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Executive Director

Board of Nurse Examiners For the State of Texas

Linda Rounds, PhD, FNP, RN
President

13 December 2004

Sandi Peters, CRNA
Texas Association of Nurse Anesthetists
4412 Spicewood Springs Road, # 400
Austin, TX 78759

Dear Ms. Peters:

This letter is in reference to the Texas Association of Nurse Anesthetists' (TANA's) request for information on the practice of certified registered nurse anesthetists (CRNAs) in the State of Texas.

The CRNA's authorization to practice in an advanced practice role is derived from the Nursing Practice Act and his/her educational preparation as a nurse anesthetist. Like physicians, CRNAs are credentialed to practice in facilities (e.g. hospitals or ambulatory surgical centers) by medical staff bylaws or institutional policies. These policies do not constitute physician delegation. Section 301.002 of the Nursing Practice Act (*Texas Occupations Code*) provides a definition of professional nursing that includes a statement that physician orders are required to administer medications; however, when the nurse carries out the order, it becomes a nursing act for which the registered nurse is responsible and accountable. Thus, a CRNA must have a physician's order to administer anesthesia or an anesthesia-related service, but there is no requirement that the order specify the drugs, dosages, or routes of administration because these functions are within the CRNA's scope of practice.

Section 157.058 of the Medical Practice Act (*Texas Occupations Code*) codifies the practice of CRNAs as follows:

§157.058. Delegation to Certified Registered Nurse Anesthetist

(a) In a licensed hospital or ambulatory surgical center, a physician may delegate to a certified registered nurse anesthetist the ordering of drugs and devices necessary for the nurse anesthetist to administer an anesthetic or an anesthesia-related service ordered by the physician.

(b) The physician's order for anesthesia or anesthesia-related services is not required to specify a drug, dose, or administration technique.

(c) Pursuant to the physician's order and in accordance with facility policies or medical staff bylaws, the nurse anesthetist may select, obtain, and administer those drugs and apply the medical devices appropriate to accomplish the order and maintain the patient within a sound physiological status.

(d) This section shall be liberally construed to permit the full use of safe and effective medication orders to use the skills and services of certified registered nurse anesthetists.

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The aforementioned statute expressly permits CRNAs to select, obtain and administer anesthesia and anesthesia-related medications and apply appropriate medical devices necessary to accomplish the order and maintain the patient within a sound physiological status. The CRNA may carry out these functions pursuant to a physician's order for anesthesia or an anesthesia-related service that does not have to be drug-specific, dose-specific, or administration technique-specific. These functions are appropriate for CRNAs based on their advanced educational preparation.

Rule 221 of the Board's *Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice*, specifies that advanced practice nurses, including nurse anesthetists,

...act independently and/or in collaboration with the health team in the observation, assessment, diagnosis, intervention, evaluation, rehabilitation, care and counsel, and health teachings of persons who are ill, injured or infirm or experiencing changes in normal health processes; and in the promotion and maintenance of health or prevention of illness.

The rule further goes on to reiterate that advanced practice nurses, including nurse anesthetists, retain professional accountability for the care they provide.

CRNAs, like other registered nurses, are not required to be supervised by physicians when carrying out nursing functions. For CRNAs, the administration of anesthesia or an anesthesia-related service is a nursing function. This opinion was upheld by Attorney General's Opinion number JC-0117 issued on September 28, 1999 by then Attorney General John Cornyn. In his summary statement for that opinion, General Cornyn specifically stated that Section 157.058 of the Medical Practice Act does not require that a physician supervise a CRNA's selection and administration of anesthesia.

The Board of Nurse Examiners is the state agency with the legal authority to regulate the practice of advanced practice nurses in the State of Texas (Texas Occupations Code, Sec. 301.152). The board affirms that CRNAs may administer anesthesia and anesthesia-related services pursuant to a physician's order and consistent with medical staff bylaws or policies.

I hope this information is helpful to you. If you require additional information or clarification, please feel free to contact me.

Sincerely,


Katherine A. Thomas, MN, RN
Executive Director