

By: Klick

H.B. No. 1863

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of anesthesia by a certified
3 registered nurse anesthetist on the order of a dentist.

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

5 SECTION 1. Section 258.001, Occupations Code, is amended to
6 read as follows:

7 Sec. 258.001. IMPERMISSIBLE DELEGATIONS. A dentist may not
8 delegate:

9 (1) an act to an individual who, by board order, is
10 prohibited from performing the act;

11 (2) any of the following acts to a person not licensed
12 as a dentist or dental hygienist:

13 (A) the removal of calculus, deposits, or
14 accretions from the natural and restored surfaces of exposed human
15 teeth and restorations in the human mouth;

16 (B) root planing or the smoothing and polishing
17 of roughened root surfaces or exposed human teeth; or

18 (C) any other act the delegation of which is
19 prohibited by board rule;

20 (3) any of the following acts to a person not licensed
21 as a dentist:

22 (A) comprehensive examination or diagnosis and
23 treatment planning;

24 (B) a surgical or cutting procedure on hard or

1 soft tissue;

2 (C) the prescription of a drug, medication, or
3 work authorization;

4 (D) the taking of an impression for a final
5 restoration, appliance, or prosthesis;

6 (E) the making of an intraoral occlusal
7 adjustment;

8 (F) direct pulp capping, pulpotomy, or any other
9 endodontic procedure;

10 (G) the final placement and intraoral adjustment
11 of a fixed or removable appliance; or

12 (H) the placement of any final restoration; or

13 (4) the authority to an individual to administer a
14 local anesthetic agent, inhalation sedative agent, parenteral
15 sedative agent, or general anesthetic agent if the individual is
16 not licensed as:

17 (A) a dentist with a permit issued by the board
18 for the procedure being performed, if a permit is required;

19 (B) a certified registered nurse anesthetist
20 licensed by the Texas Board of Nursing[~~, only if the delegating~~
21 ~~dentist holds a permit issued by the board for the procedure being~~
22 ~~performed, if a permit is required~~]; or

23 (C) a physician anesthesiologist licensed by the
24 Texas Medical Board.

25 SECTION 2. Subchapter D, Chapter 258, Occupations Code, is
26 amended by adding Section 258.158 to read as follows:

27 Sec. 258.158. ADMINISTRATION OF ANESTHESIA BY NURSE

1 ANESTHETIST. (a) The board and the Texas Board of Nursing shall
2 jointly adopt rules governing the administration of anesthesia by a
3 certified registered nurse anesthetist on the order of a dentist.

4 The rules must:

5 (1) for each category under Section 258.155(a),
6 establish standards and requirements for the administration of
7 anesthesia by a certified registered nurse anesthetist on the order
8 of a dentist who does not hold a permit in that category; and

9 (2) authorize a dentist to order, and a certified
10 registered nurse anesthetist to administer, anesthesia in
11 accordance with the standards and requirements described by
12 Subdivision (1).

13 (b) Rules adopted under Subsection (a) do not apply to the
14 administration of anesthesia:

15 (1) in a licensed hospital or licensed ambulatory
16 surgical center; or

17 (2) by a certified registered nurse anesthetist acting
18 under the delegated authority of a dentist who holds a permit to
19 administer the anesthesia.

20 SECTION 3. Not later than January 1, 2020, the State Board
21 of Dental Examiners and the Texas Board of Nursing shall jointly
22 adopt rules under Section 258.158, Occupations Code, as added by
23 this Act.

24 SECTION 4. This Act takes effect September 1, 2019.