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09400HB3154ham001

LRB094 07743 DRJ 44586 a

1 AMENDMENT TO HOUSE BILL 3154

2 AMENDMENT NO. _____. Amend House Bill 3154 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Ambulatory Surgical Treatment Center Act is
5 amended by changing Section 6.5 as follows:

6 (210 ILCS 5/6.5)

7 Sec. 6.5. Clinical privileges; advanced practice nurses.
8 All ambulatory surgical treatment centers (ASTC) licensed
9 under this Act shall comply with the following requirements:

10 (1) No ASTC policy, rule, regulation, or practice shall be
11 inconsistent with the provision of adequate collaboration,
12 including medical direction of licensed advanced practice
13 nurses, in accordance with Section 54.5 of the Medical Practice
14 Act of 1987.

15 (2) Operative surgical procedures shall be performed only
16 by a physician licensed to practice medicine in all its
17 branches under the Medical Practice Act of 1987, a dentist
18 licensed under the Illinois Dental Practice Act, or a
19 podiatrist licensed under the Podiatric Medical Practice Act of
20 1987, with medical staff membership and surgical clinical
21 privileges granted by the consulting committee of the ASTC. A
22 licensed physician, dentist, or podiatrist may be assisted by a
23 physician licensed to practice medicine in all its branches,
24 dentist, dental assistant, podiatrist, licensed advanced

1 practice nurse, licensed physician assistant, licensed
2 registered nurse, licensed practical nurse, surgical
3 assistant, surgical technician, or other individuals granted
4 clinical privileges to assist in surgery by the consulting
5 committee of the ASTC. Payment for services rendered by an
6 assistant in surgery who is not an ambulatory surgical
7 treatment center employee shall be paid at the appropriate
8 non-physician modifier rate if the payor would have made
9 payment had the same services been provided by a physician.

10 (3) The anesthesia service shall be under the direction of
11 a physician licensed to practice medicine in all its branches
12 who has had specialized preparation or experience in the area
13 or who has completed a residency in anesthesiology. An
14 anesthesiologist, Board certified or Board eligible, is
15 recommended. Anesthesia services may only be administered
16 pursuant to the order of a physician licensed to practice
17 medicine in all its branches, licensed dentist, or licensed
18 podiatrist.

19 (A) The individuals who, with clinical privileges
20 granted by the medical staff and ASTC, may administer
21 anesthesia services are limited to the following:

22 (i) an anesthesiologist; or

23 (ii) a physician licensed to practice medicine in
24 all its branches; or

25 (iii) a dentist with authority to administer
26 anesthesia under Section 8.1 of the Illinois Dental
27 Practice Act; or

28 (iv) a licensed certified registered nurse
29 anesthetist; or

30 (v) a registered nurse under the conditions set
31 forth in item (D).

32 (B) For anesthesia services, an anesthesiologist shall
33 participate through discussion of and agreement with the
34 anesthesia plan and shall remain physically present and be

1 available on the premises during the delivery of anesthesia
2 services for diagnosis, consultation, and treatment of
3 emergency medical conditions. In the absence of 24-hour
4 availability of anesthesiologists with clinical
5 privileges, an alternate policy (requiring participation,
6 presence, and availability of a physician licensed to
7 practice medicine in all its branches) shall be developed
8 by the medical staff consulting committee in consultation
9 with the anesthesia service and included in the medical
10 staff consulting committee policies.

11 (C) A certified registered nurse anesthetist is not
12 required to possess prescriptive authority or a written
13 collaborative agreement meeting the requirements of
14 Section 15-15 of the Nursing and Advanced Practice Nursing
15 Act to provide anesthesia services ordered by a licensed
16 physician, dentist, or podiatrist. Licensed certified
17 registered nurse anesthetists are authorized to select,
18 order, and administer drugs and apply the appropriate
19 medical devices in the provision of anesthesia services
20 under the anesthesia plan agreed with by the
21 anesthesiologist or, in the absence of an available
22 anesthesiologist with clinical privileges, agreed with by
23 the operating physician, operating dentist, or operating
24 podiatrist in accordance with the medical staff consulting
25 committee policies of a licensed ambulatory surgical
26 treatment center.

27 (D) A registered nurse may administer conscious
28 sedation, as defined in the Medical Practice Act of 1987,
29 under the following conditions:

30 (1) The registered nurse has privileges granted by
31 the medical staff and ASTC to administer conscious
32 sedation.

33 (2) The registered nurse is under the direct
34 supervision of the operating physician or dentist

1 during the delivery conscious sedation.

2 (3) The registered nurse maintains current
3 Advanced Cardiac Life Support certification.

4 (4) The operating physician has training and
5 experience in the delivery of anesthesia services to
6 patients by either possessing clinical privileges at
7 the ASTC to administer anesthesia or completing a
8 minimum of 8 hours of continuing education (CME) in the
9 delivery of anesthesia, including the administration
10 of conscious sedation within each 3-year license
11 period.

12 In addition, the operating physician or dentist with
13 authority to administer anesthesia under Section 8.1 of the
14 Illinois Dental Practice Act must maintain current Advanced
15 Cardiac Life Support certification. This training and
16 experience must be documented in the operating physician or
17 dentist clinical privilege file.

18 (Source: P.A. 93-352, eff. 1-1-04.)

19 Section 10. The Medical Practice Act of 1987 is amended by
20 adding Section 54.7 as follows:

21 (225 ILCS 60/54.7 new)

22 Sec. 54.7. Anesthesia services.

23 (a) Any physician may order and administer anesthesia
24 services in accordance with his or her training or experience.

25 (b) In a hospital setting, anesthesia services shall be
26 administered in accordance with Section 10.7 of the Hospital
27 Licensing Act.

28 (c) In an ambulatory surgical treatment center, anesthesia
29 services shall be administered in accordance with Section 6.5
30 of the Ambulatory Surgical Treatment Center Act.

31 (d) In a physician's office, anesthesia services shall be
32 administered in accordance with the following:

1 (1) In a physician's office, the operating physician
2 shall have training and experience in the delivery of
3 anesthesia services in order to administer anesthesia or to
4 enter into a practice agreement with a certified registered
5 nurse anesthetist (CRNA) to provide anesthesia services in
6 the office pursuant to Section 54.5 of the Medical Practice
7 Act and Section 15-25 of the Nursing and Advanced Practice
8 Nursing Act. When an anesthesiologist is administering
9 anesthesia in a physician's office, the operating
10 physician is not required to have the training and
11 experience set forth in paragraph (2). A "physician's
12 office" is any practice location not regulated by Section
13 10.7 of the Hospital Licensing Act or Section 6.5 of the
14 Ambulatory Surgical Treatment Center Act.

15 (2) The training and experience requirements may be met
16 in the manner specified in either subparagraph (A) or
17 subparagraph (B):

18 (A) The physician maintains clinic privileges to
19 administer anesthesia services in a hospital licensed
20 in accordance with the Hospital Licensing Act or an
21 ambulatory surgical treatment center licensed in
22 accordance with the Ambulatory Surgical Treatment
23 Center Act; or

24 (B) Completion of continuing medical education:

25 (i) For conscious sedation only, the physician
26 shall complete a minimum of 8 hours of continuing
27 medical education (CME) in delivery of anesthesia,
28 including the administration of conscious sedation
29 within each 3-year license renewal period.

30 (ii) For deep sedation, regional anesthesia,
31 or general anesthesia, or any combination of
32 those, a physician shall complete a minimum of 34
33 hours of continuing medical education in the
34 delivery of anesthesia services within each 3-year

1 license renewal period. Fulfillment of this
2 requirement shall satisfy the requirement of
3 subdivision (2) (B) (i) for the administration of
4 conscious sedation.

5 (iii) A continuing medical education program
6 shall be conducted by a university, professional
7 association, or hospital as a formal CME program.

8 (3) In a physician's office where anesthesia is
9 administered, all operating physicians and
10 anesthesiologists shall obtain Advanced Cardiac Life
11 Support (ACLS) certification and shall thereafter maintain
12 current ACLS certification. If the physician enters into a
13 practice agreement with a CRNA, the CRNA shall also have a
14 current ACLS certification.

15 (4) The ACLS certification and the physician training
16 and experience required by this Section shall be documented
17 in the written practice agreement between the physician and
18 the CRNA.

19 (5) The continuing medical education required in
20 paragraph (2) and the ACLS training required in paragraph
21 (3) may be applied to fulfillment of the 150 hours of
22 continuing medical education required for renewal of a
23 license.

24 (6) For the provision of anesthesia services, the
25 operating physician or dentist shall participate through
26 discussion of and agreement with the anesthesia plan and
27 shall remain physically present and be available on the
28 premises during the delivery of anesthesia services for
29 diagnosis, consultation, and treatment of emergency
30 medical conditions.

31 (e) "Conscious sedation" means a drug-induced depression
32 of consciousness during which patients respond purposefully to
33 verbal commands, either alone or accompanied by light tactile
34 stimulation. No interventions are required to maintain a patent

1 airway and spontaneous ventilation is adequate. Cardiovascular
2 function is maintained.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".