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:

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

ARTICLE 139-A

CERTIFIED REGISTERED NURSE ANESTHETIST

Section 6920. Introduction.
6921. Definition of practice of certified registered nurse anesthetist.
6922. Practice of certified registered nurse anesthetist and use of the title "certified registered nurse anesthetist" or "nurse anesthetist".
6923. State board for nursing.
6924. Requirements for a license as a certified registered nurse anesthetist.
6925. Limited permits.
6926. Exempt persons.
6927. Special provisions.

§ 6920. Introduction. This article applies to the profession of certified 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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professions contained in article one hundred thirty of this title apply to this article.

§ 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) the operating physician who the governing body of the general hospital or ambulatory surgery center, that is subject to section twenty-eight hundred one-b of the public health law, has determined is qualified to supervise anesthesia services in the general hospital or ambulatory surgery center; or (iv) a dentist or podiatrist qualified to provide anesthesia services pursuant to sections sixty-six hundred five-a and seven thousand one of the education law, respectively. 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, which shall include a physician, podiatrist, or dentist.

3. Prescriptions for drugs, devices, and anesthetic agents, anesthesia related agents, and analgesics may be issued by a certified registered nurse anesthetist under this paragraph and section sixty-nine hundred twenty-four of this article, 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 section sixty-nine hundred twenty-four of this article shall state whether the certified registered nurse anesthetist has successfully completed such a program or equivalent and is authorized to prescribe under this subdivision.

§ 6922. Practice of certified registered nurse anesthetist and use of the title "certified registered nurse anesthetist" or "nurse anesthetist". Only a person licensed or otherwise authorized under this article shall practice as a certified registered nurse anesthetist or nurse anesthetist.

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

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

1. Application: file an application with the department;

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

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

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

5. Character: be of good moral character as determined by the department; and

6. Fees: pay a fee of one hundred fifty dollars to the department for an initial license and a fee of fifty dollars for each triennial registration period.

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

2. Limited permits shall be for two years.

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

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

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

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

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

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

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

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

1. submits evidence of certification as a certified registered nurse anesthetist by an appropriate national certifying body to the department;

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

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

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

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

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

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

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

with section sixty-five hundred eight of this title. The board shall be composed of not less than [~~fifteen~~] **seventeen** members, eleven of whom shall be registered professional nurses and four of whom shall be licensed practical nurses **and two of whom shall be certified registered nurse anesthetists** all licensed and practicing in this state for at least five years. An executive secretary to the board shall be appointed by the board of regents on recommendation of the commissioner and shall be a registered professional nurse registered in this state.

§ 4. This act shall take effect eighteen months after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.