

A BILL TO BE ENTITLED

AN ACT

relating to the requirement to obtain a license to practice as an anesthesiologists assistant; imposing fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.Subtitle C, Title 3, Occupations Code, is amended by adding Chapter 207 to read as follows:

CHAPTER 207. ANESTHESIOLOGIST ASSISTANTS

Section 207.001. DEFINITIONS. In this chapter:

- (1) "Anesthesiologist" means a physician licensed by the Texas Medical Board who specializes in anesthesiology.
- (2) "Anesthesiologist assistant" means a person who holds a license issued under this chapter.
- (3) "Medical board" means the Texas Medical Board.

Section 207.002. LICENSE REQUIRED. A person may not practice as an anesthesiologist assistant in this state unless the person holds an anesthesiologist assistant license issued under this chapter.

Section 207.003. PRACTICE BY A LICENSE HOLDER. (a) An anesthesiologist assistant may assist the supervising anesthesiologist in developing and implementing an anesthesia care plan for a patient consistent with the rules adopted under this chapter.

(b) Assisting an anesthesiologist does not constitute the practice of medicine.

1 (c) Nothing in this chapter shall limit or expand the scope
2 of practice of physician assistants under other statutes.

3 Section 207.004. USE OF TERM ANESTHESIOLOGIST
4 ASSISTANT. (a) A person not licensed under this chapter
5 that uses the title anesthesiologist assistant or holds
6 themselves out to be an anesthesiologist assistant commits an
7 administrative violation under the Occupations Code.

8 (b) A student in an anesthesiologist assistant training
9 program shall be identified as a "student anesthesiologist
10 assistant" or an "anesthesiologist assistant student." A
11 student in an anesthesiologist assistant training program is
12 prohibited from being identified as an "intern," "resident,"
13 or "fellow."

14 Section 207. 004. ISSUANCE OF LICENSE; REQUIREMENTS.

15 (a) The medical board shall:

- 16 (1) Establish qualification for an anesthesiologist
17 assistant to practice in this state;
- 18 (2) Establish requirements for an examination for a
19 license to practice as an anesthesiologist
20 assistant in this state;
- 21 (3) Establish minimum education and training
22 requirements necessary for a license to practice
23 as an anesthesiologist assistant;
- 24 (4) Prescribe the application form for a license to
25 practice as an anesthesiologist assistant; and
- 26 (5) Develop an approved program of mandatory

1 continuing education and the manner in which
2 attendance at all approved courses, clinics,
3 forums, lectures, programs, or seminars is
4 monitored and recorded.

5 (b) As minimum requirements for licensure, the board shall
6 ensure an applicant:

7 (1) is of good moral character;

8 (2) submits proof of completion of graduate level
9 training program accredited by the Commission of
10 Accreditation of Allied Health Education Programs
11 or its successor organization;

12 (3) submits proof of current certification from the
13 National Commission of Certification of
14 Anesthesiologist Assistants or its successor
15 organization, including passage of a
16 certification examination administered by the
17 National Commission of Certification of
18 Anesthesiologist Assistants which must be taken
19 within 12 months after completing training;

20 (4) pays the required application and licensing fees;
21 and

22 (5) meets any additional qualifications for licensure
23 adopted by the board by rule.

24 Section 207.005. LICENSE FEES. The board shall set and collect
25 fees in amounts that are reasonable and necessary to cover the costs
26 of administering and enforcing this chapter without the use of any
27 other funds generated by the medical board.

1 Section 207.06. BOARD RULES. The board shall adopt rules to
2 implement this chapter that include requirements and limitations on
3 the provision of anesthesia services by an anesthesiologist
4 assistant as determined by the board to be in the best interests of
5 patient health and safety. Rules adopted by the board shall include
6 the following requirements:

7 (a) an anesthesiologist assistant be supervised by an
8 anesthesiologist who is actively engaged in clinical
9 practice and available on-site to provide assistance to
10 the anesthesiologist assistant;

11 (b) limitations on the number of anesthesiologist
12 assistants and student anesthesiologist assistants an
13 anesthesiologist may supervise as determined by the
14 Centers for Medicare and Medicaid Services; and

15 (c) anesthesiologist assistants shall comply with all
16 continuing education requirements and recertification
17 requirements of the National Commission for
18 Certification of Anesthesiologist Assistants or its
19 successor organization.

20 SECTION 2. This Act applies to an application for an
21 anesthesiologist assistant submitted on or after the effective date
22 of this Act. Applications submitted prior to that date are governed
23 by the law as it existed immediately before the effective date of
24 this Act, and that law is continued in effect for that purpose.

25 SECTION 3. As soon as practicable as the effective date of this
26 Act, the Texas Medical Board shall adopt all rules necessary to
27 implement Chapter 207 as adopted by this Act.

1 (d) SECTION 4. This Act takes effect September 1, 2015.