

2024 -- S 3035

=====
LC005994
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————
A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- NURSES -- NURSE ANESTHETISTS

Introduced By: Senators F. Lombardi, Ciccone, Burke, Felag, Gallo, Rogers, and de la Cruz

Date Introduced: May 02, 2024

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-34-3 of the General Laws in Chapter 5-34 entitled "Nurses" is
2 hereby amended to read as follows:

3 **5-34-3. Definitions.**

4 As used in this chapter:

5 (1) "Advanced practice registered nurse" (APRN) is the title given to an individual licensed
6 to practice advanced practice registered nursing within one of the following roles: certified nurse
7 practitioner (CNP), certified registered nurse anesthetist (CRNA) as defined in chapter 34.2 of this
8 title, or certified clinical nurse specialist (CNS), and who functions in a population focus. An APRN
9 may serve as a primary- or acute-care provider of record.

10 (2) "Advanced practice registered nursing" means an independent and expanded scope of
11 nursing in a role and population focus approved by the board of nurse registration and nursing
12 education that includes the registered nurse scope of practice and may include, but is not limited
13 to, performing acts of advanced assessment, diagnosing, prescribing, and ordering. Each APRN is
14 accountable to patients, the nursing profession, and the board of nursing for complying with the
15 requirements of this chapter and the quality of advanced nursing care rendered; recognizing limits
16 of knowledge and experience; planning for the management of situations beyond the APRN's
17 expertise; and for consulting with or referring patients to other healthcare providers as appropriate.

18 (3) "Approval" means the process where the board of nursing evaluates and grants official
19 recognition to basic nursing education programs meeting established criteria and standards.

1 (4) “Certified clinical nurse specialist” is an advanced practice registered nurse who
2 independently provides care to clients; facilitates attainment of health goals; and provides
3 innovation in nursing practice, based on clinical expertise, evidence-based decision-making, and
4 leadership skills. The clinical nurse specialist practices with individual clients and populations;
5 nurses, and other multidisciplinary team members; and organizations to effect systemwide changes
6 to improve programs of care. The practice may include prescriptive privileges.

7 (5) “Certified nurse practitioner” is an advanced practice nurse utilizing independent
8 knowledge of physical assessment, diagnosis, and management of health care and illnesses. The
9 practice includes prescriptive privileges. Certified nurse practitioners are members of the healthcare
10 delivery system practicing in areas including, but not limited to: family practice, pediatrics, adult
11 health care, geriatrics, and women’s health care in primary, acute, long-term, and critical-care
12 settings in healthcare facilities and the community. Certified nurse practitioners may be recognized
13 as the primary-care provider or acute-care provider of record. [Certified nurse practitioners are not
14 licensed or accredited in the formal and advanced training necessary to administer general
15 anesthesia. The position of "anesthesia sedation nurse practitioner", so called, is not a recognized
16 subspecialty of the nurse practitioner profession.](#)

17 (6) “Certified registered nurse anesthetist” is as defined in chapter 34.2 of this title (“Nurse
18 Anesthetist”).

19 (7) “Department” means the department of health.

20 (8) “Health” means optimum well-being.

21 (9) “Health care” means those services provided to promote the optimum well-being of
22 individuals.

23 (10) “Licensed” means the status of qualified individuals who have completed a designated
24 process by which the board of nursing grants permission to individuals accountable and/or
25 responsible for the practice of nursing and to engage in that practice, prohibiting all others from
26 legally doing so.

27 (11) “Nursing” means the provision of services that are essential to the promotion,
28 maintenance, and restoration of health throughout the continuum of life. It provides care and
29 support of individuals and families during periods of wellness, illness, and injury, and incorporates
30 the appropriate healthcare plan of care prescribed by a licensed advanced practice registered nurse,
31 certified nurse midwife, licensed physician, dentist, or podiatrist. It is a distinct component of health
32 services. Nursing practice is based on specialized knowledge, judgment, and nursing skills acquired
33 through educational preparation in nursing and in the biological, physical, social, and behavioral
34 sciences.

1 (12) "Population foci" means focus of the patient population. Population focus shall
2 include:

3 (i) Family/Individual across the lifespan;

4 (ii) Adult-gerontology;

5 (iii) Neonatal;

6 (iv) Pediatrics;

7 (v) Women's health/gender-related; and

8 (vi) Psychiatric/mental health.

9 (13) "Practical nursing" is practiced by licensed practical nurses (L.P.N.s). It is an integral
10 part of nursing based on a knowledge and skill level commensurate with education. It includes
11 promotion, maintenance, and restoration of health and utilizes standardized procedures leading to
12 predictable outcomes that are in accord with the professional nurse regimen under the direction of
13 a registered nurse. In situations where registered nurses are not employed, the licensed practical
14 nurse functions under the direction of a licensed physician, dentist, podiatrist, or other licensed
15 healthcare providers authorized by law to prescribe. Each L.P.N. is responsible for the nursing care
16 rendered.

17 (14) "Professional nursing" is practiced by registered nurses (R.N.s). The practice of
18 professional nursing is a dynamic process of assessment of an individual's health status;
19 identification of healthcare needs; determination of healthcare goals with the individual and/or
20 family participation; and the development of a plan of nursing care to achieve these goals. Nursing
21 actions, including teaching and counseling, are directed toward the promotion, maintenance, and
22 restoration of health and evaluation of the individual's response to nursing actions and the medical
23 regimen of care. The professional nurse provides care and support of individuals and families
24 during periods of wellness and injury and incorporates, where appropriate, the medical plan of care
25 as prescribed by a licensed physician, dentist, podiatrist, or other licensed healthcare providers
26 authorized by law to prescribe. Each R.N. is directly accountable and responsible to the consumer
27 for the nursing care rendered.

28 (15) "Psychiatric and mental health nurse clinical specialist" is a certified clinical nurse
29 specialist working in the population foci of psychiatric/mental health as an advanced practice nurse
30 utilizing independent knowledge in psychiatric mental-health assessment; diagnosis, health
31 promotion, psychotherapeutic modalities, and management of mental health and illnesses. The
32 practice may include prescription privileges within their scope of practice. The practice may also
33 include consultation and education.

34 SECTION 2. Section 5-34.2-2 of the General Laws in Chapter 5-34.2 entitled "Nurse

1 Anesthetists" is hereby amended to read as follows:

2 **5-34.2-2. Definitions.**

3 (a) "Board" means the board of nurse registration and nurse education established in § 5-
4 34-4.

5 (b) "Certified registered nurse anesthetist" (CRNA) means a registered nurse who has
6 successfully met the requirements stated in this chapter.

7 (c) "Practice of certified registered nurse anesthesia" means providing certain healthcare
8 services in collaboration with anesthesiologists, licensed physicians, or licensed dentists in
9 accordance with § 5-31.1-1(17) which requires substantial specialized knowledge, judgment, and
10 skill related to the administration of anesthesia, including preoperative and postoperative
11 assessment of patients; administering anesthetics; monitoring patients during anesthesia;
12 management of fluid in intravenous therapy; and management of respiratory care. It also includes,
13 in connection with the immediate perioperative care of a patient, the ability to issue a medication
14 order for drugs or medications to be administered by a licensed, certified, or registered healthcare
15 provider; to order and evaluate laboratory and diagnostic test results and perform point-of-care
16 testing that the CRNA is qualified to perform; and order and evaluate radiographic imaging studies
17 that the CRNA is qualified to order and interpret. For the purposes of this section, the immediate
18 perioperative care of a patient shall be defined as the period commencing on the day prior to surgery
19 and ending upon discharge of the patient from post-anesthesia care. CRNAs shall comply with the
20 requirements set forth in this chapter, including § 5-34.2-5(b) regarding scope of practice, and the
21 requirements set forth in chapter 34 of this title, as applicable. In the case of any conflict between
22 this chapter and chapter 34 of this title with regard to the licensure and practice of CRNAs, this
23 chapter shall control. [The elective and/or independent administration of propofol and all FDA](#)
24 [classified general anesthetics for any surgery or procedure is limited to licensed certified registered](#)
25 [nurse anesthetists, and is not within the "scope of practice" of nurse practitioners as defined in § 5-](#)
26 [34-3 which is prohibited.](#)

27 SECTION 3. This act shall take effect upon passage.

=====
LC005994
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS -- NURSES -- NURSE ANESTHETISTS

1 This act would establish that the elective and/or independent administration of propofol,
2 and all FDA classified general anesthetics, for any surgery or procedure, is not within the "scope
3 of practice" of nurse practitioners as defined in § 5-34-3.

4 This act would take effect upon passage.

=====
LC005994
=====