



Ohio Legislative Service Commission

Bill Analysis

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S.B. 200

128th General Assembly
(As Introduced)

Sens. Morano, Cafaro, D. Miller, Kearney, Sawyer, Schiavoni, Turner, Schaffer

BILL SUMMARY

- Authorizes a certified registered nurse anesthetist (CRNA) to issue a prescription that directs another authorized person to administer a drug to a patient.
 - Limits when a CRNA may issue prescriptions for drug administration to the phases of patient care directly related to the activities the CRNA is authorized to perform.
 - Specifies that a CRNA is not required to obtain a certificate to prescribe issued by the Board of Nursing in order to issue prescriptions for drug administration.
 - Prohibits a CRNA from issuing prescriptions and prescribing drugs in a manner that is inconsistent with the bill's provisions.
 - Authorizes a respiratory therapist to practice respiratory therapy pursuant to a prescription or other order for respiratory care issued by a CRNA who is supervised by a physician.
 - Specifies for purposes of the laws enforced by the State Board of Pharmacy that a "licensed health professional authorized to prescribe drugs" or "prescriber" includes a CRNA who issues prescriptions for drug administration.
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CONTENT AND OPERATION

Background

Prescriptive authority of certain advanced practice nurses

Under current law, only registered nurses who possess a valid "certificate of authority" issued by the Board of Nursing to practice as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner may obtain from the Board a

"certificate to prescribe." A certificate to prescribe authorizes these types of advanced practice nurses to prescribe drugs and therapeutic devices.¹ Certified registered nurse anesthetists (CRNAs) are not included in the statutes authorizing an advanced practice nurse to obtain a certificate to prescribe.

Supervision of CRNAs

In contrast to clinical nurse specialists, certified nurse-midwives, and certified nurse practitioners, all of whom work in collaboration² with one or more physicians or podiatrists, a CRNA must practice with the supervision of a physician, podiatrist, or dentist.³ "Supervision" means (1) that the CRNA is under the direction of a podiatrist acting within the podiatrist's scope of practice, a dentist acting within the dentist's scope of practice, or a physician, and (2) with respect to the administration of anesthesia and the performance of anesthesia induction, maintenance, and emergence, the CRNA is in the "immediate presence" of a physician, podiatrist, or dentist.⁴ A CRNA is not required to obtain a certificate to prescribe in order to provide the anesthesia care the CRNA is authorized to render.⁵

CRNA prescriptions directing drug administration by others

Authorization

(R.C. 4723.43(B)(1)(c), (3), and (4))

Subject to two restrictions, the bill authorizes a CRNA to issue a written, oral, or electronic prescription under which the CRNA directs any of the following to administer a drug to a patient: a registered nurse, licensed practical nurse, respiratory therapist, or any other individual licensed or otherwise specifically authorized by law to administer drugs while acting within that individual's scope of practice.⁶ The two

¹ R.C. 4723.48. Restrictions on the authority to prescribe drugs and therapeutic devices are specified in R.C. 4723.481.

² "Collaboration" means that a physician has a standard care arrangement with the nurse and is continuously available to communicate with the nurse, either in person or by telecommunication (R.C. 4723.01(L) and O.A.C. 4723-9-01(B)).

³ R.C. 4723.43(B).

⁴ R.C. 4723.01(M) and 4723.43(B).

⁵ R.C. 4723.43(B).

⁶ There are several persons other than registered nurses, licensed practical nurses, respiratory therapists, and licensed health professionals authorized to prescribe drugs who may, pursuant to law or administrative rules, administer drugs. These include (with some restrictions for certain persons): pharmacists, pharmacy interns, physical therapists, occupational therapists, athletic trainers, first

restrictions that limit a CRNA's ability to issue a prescription for the administration of a drug are the following:

(1) The prescription may be issued only during the phases of patient care directly related to the activities a CRNA is authorized to perform under current law;⁷

(2) When being supervised by a podiatrist or dentist, the CRNA's authority to issue a prescription may not exceed the podiatrist's or dentist's authority to issue a prescription.

Certificate to prescribe not required

(R.C. 4723.43(B)(2))

As discussed above, a CRNA is not required under existing law to obtain a certificate to prescribe from the Board of Nursing in order to provide the anesthesia care the CRNA is authorized to provide. The bill specifies that a CRNA is also not required to obtain a certificate to prescribe in order to issue prescriptions under the bill for the administration of drugs by others.

Practice of respiratory therapists

(R.C. 4761.17(A)(3), (B)(3), and (C)(2))

The bill permits a respiratory therapist to practice pursuant to a prescription or other order for respiratory care issued by a CRNA as long as the prescription was issued in accordance with the bill's provisions governing such prescriptions (see "**Authorization**," above). It also permits a respiratory therapist to practice pursuant to the authority of a CRNA who is supervised by a physician in accordance with current law and the bill's provisions governing the scope of practice of CRNAs.

responders, emergency medical technicians, dental hygienists, anesthesiologist assistants, nuclear medicine technicians, radiographers, radiologist assistants, dialysis technicians, veterinary technicians, medication aides, persons to whom a physician has delegated medication administration authority, persons to whom an optometrist delegates medication administration, MR/DD personnel certified or trained to administer medications, unlicensed in-home care workers authorized by a family member of an individual with mental retardation or a developmental disability, and designated persons employed by a school board.

⁷ The activities that current law specifies that a CRNA may engage in are (1) administering anesthesia and performing anesthesia induction, maintenance, and emergency (while in the immediate presence of a physician, podiatrist, or dentist), and (2) performing postanesthesia preparation and evaluation, postanesthesia care, and clinical support functions (R.C. 4723.43(B)(1)(a) and (b)).

When a respiratory therapist is practicing under a prescription or order of a CRNA or pursuant to a CRNA's authority, the bill restricts the respiratory therapist's administration of medication to the phases of patient care directly related to the activities a CRNA is authorized to perform under current law. The bill also specifies that the respiratory therapist's administration of the medication must be in accordance with the CRNA's authority to issue prescriptions for the administration of drugs during those phases of patient care.⁸

Prohibitions

(R.C. 4723.44(A)(5) and (6))

The bill prohibits a CRNA from issuing prescriptions and prescribing drugs in a manner that is inconsistent with the bill's provisions.

CRNAs as "licensed health professionals authorized to prescribe drugs"

(R.C. 4729.01(I))

Current law governing the practice of pharmacy and other laws enforced by the State Board of Pharmacy refers to the professionals in Ohio who are authorized to prescribe drugs,⁹ dangerous drugs,¹⁰ and drug therapy related devices in the course of professional practice as "licensed health professionals authorized to prescribe drugs" or "prescribers." The groups of professionals included in this definition are limited to the following: (1) physicians, including podiatrists and doctors of osteopathic medicine, (2) physician assistants holding certificates to prescribe from the State Medical Board, (3) clinical nurse specialists, certified nurse-midwives, and certified nurse practitioners holding certificates to prescribe from the Board of Nursing, (4) dentists, (5) optometrists holding therapeutic pharmaceutical agent certificates from the State Board of Optometry, and (6) veterinarians.

The bill expands the definition of "licensed health professional authorized to prescribe drugs" and "prescriber" by including CRNAs who prescribe drugs in accordance with the bill's provisions.

⁸ See footnote 7, above.

⁹ A "drug" is any article that falls into one of the following three categories: (1) an article used in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or animals, (2) an article, other than food, intended to affect the structure or any function of the human or animal body, or (3) a component of a drug that falls under one of the first two categories (R.C. 4729.01(E)).

¹⁰ A "dangerous drug" generally encompasses drugs that may be dispensed only on prescription and drugs taken by injection (R.C. 4729.01(F)).

HISTORY

ACTION

DATE

Introduced

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