

STATE OF NEW YORK

357--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. COONEY, ADDABBO, BAILEY, BORRELLO, FERNANDEZ, GALLIVAN, GONZALEZ, HARCKHAM, HELMING, HINCHEY, JACKSON, MURRAY, OBERACKER, PALUMBO, PARKER, RAMOS, RHOADS, RIVERA, C. RYAN, SALAZAR, SANDERS, SKOUFIS, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

3 ARTICLE 139-A

4 CERTIFIED REGISTERED NURSE ANESTHETIST

5 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

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

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1 professions contained in article one hundred thirty of this title apply
2 to this article.

3 § 6921. Definition of practice of certified registered nurse anesthe-
4 tist. 1. In addition to the provisions of practice for registered
5 professional nursing outlined in section sixty-nine hundred two of this
6 title, the practice of a certified registered nurse anesthetist further
7 includes, but is not limited to, administration of anesthesia and
8 sedation to a patient; performing and documenting a preanesthetic
9 assessment and evaluation of the patient, including requesting consulta-
10 tions and diagnostic studies; selecting, obtaining, ordering, and admin-
11 istering preanesthetic medications and fluids; obtaining informed
12 consent for anesthesia, developing and implementing an anesthetic plan;
13 initiating the anesthetic technique; monitoring the patient including
14 selecting, applying, and inserting appropriate noninvasive and invasive
15 monitoring modalities for continuous evaluation of the patient's phys-
16 ical status; selecting, obtaining, and administering the anesthetics,
17 adjuvant and accessory drugs, and fluids necessary to manage anesthetics
18 and acute and chronic pain; ordering and evaluating laboratory and diag-
19 nostic tests and performing point-of-care testing; ordering and evaluat-
20 ing radiographic imaging studies; managing a patient's airway and
21 cardiopulmonary status using current practice modalities; facilitating
22 emergence and recovery from anesthesia by selecting, obtaining, ordering
23 and administering medications, fluids, and ventilatory support;
24 discharging the patient from a postanesthesia care area and providing
25 postanesthesia follow-up evaluation and care; implementing acute and
26 chronic pain management modalities; responding to emergency situations
27 by providing airway management, administration of emergency fluids and
28 drugs, and using basic or advanced cardiac life support techniques; and
29 prescribe tests, drugs and other treatments necessary to anesthesia care
30 provided by a nurse anesthetist.

31 2. (a) A certified registered nurse anesthetist licensed under this
32 article and practicing for thirty-six hundred hours or less shall do so
33 either under the direction of: (i) a physician who has completed a
34 residency program in anesthesiology that is accredited by an accrediting
35 organization acceptable to the department; (ii) a physician who is board
36 certified in anesthesiology by a certifying organization acceptable to
37 the department; (iii) the operating physician who the governing body of
38 the general hospital or ambulatory surgery center, that is subject to
39 section twenty-eight hundred one-b of the public health law, has deter-
40 mined is qualified to supervise anesthesia services in the general
41 hospital or ambulatory surgery center; or (iv) a dentist or podiatrist
42 qualified to provide anesthesia services pursuant to sections sixty-six
43 hundred five-a and seven thousand one of the education law, respective-
44 ly. For purposes of this section, direction shall mean patient care
45 guidance and advice, coordination and communication from the physician,
46 dentist or podiatrist to the certified registered nurse anesthetist
47 practicing for less than thirty-six hundred hours, as needed for the
48 care of the patient.

49 (b) After practicing for more than thirty-six hundred hours, a certi-
50 fied registered nurse anesthetist shall function in an interdependent
51 role as a member of a patient-centered care team, which shall include a
52 physician, podiatrist, or dentist.

53 3. Prescriptions for drugs, devices, and anesthetic agents, anesthesia
54 related agents, and analgesics may be issued by a certified registered
55 nurse anesthetist under this paragraph and section sixty-nine hundred
56 twenty-four of this article, necessary to anesthesia care provided by a

1 nurse anesthetist. The certified registered nurse anesthetist shall
2 obtain a certificate from the department upon successfully completing a
3 program including an appropriate pharmacology component, or its equiv-
4 alent, as established by the commissioner's regulations, prior to
5 prescribing under this subdivision. The license issued under section
6 sixty-nine hundred twenty-four of this article shall state whether the
7 certified registered nurse anesthetist has successfully completed such a
8 program or equivalent and is authorized to prescribe under this subdivi-
9 sion.

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.

15 § 6923. State board for nursing. The state board for nursing as estab-
16 lished in section sixty-nine hundred four of this title shall be the
17 governing state board for certified registered nurse anesthetists.

18 § 6924. Requirements for a license as a certified registered nurse
19 anesthetist. To qualify for a license as a certified registered nurse
20 anesthetist, an applicant shall fulfill the following requirements:

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

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

24 3. Education: have received a degree in a program of nurse anesthesia
25 from a program registered by the department or determined by the depart-
26 ment to be substantially equivalent or meet the requirements of section
27 sixty-nine hundred twenty-seven of this article;

28 4. Examination: pass an examination satisfactory to the department
29 after consultation with the state board for nursing and in accordance
30 with the commissioner's regulations;

31 5. Character: be of good moral character as determined by the depart-
32 ment; and

33 6. Fees: pay a fee of one hundred fifty dollars to the department for
34 an initial license and a fee of fifty dollars for each triennial regis-
35 tration period.

36 § 6925. Limited permits. 1. The department may issue a limited permit
37 to an applicant who is New York state licensed and registered as a
38 registered nurse and meets all qualifications for licensure, except the
39 examination.

40 2. Limited permits shall be for two years.

41 3. A limited anesthetist permit shall entitle the holder to practice
42 as a nurse anesthetist only in a health care facility under the
43 personal, on-premise supervision of a certified registered nurse anesth-
44 etist with more than thirty-six hundred hours of practice experience or
45 physician who: (a) has completed a residency program in anesthesiology
46 that is accredited by an accrediting organization acceptable to the
47 department; or (b) is board certified in anesthesiology by a certifying
48 organization acceptable to the department; or (c) has medical staff
49 privileges to provide anesthesia services at the health care facility
50 and with the endorsement of the health care facility.

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

52 § 6926. Exempt persons. This article shall not be construed:

53 1. to limit or diminish the practice of the profession of nursing as a
54 nurse practitioner or registered professional nurse pursuant to article
55 one hundred thirty-nine of this title or any other law, rule, regulation
56 or certification;

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

3 3. as prohibiting such performance of nurse anesthesia service by
4 students enrolled in department registered nurse anesthesia programs or
5 students enrolled in other nurse anesthesia programs that are authorized
6 pursuant to section two hundred twenty-four of this chapter to place
7 such students in clinical rotations in this state under appropriate
8 supervision; or

9 4. as prohibiting or preventing the practice of nurse anesthesia in
10 this state, in obedience to the requirements of the laws of the United
11 States, by any commissioned nurse anesthetist officer in the armed forc-
12 es of the United States or by any nurse anesthetist employed in the
13 United States veterans administration or United States public health
14 service while engaged in the performance of the actual duties prescribed
15 for such nurse anesthetist under the United States statutes, provided
16 such person does not represent or hold themselves out as a certified
17 registered nurse anesthetist registered to practice in this state.

18 § 6927. Special provisions. It shall be lawful for an individual
19 practicing as a certified registered nurse anesthetist in this state as
20 of the effective date of this section that does not meet the educational
21 requirements, but meets the other requirements of section sixty-nine
22 hundred twenty-four of this article, to continue such practice provided
23 that such certified registered nurse anesthetist:

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

27 2. has continually maintained active, up-to-date recertification
28 status as a certified registered nurse anesthetist by an appropriate
29 national recertifying body;

30 3. has submitted an application for and obtained licensure as a New
31 York state certified registered nurse anesthetist within three years of
32 the effective date of this article; and

33 4. nothing in this article shall be construed to authorize an individ-
34 ual to continue to practice as or use the title "certified registered
35 nurse anesthetist" or "CRNA" beyond the three-year time frame unless
36 such individual obtains a New York state license under this article.

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

39 § 6903. Practice of nursing and use of title "registered professional
40 nurse" or "licensed practical nurse". Only a person licensed or other-
41 wise authorized under this article shall practice nursing and only a
42 person licensed under section sixty-nine hundred five of this article
43 shall use the title "registered professional nurse" and only a person
44 licensed under section sixty-nine hundred six of this article shall use
45 the title "licensed practical nurse". No person shall use the title
46 "nurse" or any other title or abbreviation that would represent to the
47 public that the person is authorized to practice nursing unless the
48 person is licensed or otherwise authorized under this article or article
49 one hundred thirty-nine-A of this title.

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

53 § 6904. State board for nursing. A state board for nursing shall be
54 appointed by the board of regents on recommendation of the commissioner
55 for the purpose of assisting the board of regents and the department on
56 matters of professional licensing and professional conduct in accordance

1 with section sixty-five hundred eight of this title. The board shall be
2 composed of not less than [~~fifteen~~ seventeen] members, eleven of whom
3 shall be registered professional nurses and four of whom shall be
4 licensed practical nurses and two of whom shall be certified registered
5 nurse anesthetists all licensed and practicing in this state for at
6 least five years. An executive secretary to the board shall be
7 appointed by the board of regents on recommendation of the commissioner
8 and shall be a registered professional nurse registered in this state.
9 § 4. This act shall take effect eighteen months after it shall have
10 become a law. Effective immediately, the addition, amendment and/or
11 repeal of any rule or regulation necessary for the implementation of
12 this act on its effective date are authorized to be made and completed
13 on or before such effective date.