32-1492.06. Unauthorized practice; violation; classification

35 ANY PERSON WHO PRACTICES AS AN ANESTHESIOLOGIST ASSISTANT OR
36 REPRESENTS THAT THE PERSON IS AN ANESTHESIOLOGIST ASSISTANT WITHOUT HAVING
37 A LICENSE ISSUED PURSUANT TO THIS ARTICLE OR ANY PERSON WHO EMPLOYS AN
38 UNLICENSED PERSON TO PRACTICE AS AN ANESTHESIOLOGIST ASSISTANT IS GUILTY
39 OF A CLASS 1 MISDEMEANOR. EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE
40 UNDER THIS SECTION.