

By Senator Baxley

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1 A bill to be entitled
2 An act relating to anesthesiologist assistants;
3 amending ss. 458.3475 and 459.023, F.S.; revising the
4 definitions of the terms "anesthesiologist" and
5 "direct supervision"; revising requirements for the
6 written protocol between an anesthesiologist assistant
7 and a supervising anesthesiologist; revising
8 provisions related to duties and functions
9 anesthesiologist assistants may perform; providing
10 that a certain applicant for clinical hospital
11 privileges may not be denied such privileges if the
12 applicant's supervising anesthesiologist is a staff
13 member in good standing at that hospital, with an
14 exception; revising licensure requirements for
15 anesthesiologist assistants; providing an effective
16 date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Paragraphs (a) and (g) of subsection (1),
21 paragraph (b) of subsection (2), subsection (3), and paragraphs
22 (a) and (b) of subsection (6) of section 458.3475, Florida
23 Statutes, are amended to read:

24 458.3475 Anesthesiologist assistants.—

25 (1) DEFINITIONS.—As used in this section, the term:

26 (a) "Anesthesiologist" means an allopathic or osteopathic
27 physician who holds an active, unrestricted license; who has
28 successfully completed an anesthesiology training program
29 approved by the Accreditation Council on Graduate Medical

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30 Education or its equivalent; and who is certified by the
31 American Board of Anesthesiology, is eligible to take that
32 board's examination, or is certified by the Board of
33 Certification in Anesthesiology affiliated with the American
34 Association of Physician Specialists.

35 (g) "Direct supervision" means the physical presence of a
36 supervising anesthesiologist on the premises such that the
37 supervising anesthesiologist is reasonably available as needed
38 ~~onsite, personal supervision by an anesthesiologist who is~~
39 ~~present in the office when the procedure is being performed in~~
40 ~~that office, or is present in the surgical or obstetrical suite~~
41 ~~when the procedure is being performed in that surgical or~~
42 ~~obstetrical suite and who is in all instances immediately~~
43 ~~available to provide assistance and direction to the~~
44 ~~anesthesiologist assistant while anesthesia services are being~~
45 ~~performed.~~

46 (2) PERFORMANCE OF SUPERVISING ANESTHESIOLOGIST.—

47 (b) An anesthesiologist or group of anesthesiologists must,
48 upon establishing a supervisory relationship with an
49 anesthesiologist assistant, file with the board a written
50 protocol that includes, at a minimum:

51 1. The name, address, and license number of the
52 anesthesiologist assistant.

53 2. The name, address, license number, and federal Drug
54 Enforcement Administration number of each physician who will be
55 supervising the anesthesiologist assistant.

56 3. The address of the anesthesiologist assistant's primary
57 practice location and the address of any other locations where
58 the anesthesiologist assistant may practice.

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59 4. The date the protocol was developed and the dates of all
60 revisions.

61 5. The signatures of the anesthesiologist assistant and
62 either the single supervising anesthesiologist or a supervising
63 anesthesiologist designated by the group, as applicable ~~at~~
64 supervising physicians.

65 6. The duties and functions of the anesthesiologist
66 assistant.

67 7. The conditions or procedures that require the personal
68 provision of care by an anesthesiologist.

69 8. The procedures to be followed in the event of an
70 anesthetic emergency.

71
72 The protocol must be on file with the board before the
73 anesthesiologist assistant may practice with the
74 anesthesiologist or group. An anesthesiologist assistant may not
75 practice unless a written protocol has been filed for that
76 anesthesiologist assistant in accordance with this paragraph,
77 and the anesthesiologist assistant may only practice under the
78 direct supervision of an anesthesiologist who is identified in
79 the ~~has~~ signed the protocol. The protocol must be updated
80 biennially.

81 (3) PERFORMANCE OF ANESTHESIOLOGIST ASSISTANTS.—

82 (a) An anesthesiologist assistant may assist an
83 anesthesiologist in developing and implementing an anesthesia
84 care plan for a patient, may personally administer the
85 prescribed anesthetic under the direct supervision of an
86 anesthesiologist, and may perform tasks and services as
87 specified in a written protocol approved by the supervising

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88 anesthesiologist, including, but not limited to, any of the
89 following. ~~In providing assistance to an anesthesiologist, an~~
90 ~~anesthesiologist assistant may perform duties established by~~
91 ~~rule by the board in any of the following functions that are~~
92 ~~included in the anesthesiologist assistant's protocol while~~
93 ~~under the direct supervision of an anesthesiologist:~~

94 1. Obtain a comprehensive patient history and present the
95 history to the supervising anesthesiologist.

96 2. Pretest and calibrate anesthesia delivery systems and
97 monitor, obtain, and interpret information from the systems and
98 monitors.

99 3. Assist the supervising anesthesiologist with the
100 implementation of medically accepted monitoring techniques.

101 4. Establish basic and advanced airway interventions,
102 including intubation of the trachea and performing ventilatory
103 support.

104 5. Administer intermittent vasoactive drugs and start and
105 adjust vasoactive infusions.

106 6. Administer anesthetic drugs, adjuvant drugs, and
107 accessory drugs.

108 7. Assist the supervising anesthesiologist with the
109 performance of epidural anesthetic procedures and spinal
110 anesthetic procedures.

111 8. Administer blood, blood products, and supportive fluids.

112 9. Support life functions during anesthesia health care,
113 including induction and intubation procedures, the use of
114 appropriate mechanical supportive devices, and the management of
115 fluid, electrolyte, and blood component balances.

116 10. Recognize and take appropriate corrective action for

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117 abnormal patient responses to anesthesia, adjunctive medication,
118 or other forms of therapy.

119 11. Participate in management of the patient while in the
120 postanesthesia recovery area, including the administration of
121 any supporting fluids or drugs.

122 12. Place special peripheral and central venous and
123 arterial lines for blood sampling and monitoring as appropriate.

124 (b) Nothing in this section or chapter prevents third-party
125 payors from reimbursing employers of anesthesiologist assistants
126 for covered services rendered by such anesthesiologist
127 assistants.

128 (c) After 90 days following the submission of a completed
129 application for clinical privileges at a hospital, an
130 anesthesiologist assistant may not be denied clinical hospital
131 privileges, except for cause, if the supervising
132 anesthesiologist is a staff member in good standing at that
133 hospital.

134 (d) An anesthesiologist assistant must clearly convey to
135 the patient that he or she is an anesthesiologist assistant.

136 (e) ~~(d)~~ An anesthesiologist assistant may perform anesthesia
137 tasks and services within the framework of a written practice
138 protocol developed between the supervising anesthesiologist and
139 the anesthesiologist assistant.

140 (f) ~~(e)~~ An anesthesiologist assistant may not prescribe,
141 order, or compound any controlled substance, legend drug, or
142 medical device, nor may an anesthesiologist assistant dispense
143 sample drugs to patients. Nothing in this paragraph prohibits an
144 anesthesiologist assistant from administering legend drugs or
145 controlled substances; intravenous drugs, fluids, or blood

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146 products; or inhalation or other anesthetic agents to patients
147 which are ordered by the supervising anesthesiologist and
148 administered while under the direct supervision of the
149 supervising anesthesiologist.

150 (6) ANESTHESIOLOGIST ASSISTANT LICENSURE.—

151 (a) Any person desiring to be licensed as an
152 anesthesiologist assistant must apply to the department. The
153 department shall issue a license to any person certified by the
154 board to:

155 1. Be at least 18 years of age.

156 2. Have satisfactorily passed a proficiency examination
157 with a score established by the National Commission on
158 Certification of Anesthesiologist Assistants.

159 3. Be certified in advanced cardiac life support.

160 4. Have completed the application form and remitted an
161 application fee, not to exceed \$1,000, as set by the boards. An
162 application must include:

163 a. A certificate of completion of an approved graduate
164 level program.

165 b. An acknowledgment ~~A sworn statement~~ of any prior felony
166 convictions.

167 c. An acknowledgment ~~A sworn statement~~ of any prior
168 discipline or denial of licensure or certification in any state.

169 d. Two letters of recommendation from anesthesiologists.

170 (b) A license must be renewed biennially. Each renewal must
171 include:

172 1. A renewal fee, not to exceed \$1,000, as set by the
173 boards.

174 2. An acknowledgment ~~A sworn statement~~ of no felony

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175 convictions in the immediately preceding 2 years.

176 Section 2. Paragraphs (a) and (g) of subsection (1),
177 paragraph (b) of subsection (2), subsection (3), and paragraphs
178 (a) and (b) of subsection (6) of section 459.023, Florida
179 Statutes, are amended to read:

180 459.023 Anesthesiologist assistants.—

181 (1) DEFINITIONS.—As used in this section, the term:

182 (a) "Anesthesiologist" means an osteopathic or allopathic
183 physician who holds an active, unrestricted license; who has
184 successfully completed an anesthesiology training program
185 approved by the Accreditation Council on Graduate Medical
186 Education, or its equivalent, or the American Osteopathic
187 Association; and who is certified by the American Osteopathic
188 Board of Anesthesiology or is eligible to take that board's
189 examination, is certified by the American Board of
190 Anesthesiology or is eligible to take that board's examination,
191 or is certified by the Board of Certification in Anesthesiology
192 affiliated with the American Association of Physician
193 Specialists.

194 (g) "Direct supervision" means the physical presence of a
195 supervising anesthesiologist on the premises such that the
196 supervising anesthesiologist is reasonably available as needed
197 ~~onsite, personal supervision by an anesthesiologist who is~~
198 ~~present in the office when the procedure is being performed in~~
199 ~~that office, or is present in the surgical or obstetrical suite~~
200 ~~when the procedure is being performed in that surgical or~~
201 ~~obstetrical suite and who is in all instances immediately~~
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208 anesthesiologist assistant, file with the board a written
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213 Enforcement Administration number of each physician who will be
214 supervising the anesthesiologist assistant.

215 3. The address of the anesthesiologist assistant's primary
216 practice location and the address of any other locations where
217 the anesthesiologist assistant may practice.

218 4. The date the protocol was developed and the dates of all
219 revisions.

220 5. The signatures of the anesthesiologist assistant and
221 either the single supervising anesthesiologist or a supervising
222 anesthesiologist designated by the group, as applicable ~~and~~
223 supervising physicians.

224 6. The duties and functions of the anesthesiologist
225 assistant.

226 7. The conditions or procedures that require the personal
227 provision of care by an anesthesiologist.

228 8. The procedures to be followed in the event of an
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233 anesthesiologist or group. An anesthesiologist assistant may not
234 practice unless a written protocol has been filed for that
235 anesthesiologist assistant in accordance with this paragraph,
236 and the anesthesiologist assistant may only practice under the
237 direct supervision of an anesthesiologist who is identified in
238 the ~~has~~ signed ~~the~~ protocol. The protocol must be updated
239 biennially.

240 (3) PERFORMANCE OF ANESTHESIOLOGIST ASSISTANTS.—

241 (a) An anesthesiologist assistant may assist an
242 anesthesiologist in developing and implementing an anesthesia
243 care plan for a patient, may personally administer the
244 prescribed anesthetic under the direct supervision of an
245 anesthesiologist, and may perform tasks and services as
246 specified in a written protocol approved by the supervising
247 anesthesiologist, including, but not limited to, any of the
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259 implementation of medically accepted monitoring techniques.

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261 including intubation of the trachea and performing ventilatory

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262 support.

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264 adjust vasoactive infusions.

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266 accessory drugs.

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269 anesthetic procedures.

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271 9. Support life functions during anesthesia health care,
272 including induction and intubation procedures, the use of
273 appropriate mechanical supportive devices, and the management of
274 fluid, electrolyte, and blood component balances.

275 10. Recognize and take appropriate corrective action for
276 abnormal patient responses to anesthesia, adjunctive medication,
277 or other forms of therapy.

278 11. Participate in management of the patient while in the
279 postanesthesia recovery area, including the administration of
280 any supporting fluids or drugs.

281 12. Place special peripheral and central venous and
282 arterial lines for blood sampling and monitoring as appropriate.

283 (b) Nothing in this section or chapter prevents third-party
284 payors from reimbursing employers of anesthesiologist assistants
285 for covered services rendered by such anesthesiologist
286 assistants.

287 (c) After 90 days following the submission of a completed
288 application for clinical privileges at a hospital, an
289 anesthesiologist assistant may not be denied clinical hospital
290 privileges, except for cause, if the supervising

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291 anesthesiologist is a staff member in good standing at that
292 hospital.

293 (d) An anesthesiologist assistant must clearly convey to
294 the patient that she or he is an anesthesiologist assistant.

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296 tasks and services within the framework of a written practice
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298 the anesthesiologist assistant.

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300 order, or compound any controlled substance, legend drug, or
301 medical device, nor may an anesthesiologist assistant dispense
302 sample drugs to patients. Nothing in this paragraph prohibits an
303 anesthesiologist assistant from administering legend drugs or
304 controlled substances; intravenous drugs, fluids, or blood
305 products; or inhalation or other anesthetic agents to patients
306 which are ordered by the supervising anesthesiologist and
307 administered while under the direct supervision of the
308 supervising anesthesiologist.

309 (6) ANESTHESIOLOGIST ASSISTANT LICENSURE.—

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311 anesthesiologist assistant must apply to the department. The
312 department shall issue a license to any person certified by the
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317 Certification of Anesthesiologist Assistants.
- 318 3. Be certified in advanced cardiac life support.
- 319 4. Have completed the application form and remitted an

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320 application fee, not to exceed \$1,000, as set by the boards. An
321 application must include:

322 a. A certificate of completion of an approved graduate
323 level program.

324 b. An acknowledgment ~~A sworn statement~~ of any prior felony
325 convictions.

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327 discipline or denial of licensure or certification in any state.

328 d. Two letters of recommendation from anesthesiologists.

329 (b) A license must be renewed biennially. Each renewal must
330 include:

331 1. A renewal fee, not to exceed \$1,000, as set by the
332 boards.

333 2. An acknowledgment ~~A sworn statement~~ of no felony
334 convictions in the immediately preceding 2 years.

335 Section 3. This act shall take effect July 1, 2022.