



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

May 13, 2021

Dr. Sherif Z. Zaafran, M.D.  
President, Texas Medical Board  
333 Guadalupe, Tower 3, Suite 610  
Austin, TX 78701

Re: Attorney General Opinions KP-0266 and KP-0353

Dear Dr. Zaafran:

Thank you for your response to a recent letter our office sent you regarding the laws relating to anesthesiologists and certified registered nurse anesthetists. Please know our office believes all healthcare providers care deeply for their patients. Our office appreciates your candor and desire to work with us to safeguard all Texans.

Upon further review, we understand the Texas Medical Board (TMB) did not testify during a recent legislative hearing and did not make statements regarding two recent Attorney General Opinions, KP-0266 and KP-0353. We have no opinion nor objection to a private citizen's testimony.

You are correct that the Attorney General Opinions KP-0266 and KP-0353 explain the current law and should be read in their entirety. An attorney general opinion is a written interpretation of existing law. We recognize the circumstances requiring oversight during an anesthetic procedure are controlled by state and federal law. We also understand that TMB is in the process of revising their FAQs to reflect the most current guidance and the revised FAQs will be posted on your website once approved. We appreciate your attention to this matter.

We hope that this letter clarifies our previous letter and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Lesley French", written over a white background.

Lesley French  
Chief of Staff