

STATE OF NEW YORK

357

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. COONEY, ADDABBO, BAILEY, FERNANDEZ, GALLIVAN, GONZALEZ, HARCKHAM, HELMING, HINCHEY, PALUMBO, PARKER, RAMOS, RHOADS, RIVERA, SALAZAR, SANDERS, SKOUFIS, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to creating the profession of nurse anesthetist

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new article 139-A
2 to read as follows:

ARTICLE 139-A

CERTIFIED REGISTERED NURSE ANESTHETIST

Section 6920. Introduction.

6 6921. Definition of practice of certified registered nurse
7 anesthetist.

8 6922. Practice of certified registered nurse anesthetist and use
9 of the title "certified registered nurse anesthetist" or
10 "nurse anesthetist".

11 6923. State board for nursing.

12 6924. Requirements for a license as a certified registered nurse
13 anesthetist.

14 6925. Limited permits.

15 6926. Exempt persons.

16 6927. Special provisions.

17 § 6920. Introduction. This article applies to the profession of certi-
18 fied registered nurse anesthetist. The general provisions for all
19 professions contained in article one hundred thirty of this title apply
20 to this article.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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§ 6921. Definition of practice of certified registered nurse anesthetist. 1. In addition to the provisions of practice for registered professional nursing outlined in section sixty-nine hundred two of this title, the practice of a certified registered nurse anesthetist further includes, but is not limited to, administration of anesthesia and sedation to a patient; performing and documenting a preanesthetic assessment and evaluation of the patient, including requesting consultations and diagnostic studies; selecting, obtaining, ordering, and administering preanesthetic medications and fluids; obtaining informed consent for anesthesia, developing and implementing an anesthetic plan; initiating the anesthetic technique; monitoring the patient including selecting, applying, and inserting appropriate noninvasive and invasive monitoring modalities for continuous evaluation of the patient's physical status; selecting, obtaining, and administering the anesthetics, adjuvant and accessory drugs, and fluids necessary to manage anesthetics and acute and chronic pain; ordering and evaluating laboratory and diagnostic tests and performing point-of-care testing; ordering and evaluating radiographic imaging studies; managing a patient's airway and cardiopulmonary status using current practice modalities; facilitating emergence and recovery from anesthesia by selecting, obtaining, ordering and administering medications, fluids, and ventilatory support; discharging the patient from a postanesthesia care area and providing postanesthesia follow-up evaluation and care; implementing acute and chronic pain management modalities; responding to emergency situations by providing airway management, administration of emergency fluids and drugs, and using basic or advanced cardiac life support techniques; and prescribe tests, drugs and other treatments necessary to anesthesia care provided by a nurse anesthetist.

2. (a) A certified registered nurse anesthetist licensed under this article and practicing for thirty-six hundred hours or less shall do so either under the direction of: (i) a physician who has completed a residency program in anesthesiology that is accredited by an accrediting organization acceptable to the department; (ii) a physician who is board certified in anesthesiology by a certifying organization acceptable to the department; (iii) a physician who has medical staff privileges to provide anesthesia services (deep sedation, general and regional anesthesia assessments/administration) in a general hospital or ambulatory surgery center authorized by article twenty-eight of the public health law; or (iv) a dentist or podiatrist qualified to provide anesthesia services as determined by the department on their cases. For purposes of this section, direction shall mean patient care guidance and advice, coordination and communication from the physician, dentist or podiatrist to the certified registered nurse anesthetist practicing for less than thirty-six hundred hours, as needed for the care of the patient.

(b) After practicing for more than thirty-six hundred hours, a certified registered nurse anesthetist shall function in an interdependent role as a member of a patient-centered care team.

3. Prescriptions for drugs, devices, and anesthetic agents, anesthesia related agents, and analgesics may be issued by a certified registered nurse anesthetist necessary to anesthesia care provided by a nurse anesthetist. The certified registered nurse anesthetist shall obtain a certificate from the department upon successfully completing a program including an appropriate pharmacology component, or its equivalent, as established by the commissioner's regulations, prior to prescribing under this subdivision. The license issued under this article shall state whether the certified registered nurse anesthetist has successful-

1 ly completed such a program or equivalent and is authorized to prescribe
2 under this subdivision.

3 4. Nothing in this section shall be deemed to limit or diminish the
4 practice of the profession of nursing as a registered professional nurse
5 under article one hundred thirty-nine of this title or any other law,
6 rule, regulation or certification, nor to deny any registered profes-
7 sional nurse the right to do any act or engage in any practice author-
8 ized by article one hundred thirty-nine of this title or any other law,
9 rule, regulation or certification.

10 § 6922. Practice of certified registered nurse anesthetist and use of
11 the title "certified registered nurse anesthetist" or "nurse anesthe-
12 tist". Only a person licensed or otherwise authorized under this article
13 shall practice as a certified registered nurse anesthetist or nurse
14 anesthetist, provided that any person who was practicing as a certified
15 registered nurse anesthetist in the state before the effective date of
16 this article shall have the right to continue using the title. Contin-
17 ued use of such title after that shall be dependent upon such person
18 applying for and obtaining a license from the department as a certified
19 registered nurse anesthetist pursuant to section sixty-nine hundred
20 twenty-seven of this article within three years from the effective date
21 of this article.

22 § 6923. State board for nursing. The state board for nursing as estab-
23 lished in section sixty-nine hundred four of this title shall be the
24 governing state board for certified registered nurse anesthetists.

25 § 6924. Requirements for a license as a certified registered nurse
26 anesthetist. To qualify for a license as a certified registered nurse
27 anesthetist, an applicant shall fulfill the following requirements:

28 1. Application: file an application with the department;

29 2. License: be New York state licensed and currently registered as a
30 registered professional nurse;

31 3. Education: have received a master's degree or higher in a program
32 of nurse anesthesia from a program registered by the department or
33 determined by the department to be substantially equivalent or meet the
34 requirements of section sixty-nine hundred twenty-seven of this article;

35 4. Examination: pass an examination satisfactory to the board and in
36 accordance with the commissioner's regulations;

37 5. Character: be of good moral character as determined by the depart-
38 ment;

39 6. Fees: pay a fee of one hundred fifty dollars to the department for
40 an initial license and a fee of fifty dollars for each triennial regis-
41 tration period; and

42 7. Information and documentation: in conjunction with and as a condi-
43 tion of each triennial registration a certified registered nurse anesth-
44 etist shall provide to the department, and the department shall collect,
45 such information and documentation required by the department, in
46 consultation with the department of health, as is necessary to enable
47 the department of health to evaluate access to needed services in this
48 state, including, but not limited to, the location and type of setting
49 wherein the certified registered nurse anesthetist practices and other
50 information the department, in consultation with the department of
51 health, deems relevant. The department of health, in consultation with
52 the department, shall make such data available in aggregate, de-identi-
53 fied form on a publicly accessible website. Additionally, in conjunc-
54 tion with each triennial registration, the department, in consultation
55 with the department of health, shall provide information on registering

1 in the donate life registry for organ and tissue donation, including the
2 website address for such registry.

3 § 6925. Limited permits. 1. The department may issue a limited permit
4 to an applicant who is New York state licensed and registered as a
5 registered nurse and meets all qualifications for licensure, except the
6 examination and/or experience requirements, or to an applicant who is
7 gaining experience for the diagnostic privilege, in accordance with
8 regulations promulgated therefor.

9 2. Limited permits shall be for two years.

10 3. A limited anesthetist permit shall entitle the holder to practice
11 as a nurse anesthetist only in a health care facility under the
12 personal, on-premise supervision of a certified registered nurse anesth-
13 etist with more than thirty-six hundred hours of practice experience or
14 physician who: (a) has completed a residency program in anesthesiology
15 that is accredited by an accrediting organization acceptable to the
16 department; or (b) is board certified in anesthesiology by a certifying
17 organization acceptable to the department; or (c) has medical staff
18 privileges to provide anesthesia services at the health care facility
19 and with the endorsement of the health care facility.

20 4. Fees. The fee for each limited permit shall be thirty-five dollars.

21 § 6926. Exempt persons. This article shall not be construed:

22 1. as applying to any activity authorized, pursuant to statute, rule
23 or regulation, to be performed by a registered professional nurse in a
24 hospital as defined in article twenty-eight of the public health law;

25 2. as prohibiting the furnishing of nurse anesthesia assistance in
26 case of an emergency;

27 3. as prohibiting such performance of nurse anesthesia service by
28 students enrolled in department registered nurse anesthesia programs or
29 students enrolled in other nurse anesthesia programs that are authorized
30 pursuant to section two hundred twenty-four of this chapter to place
31 such students in clinical rotations in this state under appropriate
32 supervision; or

33 4. as prohibiting or preventing the practice of nurse anesthesia in
34 this state, in obedience to the requirements of the laws of the United
35 States, by any commissioned nurse anesthetist officer in the armed forc-
36 es of the United States or by any nurse anesthetist employed in the
37 United States veterans administration or United States public health
38 service while engaged in the performance of the actual duties prescribed
39 for such nurse anesthetist under the United States statutes, provided
40 such person does not represent or hold themselves out as a certified
41 registered nurse anesthetist registered to practice in this state.

42 § 6927. Special provisions. It shall be lawful for an individual
43 practicing as a certified registered nurse anesthetist in this state as
44 of the effective date of this section that does not meet the educational
45 requirements, but meets the other requirements of section sixty-nine
46 hundred twenty-four of this article, to continue such practice provided
47 that such certified registered nurse anesthetist:

48 1. submits evidence of certification as a certified registered nurse
49 anesthetist by an appropriate national certifying body to the depart-
50 ment;

51 2. has continually maintained active, up-to-date recertification
52 status as a certified registered nurse anesthetist by an appropriate
53 national recertifying body; and

54 3. has submitted an application for licensure.

55 § 2. Section 6903 of the education law, as amended by chapter 323 of
56 the laws of 2006, is amended to read as follows:

1 § 6903. Practice of nursing and use of title "registered professional
2 nurse" or "licensed practical nurse". Only a person licensed or other-
3 wise authorized under this article shall practice nursing and only a
4 person licensed under section sixty-nine hundred five of this article
5 shall use the title "registered professional nurse" and only a person
6 licensed under section sixty-nine hundred six of this article shall use
7 the title "licensed practical nurse". No person shall use the title
8 "nurse" or any other title or abbreviation that would represent to the
9 public that the person is authorized to practice nursing unless the
10 person is licensed or otherwise authorized under this article or article
11 one hundred thirty-nine-A of this title.

12 § 3. Section 6904 of the education law, as amended by chapter 994 of
13 the laws of 1971 and as renumbered by chapter 50 of the laws of 1972, is
14 amended to read as follows:

15 § 6904. State board for nursing. A state board for nursing shall be
16 appointed by the board of regents on recommendation of the commissioner
17 for the purpose of assisting the board of regents and the department on
18 matters of professional licensing and professional conduct in accordance
19 with section sixty-five hundred eight of this title. The board shall be
20 composed of not less than [~~fifteen~~] seventeen members, eleven of whom
21 shall be registered professional nurses and four of whom shall be
22 licensed practical nurses and two of whom shall be certified registered
23 nurse anesthetists all licensed and practicing in this state for at
24 least five years. An executive secretary to the board shall be

25 appointed by the board of regents on recommendation of the commissioner
26 and shall be a registered professional nurse registered in this state.

27 § 4. This act shall take effect eighteen months after it shall have
28 become a law.