

**PROPOSED REGULATION OF
THE STATE BOARD OF NURSING**

LCB File No. R060-23

October 19, 2023

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-6, NRS 632.120 and section 2.4 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1444.

A REGULATION relating to nursing; revising provisions governing the scope of practice of a certified registered nurse anesthetist; revising certain terminology; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes a certified registered nurse anesthetist working under the supervision of a physician licensed to practice medicine or osteopathic medicine in this State to order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices to treat a person under the care of a licensed physician in a critical access hospital before, during and after surgery or childbirth. (NRS 453.126, as amended by section 5.5 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1447, NRS 454.00958, as amended by section 5.9 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1452, Section 2.6 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1444, NRS 639.0125, as amended by section 5.1 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1446)

Section 1 of this regulation sets forth that, for the purposes of applying the provisions of existing law which require a certified registered nurse anesthetist to be under the supervision of a physician at a critical access hospital to perform certain actions, the State Board of Nursing will interpret the term “under the supervision of a physician” to mean under the supervision of the treating physician. **Section 2** of this regulation removes authorization for a certified registered nurse anesthetist to order drugs under certain circumstances, regardless of whether the certified registered nurse anesthetist is practicing under the supervision of a licensed physician in a critical access hospital. **Section 2** instead provides that a certified registered nurse anesthetist is authorized to order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices where authorized by existing law.

Existing law requires the Board to issue a certificate of registration as a certified registered nurse anesthetist to an applicant who: (1) has successfully completed a nationally accredited program in the science of anesthesia; and (2) meets any additional requirements prescribed by the Board. (Section 2.4 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1444) **Sections 3-6** of this regulation replace the term “certificate of recognition”

with the term “certificate of registration” in existing regulations referring to such a certificate for consistency with existing law.

Section 1. Chapter 632 of NAC is hereby amended by adding thereto a new section to read as follows:

For the purposes of section 2.6 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1444, the Board will interpret “under the supervision of a physician” to mean under the supervision of the treating physician.

Sec. 2. NAC 632.500 is hereby amended to read as follows:

632.500 1. A certified registered nurse anesthetist may, in addition to those functions authorized for the registered nurse, perform the following acts, when it has been determined by a patient’s physician, dentist or podiatric physician that an anesthetic is necessary for a procedure, test or other treatment, in accordance with the applicable policies and procedures regarding the administration of anesthetics:

- (a) Obtain a history of the patient’s health, as appropriate to the anticipated procedure, test or treatment;
- (b) Assess the client’s condition, as appropriate to the anticipated procedure, test or treatment;
- (c) Recommend, request and order pertinent diagnostic studies and evaluate the results of those studies;
- (d) Prepare a written preanesthetic evaluation of the patient and obtain the patient’s informed consent for the anesthesia;
- (e) Select ~~f, order~~ and administer preanesthetic medication;

- (f) ~~{Order, prepare}~~ *Prepare* and use any equipment and supplies necessary for the administration of anesthesia and perform or order any necessary safety checks on the equipment;
- (g) ~~{Order and prepare}~~ *Prepare* any drugs used for the administration of anesthesia;
- (h) Select ~~{and order}~~ anesthesia techniques, agents and adjunctive drugs;
- (i) Perform and manage general, regional and local anesthesia and techniques of hypnosis;
- (j) Perform tracheal intubation and extubation and provide mechanical ventilation;
- (k) Provide perianesthetic invasive and noninvasive monitoring, as appropriate, and respond to any abnormal findings with corrective action;
- (l) Manage the patient's fluid, blood and balance of electrolytes and acid base;
- (m) Recognize abnormal response by a patient during anesthesia, select and take corrective action;
- (n) Identify and manage any related medical emergency requiring such techniques as cardiopulmonary resuscitation, airway maintenance, ventilation, tracheal intubation, pharmacological cardiovascular support and fluid resuscitation;
- (o) Evaluate the patient's response during emergence from anesthesia and institute pharmacological or supportive treatment to ensure adequate recovery from anesthesia;
- (p) Provide care consistent with the principles of infection control and anesthesia safety to prevent the spread of disease and prevent harm to the anesthetized patient and others in the anesthetizing environment;
- (q) Select ~~{, order}~~ and administer postanesthetic medication;
- (r) Report to the person providing postanesthetic care the patient's physical and psychological condition, perioperative course and any anticipated problems;

- (s) Initiate ~~[-order]~~ and administer respiratory support to ensure adequate ventilation and oxygenation in the immediate postanesthetic period;
- (t) Release the patient from the postanesthetic care unit or discharge the patient from the ambulatory surgical setting;
- (u) Include in a timely manner as a part of the patient's medical records a thorough report on all aspects of the patient's anesthesia care; and
- (v) Assess the patient's postanesthetic condition, evaluate the patient's response to anesthesia and take corrective action.

2. *A certified registered nurse anesthetist may order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices in the circumstances authorized by section 2.6 of Senate Bill No. 336, chapter 229, Statutes of Nevada 2023, at page 1444.*

3. In addition, the nurse anesthetist may accept additional responsibilities which are appropriate to the practice setting and within his or her expertise. Such responsibilities may include, but are not limited to, the selection and administration of drugs and techniques for the control of pain in the preoperative, intraoperative and postoperative setting.

Sec. 3. NAC 632.530 is hereby amended to read as follows:

632.530 If the Board finds that the applicant has met all the appropriate requirements set forth in NAC 632.500 to 632.550, inclusive, *and section 1 of this regulation*, the applicant will be issued a certificate of ~~[-recognition]~~ *registration* as a certified registered nurse anesthetist. The certificate may be restricted to administering certain types of anesthetics or to general, regional or local anesthesia or monitored anesthesia care, or any combination thereof.

Sec. 4. NAC 632.540 is hereby amended to read as follows:

632.540 1. A certificate of ~~recognition~~ *registration* as a certified registered nurse anesthetist expires biennially upon expiration of the holder's license as a registered nurse.

2. A certificate of ~~recognition~~ *registration* as a certified registered nurse anesthetist will be renewed upon:

(a) Submission of evidence of the renewal of a current license as a registered nurse in Nevada;

(b) Submission of evidence of current certification as a nurse anesthetist from the Council on Certification of Nurse Anesthetists or the Council on Recertification of Nurse Anesthetists; and

(c) Except as otherwise provided in subsection 3, documentation of 45 contact hours of continuing education related to practice as a nurse anesthetist.

3. If the national recertification occurs within 1 year before the nurse anesthetist's birthday, the Board will consider it sufficient evidence of:

(a) The successful completion of 40 contact hours of continuing education related to practice as a nurse anesthetist; and

(b) Validation of his or her professional practice during the previous 2 years.

Sec. 5. NAC 632.545 is hereby amended to read as follows:

632.545 A certificate of ~~recognition~~ *registration* as a certified registered nurse anesthetist expires automatically whenever there is a lapse in his or her national certification that is issued by the Council on Certification of Nurse Anesthetists.

Sec. 6. NAC 632.550 is hereby amended to read as follows:

632.550 The Board may revoke, suspend or deny issuance or renewal of a certificate of ~~recognition~~ *registration* of a certified registered nurse anesthetist if the certified registered nurse anesthetist:

1. Commits any acts constituting a ground for disciplinary action against a registered nurse;
2. Exceeds his or her authority or fails to adhere to practice as designated by NAC 632.500 to 632.545, inclusive ~~§~~, *and section 1 of this regulation*;
3. Administers an anesthetic without the consent of a licensed physician, podiatric physician or dentist;
4. Makes or causes to be made a false or a forged statement or representation in procuring or attempting to procure approval or renewed certification as a nurse anesthetist;
5. Violates any statute or regulation relating to prescribing, possessing, administering or dispensing drugs; or
6. Practices below the accepted standard of practice.