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HOUSE BILL 48

**56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023**

INTRODUCED BY

Marian Matthews

AN ACT

RELATING TO NURSING; PROVIDING FOR AN INDEPENDENT ROLE FOR  
CERTIFIED REGISTERED NURSE ANESTHETISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-3-23.3 NMSA 1978 (being Laws 1991,  
Chapter 190, Section 15, as amended) is amended to read:

"61-3-23.3. CERTIFIED REGISTERED NURSE ANESTHETIST--  
QUALIFICATIONS--LICENSURE--PRACTICE--ENDORSEMENT--EXPEDITED  
LICENSURE.--

A. The board may license for advanced practice as a  
certified registered nurse anesthetist an applicant who  
furnishes evidence satisfactory to the board that the  
applicant:

- (1) is a registered nurse;
- (2) has successfully completed a nurse

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1 anesthesia education program accredited by the council on  
2 accreditation of nurse anesthesia educational programs;  
3 provided that, if the applicant is initially licensed by the  
4 board or a board in another licensing jurisdiction after  
5 January 1, 2001, the program shall be at a master's level or  
6 higher; and

7 (3) is certified by the national board of  
8 certification and recertification for nurse anesthetists.

9 B. A certified registered nurse anesthetist may  
10 provide preoperative, intraoperative and postoperative  
11 anesthesia care and related services, including ordering of  
12 diagnostic tests, in accordance with the current [~~American~~  
13 ~~association of nurse anesthetists~~<sup>1</sup>] guidelines for nurse  
14 anesthesia practice issued by the national professional  
15 association representing certified registered nurse  
16 anesthetists.

17 C. Certified registered nurse anesthetists [~~shall~~]  
18 function in either an [~~interdependent~~] independent role [~~as a~~  
19 ~~member of a health care team in which the medical care of the~~  
20 ~~patient is directed by a licensed physician, osteopathic~~  
21 ~~physician, dentist or podiatrist licensed in New Mexico~~  
22 ~~pursuant to the Dental Health Care Act, the Medical Practice~~  
23 ~~Act or the Podiatry Act. The certified registered nurse~~  
24 ~~anesthetist shall collaborate with the licensed physician,~~  
25 ~~osteopathic physician, dentist or podiatrist concerning the~~

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1 ~~anesthesia care of the patient]~~ or in collaboration with other  
2 health care providers in accordance with the policies of a  
3 health care facility. As used in this subsection,  
4 "collaboration" means the process in which each health care  
5 provider contributes the health care provider's respective  
6 expertise. ~~[Collaboration includes systematic formal planning~~  
7 ~~and evaluation between the health care professionals involved~~  
8 ~~in the collaborative practice arrangement.]~~

9 D. A certified registered nurse anesthetist who has  
10 fulfilled the requirements for prescriptive authority in the  
11 area of anesthesia practice is authorized to prescribe and  
12 administer therapeutic measures, including dangerous drugs and  
13 controlled substances included in Schedules II through V of the  
14 Controlled Substances Act within the emergency procedures,  
15 perioperative care or perinatal care environments. Dangerous  
16 drugs and controlled substances, pursuant to the Controlled  
17 Substances Act, that have been prepared, packaged or fabricated  
18 by a registered pharmacist or doses of drugs that have been  
19 prepackaged by a pharmaceutical manufacturer in accordance with  
20 the Pharmacy Act and the New Mexico Drug, Device and Cosmetic  
21 Act may be prescribed and administered.

22 E. A certified registered nurse anesthetist who has  
23 fulfilled the requirements for prescriptive authority in the  
24 area of anesthesia practice may prescribe in accordance with  
25 rules of the board. The board shall adopt rules concerning a

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1 prescriptive authority formulary for certified registered nurse  
2 anesthetists that shall be based on the scope of practice of  
3 certified registered nurse anesthetists. The board, in  
4 collaboration with the New Mexico medical board, shall develop  
5 the formulary. Certified registered nurse anesthetists who  
6 prescribe shall do so in accordance with the prescriptive  
7 authority formulary.

8 F. The board shall issue an expedited license to an  
9 applicant without an examination if the person has been duly  
10 licensed as a certified registered nurse anesthetist in another  
11 licensing jurisdiction and is in good standing with the  
12 licensing board in that licensing jurisdiction. The board  
13 shall expedite the issuance of the license in accordance with  
14 Section 61-1-31.1 NMSA 1978 within thirty days. If the board  
15 issues an expedited license to a person whose prior licensing  
16 jurisdiction did not require examination, the board may require  
17 that person to pass an examination before applying for license  
18 renewal. An applicant licensed under the laws of a territory  
19 or foreign country shall demonstrate proficiency in English.

20 G. A health care facility may adopt policies  
21 relating to the providing of anesthesia care.

22 H. A certified registered nurse anesthetist  
23 licensed by the board shall maintain this certification with  
24 the national board of certification and recertification for  
25 nurse anesthetists."

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