

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1330
Committee Substitute Favorable 8/23/05
Third Edition Engrossed 8/23/05
Senate Health Care Committee Substitute Adopted 5/18/06

Short Title: Authorize Licensure/Anesthesiologist Asst's. (Public)

Sponsors:

Referred to:

April 20, 2005

A BILL TO BE ENTITLED

1 AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL BOARD TO
2 LICENSE AND REGULATE ANESTHESIOLOGIST ASSISTANTS.
3

4 Whereas, there is a documented shortage of anesthesia providers in North
5 Carolina; and

6 Whereas, anesthesiologist assistants are licensed by many states to provide
7 anesthesia services under the supervision of an anesthesiologist; and

8 Whereas, licensure of anesthesiologist assistants in North Carolina would
9 help alleviate the existing shortage of anesthesia providers in this State; and

10 Whereas, anesthesiologist assistants have excellent clinical safety records, are
11 highly trained, and are authorized to provide anesthesia services under such federal
12 programs as Medicare, Medicaid, TriCare, and the Veterans Administration; Now,
13 therefore,

14 The General Assembly of North Carolina enacts:

15 **SECTION 1.** G.S. 90-11 is amended by adding a new subsection to read:

16 "(a1) Each applicant for licensure as an anesthesiologist assistant in the State shall
17 satisfy the North Carolina Medical Board that the applicant is of good moral character
18 and meets the other qualifications for the issuance of a license before a license is
19 granted by the Board to the applicant."

20 **SECTION 2.** G.S. 90-15 reads as rewritten:

21 **"§ 90-15. License fee; salaries, fees, and expenses of Board.**

22 Each applicant for a license by examination shall pay to the North Carolina Medical
23 Board a fee which shall be prescribed by the Board in an amount not exceeding the sum
24 of four hundred dollars (\$400.00) plus the cost of test materials before being admitted to
25 the examination. Whenever a license is granted without examination, as authorized in
26 G.S. 90-13, the applicant shall pay to the Board a fee in an amount to be prescribed by
27 the Board not in excess of two hundred fifty dollars (\$250.00). Whenever a limited

1 license is granted as provided in G.S. 90-12, the applicant shall pay to the Board a fee
2 not to exceed one hundred fifty dollars (\$150.00), except where a limited license to
3 practice in a medical education and training program approved by the Board for the
4 purpose of education or training is granted, the applicant shall pay a fee of twenty-five
5 dollars (\$25.00), and where a limited license to practice medicine and surgery only at
6 clinics that specialize in the treatment of indigent patients is granted, the applicant shall
7 not pay a fee. A fee of twenty-five dollars (\$25.00) shall be paid for the issuance of a
8 duplicate license. All fees shall be paid in advance to the North Carolina Medical Board,
9 to be held in a fund for the use of the Board. The compensation and expenses of the
10 members and officers of the Board and all expenses proper and necessary in the opinion
11 of the Board to the discharge of its duties under and to enforce the laws regulating the
12 practice of medicine or surgery shall be paid out of the fund, upon the warrant of the
13 Board. The per diem compensation of Board members shall not exceed two hundred
14 dollars (\$200.00) per day per member for time spent in the performance and discharge
15 of duties as a member. Any unexpended sum or sums of money remaining in the
16 treasury of the Board at the expiration of the terms of office of the members of the
17 Board shall be paid over to their successors in office.

18 For the initial and annual registration of an assistant to a physician, the Board may
19 require the payment of a fee not to exceed a reasonable amount.

20 For the initial and annual registration of an anesthesiologist assistant, the Board may
21 require the payment of a fee not to exceed one hundred fifty dollars (\$150.00)."

22 **SECTION 3.** G.S. 90-18(c) is amended by adding a new subdivision to read:

23 "(c) The following shall not constitute practicing medicine or surgery as defined
24 in subsection (b) of this section:

25 ...

26 (20) The provision of anesthesia services by a licensed anesthesiologist
27 assistant under the supervision of an anesthesiologist licensed under
28 Article 1 of this Chapter."

29 **SECTION 4.** Article 1 of Chapter 90 of the General Statutes is amended by
30 adding a new section to read:

31 **§ 90-18.5. Limitations on anesthesiologist assistants.**

32 (a) Any person who is licensed under the provisions of G.S. 90-11 to perform
33 medical acts, tasks, and functions as an assistant to an anesthesiologist licensed under
34 Article 1 of this Chapter may use the title 'anesthesiologist assistant'. Any other person
35 who uses the title in any form or holds himself or herself out to be an anesthesiologist
36 assistant or to be so licensed shall be deemed to be in violation of this Article. A student
37 in any anesthesiologist assistant training program shall be identified as a 'student
38 anesthesiologist assistant' or an 'anesthesiologist assistant student', but under no
39 circumstances shall the student use or permit to be used on the student's behalf, the
40 terms 'intern', 'resident', or 'fellow'.

41 (b) Anesthesiologist assistants are authorized to provide anesthesia services
42 under the supervision of an anesthesiologist licensed under Article 1 of this Chapter,
43 including the development and implementation of an anesthesia care plan for a patient,
44 under the following conditions:

- 1 (1) The North Carolina Medical Board has adopted regulations governing
2 the provision of anesthesia services by an anesthesiologist assistant
3 under the supervision of an anesthesiologist licensed under Article 1 of
4 this Chapter with such limitations as the Board may determine to be in
5 the best interest of patient health and safety.
6 (2) The anesthesiologist assistant holds a current license issued by the
7 Board.
8 (c) The North Carolina Medical Board shall adopt rules to implement this
9 section."
10 **SECTION 5.** This act is effective when it becomes law.