

107TH CONGRESS
1ST SESSION

S. 332

To provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2001

Mr. DEWINE (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STUDY AND REPORT ON ANESTHESIA SERV-**
4 **ICES UNDER THE MEDICARE PROGRAM;**
5 **MODIFICATION OF REGULATIONS REGARD-**
6 **ING SUPERVISION OF CERTIFIED REG-**
7 **ISTERED NURSE ANESTHETISTS.**

8 (a) STUDY.—

1 (1) The Secretary of Health and Human Serv-
2 ices shall conduct a multistate comparative study of
3 mortality and adverse outcome rates of medicare pa-
4 tients by providers of anesthesia services and by type
5 of such providers. In conducting the study, the Sec-
6 retary shall develop comparative outcome data for a
7 representative sample of medicare patients based on
8 the complexity of the anesthesia services furnished
9 to such patients.

10 (2) In conducting the study, the Secretary shall
11 consult with appropriate national professional orga-
12 nizations with respect to the methodology, and shall
13 use medicare operating room reimbursement claims
14 data verified by sampling actual patient records.

15 (b) REPORT.—Not later than January 1, 2006, the
16 Secretary shall submit to Congress a report containing the
17 results of the study conducted under subsection (a).

18 (c) PROMULGATION OF REVISED REGULATIONS.—

19 (1) IN GENERAL.—Pending the completion of
20 the study under subsection (a), the Secretary of
21 Health and Human Services shall revise any regula-
22 tions establishing conditions of participation under
23 the medicare program for hospitals and ambulatory
24 surgical centers under title XVIII of the Social Se-
25 curity Act relating to anesthesia services furnished

1 under such program to provide that nurse anes-
2 thetists may furnish anesthesia services as follows:

3 (A) Under the medical direction of an im-
4 mediately available anesthesiologist.

5 (B) Under the supervision of an imme-
6 diately available physician.

7 (C) If not under subparagraph (A) or (B),
8 then under a written collaboration agreement
9 with an immediately available physician or phy-
10 sician group that is—

11 (i) experienced in the administration
12 of anesthesia; and

13 (ii) credentialed by the hospital or
14 ambulatory surgical center to participate
15 in such collaboration.

16 (2) DEFINITIONS.—In this subsection:

17 (A) The term “medical direction” has the
18 meaning given that term in a regulation pro-
19 mulgated by the Secretary pursuant to section
20 1887(a)(1)(A) of the Social Security Act (42
21 U.S.C. 1395xx(a)(1)(A)).

22 (B) The term “supervision” means the
23 medical management of the anesthesia services
24 furnished.

1 (C) The term “collaboration” means joint
2 management by a physician and a nurse anes-
3 thetist of anesthesia services furnished pursuant
4 to a jointly developed written agreement that
5 defines the respective role of the collaborating
6 parties, consistent with the respective levels of
7 their education, training, and experience in fur-
8 nishing such services.

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