

SECOND REGULAR SESSION

SENATE BILL NO. 863

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time January 13, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4207S.011

AN ACT

To repeal section 195.070, RSMo, and to enact in lieu thereof two new sections relating to administration of controlled substances by certified registered nurse anesthetists.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.070, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 195.070 and 335.098, to read as follows:

195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, or an assistant physician in accordance with section 334.037 or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, and may have restricted authority in Schedule II. Prescriptions for Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. However, no such certified advanced practice registered

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 nurse shall prescribe controlled substance for his or her own self or
20 family. Schedule III narcotic controlled substance and Schedule II - hydrocodone
21 prescriptions shall be limited to a one hundred twenty-hour supply without refill.

22 **3. A certified registered nurse anesthetist, as defined in section**
23 **335.016, may issue orders for and administer controlled substances**
24 **included in Schedules II, III, IV, and V of section 195.017 for and during**
25 **the course of providing anesthesia services to a patient provided that:**

26 **(1) A physician, dentist or podiatrist has requested anesthesia;**

27 **(2) The anesthesia services are provided in accordance with a**
28 **plan of anesthesia care developed by the certified registered nurse**
29 **anesthetist and reviewed with the physician, dentist, or podiatrist; and**

30 **(3) The anesthesia services are provided with the supervision of**
31 **a physician, dentist, or podiatrist who is readily accessible if needed.**

32 **A certified registered nurse anesthetist may issue orders for and**
33 **administer the appropriate controlled substances, other drugs and**
34 **anesthetic agents for the anesthesia services provided, and induce and**
35 **maintain anesthesia at the required levels throughout the provision of**
36 **anesthesia services. The provision of anesthesia services shall include**
37 **the pre-anesthesia evaluation period, the administration of anesthesia,**
38 **and the post-anesthesia recovery period.**

39 **4. A veterinarian, in good faith and in the course of the veterinarian's**
40 **professional practice only, and not for use by a human being, may prescribe,**
41 **administer, and dispense controlled substances and the veterinarian may cause**
42 **them to be administered by an assistant or orderly under his or her direction and**
43 **supervision.**

44 **[4.] 5. A practitioner shall not accept any portion of a controlled**
45 **substance unused by a patient, for any reason, if such practitioner did not**
46 **originally dispense the drug, except as provided in section 195.265.**

47 **[5.] 6. An individual practitioner shall not prescribe or dispense a**
48 **controlled substance for such practitioner's personal use except in a medical**
49 **emergency.**

335.098. 1. In the provision of anesthesia services, a certified
2 **registered nurse anesthetist shall be authorized to perform the**
3 **following functions:**

4 **(1) Pre-and post-anesthesia assessment;**

5 **(2) Develop a plan of anesthesia care reviewed with the**

6 physician, dentist, or podiatrist;

7 (3) Order the method for administration of anesthesia;

8 (4) Issue orders for and administer controlled substances
9 included in Schedules II, III, IV, and V of section 195.017 as provided
10 in section 195.070, other medications and anesthetic agents during the
11 pre-anesthesia evaluation period, the administration of anesthesia, and
12 the post-anesthesia recovery period, based upon patient assessment and
13 response to interventions;

14 (5) Order necessary tests and apply medical devices in the peri-
15 anesthesia period based upon patient assessment and response to
16 interventions. For purposes of this section, the term "peri-anesthesia
17 period" shall mean the pre-anesthesia evaluation period, the
18 administration of anesthesia, and the post-anesthesia recovery period;

19 (6) Support life functions during the peri-anesthesia period;

20 (7) Monitor, assess, evaluate, and take appropriate action to
21 patient responses during the peri-anesthesia period;

22 (8) Manage the patient's emergence from anesthesia; and

23 (9) Participate in the life support of the patient.

24 2. In performing the functions listed in subsection 1 of this
25 section, a certified registered nurse anesthetist shall be supervised by
26 a physician, dentist, or podiatrist. For purposes of this section,
27 "supervised" shall mean a physician, dentist, or podiatrist has
28 authorized the procedure for a patient of record and requested
29 anesthesia for the procedure, and a physician, dentist, or podiatrist is
30 readily accessible if needed.

31 3. In addition to the functions listed in subsection 1 of this
32 section, a certified registered nurse anesthetist shall be authorized to:

33 (1) Perform the duties and functions as a member of the health
34 care team;

35 (2) Participate in periodic and joint evaluation of anesthesia
36 services rendered, including, but not limited to, chart review, case
37 reviews, patient evaluation, and statistical analysis of outcomes of
38 anesthesia and analgesia services;

39 (3) Function clinically and perform such other health care
40 services as are provided in chapter 335, and all other applicable rules
41 and regulations; and

42 (4) Function clinically within the scope of practice and standards

43 of the certified registered nurse anesthetist role and consistent with
44 the certified registered nurse anesthetist's licensure, education,
45 training, knowledge, skill, and competence.

46 4. The provision of anesthesia services by a certified registered
47 nurse anesthetist shall be in compliance with any specific requirements
48 of the physician, dentist, or podiatrist in the order for anesthesia
49 services for a procedure and, if applicable, a facilities's policies,
50 protocols, standing orders, or staff bylaws.

51 5. A certified registered nurse anesthetist shall not be required
52 to possess prescriptive authority pursuant to section 335.019, or a
53 written collaboration agreement meeting the requirements of section
54 334.104 to provide anesthesia services ordered by a licensed physician,
55 dentist, or pediatric physician provided pursuant to subsection 1 of this
56 section. Certified registered nurse anesthetists are authorized to order
57 and administer controlled substances included in schedules II, III, IV,
58 and V of section 195.017 as provided in section 195.070, other
59 medications and anesthetic agents, and apply the appropriate medical
60 devices in the provision of anesthesia services in accordance with the
61 provisions of this section.

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