



Regulation of the Practice of Certified Registered Nurse Anesthetists (CRNAs) in the State of Texas

CRNAs have safely administered anesthesia for more than 150 years. Texas law has never required physician supervision of CRNAs. Under current Texas law, the administration of anesthesia by a CRNA is a delegated function, but one that does not require any supervision by a physician. The following highlights provide valuable information on Texas code and regulatory statute regarding CRNA practice in Texas:

- **In Texas Attorney General Opinion JC-0117**, issued in 1999, then-Texas Attorney General John Cornyn clarified that Section 157.058 of the Medical Practice Act **does not require a physician to supervise a CRNA's selection and administration of anesthesia** because a CRNA practicing in accordance with proper delegation from a physician is acting within the scope of nursing practice.
- **Texas Attorney General Opinion KP-0226**, issued in 2019, reaffirmed that the provision of anesthesia pursuant to a physician's order is the practice of nursing. While the Texas Medical Board (TMB) has the authority to discipline a physician for an imprudent delegation, the opinion did not say that the TMB can impose a supervision requirement, which would conflict with the applicable statute.
- **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.
- **Rule 221 of the Texas Board of Nursing (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."
- **Section 157.058, Delegation to Certified Registered Nurse Anesthetists, Medical Practice Act (Texas Occupations Code)**, 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.
- **Section 157.060, Physician Liability for Delegated Act, Medical Practice Act (Texas Occupations Code)**, states: "Unless the physician has reason to believe the physician assistant or advanced practice nurse lacked the competency to perform the act, a physician is not liable for an act of a physician assistant or advanced practice nurse solely because the physician signed a standing medical order, a standing delegation order, or another order or protocol authorizing the physician assistant or advanced practice nurse to administer, provide, carry out, or sign a prescription drug order."

These references can be found in their entirety at www.txana.org or through the respective regulatory agency.

Advancing patient safety and the profession of nurse anesthesia.