

SECOND REGULAR SESSION

HOUSE BILL NO. 2057

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHIPMAN.

4411H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 195.070, RSMo, and to enact in lieu thereof two new sections relating to medical procedures.

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Section A. Section 195.070, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 195.070 and 335.098, to read as follows: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 nurse shall prescribe controlled substance for his or her own self

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 or family. Schedule III narcotic controlled substance and Schedule II - hydrocodone
18 prescriptions shall be limited to a one hundred twenty-hour supply without refill.

19 **3. Under the provisions of this subsection and section 335.098, a certified registered**
20 **nurse anesthetist, as defined in subdivision (8) of section 335.016, may issue orders for and**
21 **administer controlled substances listed in Schedules II, III, IV, and V of section 195.017**
22 **for and during the course of providing anesthesia services to a patient, provided that:**

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

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

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

29

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

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

40 ~~4.]~~ **5. A practitioner shall not accept any portion of a controlled substance unused by a**
41 **patient, for any reason, if such practitioner did not originally dispense the drug, except as**
42 **provided in section 195.265.**

43 ~~5-]~~ **6. An individual practitioner shall not prescribe or dispense a controlled substance**
44 **for such practitioner's personal use except in a medical emergency.**

335.098. 1. In the provision of anesthesia services under this section, a certified
2 **nurse anesthetist, as defined in subdivision (8) of section 335.016, shall be authorized to:**

3 **(1) Provide pre- and post-anesthesia assessment;**

4 **(2) Develop a plan of anesthesia care that is reviewed by a physician, dentist, or**
5 **podiatrist;**

6 **(3) Order the method for administration of anesthesia;**

7 **(4) Issue orders for and administer controlled substances included in Schedules II,**
8 **III, IV, and V of section 195.017, as provided under section 195.070, or other medications**

9 or anesthetic agents during the peri-anesthesia period based upon patient assessment and
10 response to interventions. For purposes of this section, "peri-anesthesia period" means the
11 pre-anesthesia evaluation period, the period in which anesthesia is administered, and the
12 post-anesthesia recovery period;

13 (5) Order necessary tests and apply medical devices in the peri-anesthesia period
14 based on patient assessment and response to interventions;

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

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

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

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

20 2. In performing the functions listed in subsection 1 of this section, a certified
21 registered nurse anesthetist shall be supervised by a physician, dentist, or podiatrist. For
22 purposes of this section, "supervised by" means a physician, dentist, or podiatrist has
23 authorized the procedure for a patient of record and requested anesthesia for the
24 procedure, and a physician, dentist, or podiatrist is readily accessible if needed.

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

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

28 (2) Participate in periodic and joint evaluation of anesthesia services rendered
29 including, but not limited to, chart review, case review, patient evaluation, and statistical
30 analysis of outcomes of anesthesia and analgesia services;

31 (3) Function clinically and perform such other health care services as are within
32 the nursing practice act, sections 335.011 to 335.096, and all other applicable rules and
33 regulations; and

34 (4) Function clinically within the scope of practice and standards of the certified
35 registered nurse anesthetist role and consistent with the certified registered nurse
36 anesthetist's licensure, education, training, knowledge, skill, and competence as a certified
37 registered nurse anesthetist.

38 4. The provision of anesthesia services by a certified registered nurse anesthetist
39 shall comply with any specific requirements of the physician, dentist, or podiatrist
40 contained in the order for anesthesia services for a procedure and, if applicable, a facility's
41 policies, protocols, standing orders, or staff bylaws.

42 5. A certified registered nurse anesthetist shall not be required to possess
43 prescriptive authority under section 335.019 or a written collaboration agreement under
44 section 334.104 to provide anesthesia services ordered by a licensed physician, dentist, or

45 **podiatrist provided under subsection 1 of this section. Certified registered nurse**
46 **anesthetists are authorized to order and administer controlled substances included in**
47 **Schedules II, III, IV, and V of section 195.017, as provided in section 195.070, or other**
48 **medications or anesthetic agents, or to apply the appropriate medical devices in the**
49 **provision of anesthesia services in accordance with the provisions of this section.**

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