

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

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HOUSE BILL 1492  
Committee Substitute Favorable 5/7/07

Short Title: Anesthesiologist Assistants Licensure.

(Public)

Sponsors:

Referred to:

April 17, 2007

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING THE LICENSURE OF ANESTHESIOLOGIST  
3 ASSISTANTS.

4 The General Assembly of North Carolina enacts:

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

6 "(a1) Every applicant for licensure as an anesthesiologist assistant in the State shall  
7 meet the following criteria:

8 (1) Satisfy the North Carolina Medical Board that the applicant is of good  
9 moral character.

10 (2) Submit to the Board proof of completion of a graduate level training  
11 program accredited by the Commission of Accreditation of Allied  
12 Health Education Programs or its successor organization.

13 (3) Submit to the Board proof of current certification from the National  
14 Commission of Certification of Anesthesiologist Assistants (NCCAA)  
15 or its successor organization, including passage of a certification  
16 examination administered by the NCCAA. The applicant shall take the  
17 certification exam within 12 months after completing training.

18 (4) Meet any additional qualifications for licensure pursuant to rules  
19 adopted by the Board."

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  
28 license is granted as provided in G.S. 90-12, the applicant shall pay to the Board a fee  
29 not to exceed one hundred fifty dollars (\$150.00), except where a limited license to

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

16 For the initial and annual ~~registration~~licensure of an assistant to a physician, the  
17 Board may require the payment of a fee not to exceed a reasonable amount.

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

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

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

23 ...

24 (20) The provision of anesthesia services by a licensed anesthesiologist  
25 assistant under the supervision of an anesthesiologist licensed under  
26 Article 1 of this Chapter in accordance with rules adopted by the  
27 Board."

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

30 **§ 90-18.5. Limitations on anesthesiologist assistants.**

31 (a) Any person who is licensed to provide anesthesia services as an assistant to  
32 an anesthesiologist licensed under Article 1 of this Chapter may use the title  
33 'anesthesiologist assistant.' Any other person who uses the title in any form or holds  
34 himself or herself out to be an anesthesiologist assistant or to be so licensed without first  
35 obtaining a license shall be deemed in violation of this Article. A student in any  
36 anesthesiologist assistant training program shall be identified as a 'student  
37 anesthesiologist assistant' or an 'anesthesiologist assistant student,' but under no  
38 circumstances shall the student use or permit to be used on the student's behalf the terms  
39 'intern,' 'resident,' or 'fellow.'

40 (b) Anesthesiologist assistants are authorized to provide anesthesia services  
41 under the supervision of an anesthesiologist licensed under Article 1 of this Chapter  
42 under the following conditions:

1           (1) The North Carolina Medical Board has adopted rules governing the  
2 provision of anesthesia services by an anesthesiologist assistant  
3 consistent with the requirements of subsection (c) of this section.

4           (2) The anesthesiologist assistant holds a current license issued by the  
5 Board or is a student anesthesiologist assistant participating in a  
6 training program leading to certification by the National Commission  
7 for Certification of Anesthesiologist Assistants and licensure as an  
8 anesthesiologist assistant under G.S. 90-11(a1).

9           (c) The North Carolina Medical Board shall adopt rules to implement this section  
10 that include requirements and limitations on the provision of anesthesia services by an  
11 anesthesiologist assistant as determined by the Board to be in the best interests of  
12 patient health and safety. Rules adopted by the Board pursuant to this section shall  
13 include the following requirements:

14           (1) That an anesthesiologist assistant be supervised by an anesthesiologist  
15 licensed under Article 1 of this Chapter who is actively engaged in  
16 clinical practice and immediately available on site to provide  
17 assistance to the anesthesiologist assistant. One anesthesiologist may  
18 supervise no more than two licensed anesthesiologist assistants at one  
19 time. However, the limitation shall in no way restrict the number of  
20 other qualified anesthesia service providers an anesthesiologist may  
21 concurrently supervise.

22           (2) That no more than two student anesthesiologist assistants be  
23 supervised by one anesthesiologist at one time. However, the  
24 limitation shall in no way restrict the number of other qualified  
25 anesthesia providers an anesthesiologist may concurrently supervise.

26           (3) That anesthesiologist assistants comply with all continuing education  
27 requirements and recertification requirements of the National  
28 Commission for Certification of Anesthesiologist Assistants or its  
29 successor organization.

30 After January 1, 2010, the Board may, by rule, allow an anesthesiologist to supervise up  
31 to four licensed anesthesiologist assistants concurrently and revise the supervision  
32 limitations of student anesthesiologist assistants such that the supervision requirements  
33 for student anesthesiologist assistants are similar to the supervision requirements for  
34 student nurse anesthetists.

35           (d) Nothing in this section shall limit or expand the scope of practice of physician  
36 assistants under existing law."

37           **SECTION 5.** This act is effective when it becomes law.