

By: Senator(s) Bryan

To: Public Health and
Welfare

SENATE BILL NO. 2669

1 AN ACT TO PROVIDE FOR THE LICENSURE AND REGULATION OF
2 ANESTHESIOLOGIST ASSISTANTS BY THE STATE BOARD OF MEDICAL
3 LICENSURE; TO DEFINE CERTAIN TERMS; TO PROVIDE THAT THE BOARD
4 SHALL REVIEW AND DETERMINE THE QUALIFICATIONS OF PERSONS APPLYING
5 FOR A LICENSE TO PRACTICE AS AN ANESTHESIOLOGIST ASSISTANT; TO
6 PROVIDE THE POWERS OF THE BOARD REGARDING LICENSURE OF
7 ANESTHESIOLOGIST ASSISTANTS AND PRESCRIBE THE QUALIFICATIONS FOR
8 LICENSURE; TO AUTHORIZE THE BOARD TO ISSUE TEMPORARY LICENSES; TO
9 PROVIDE THAT ANESTHESIOLOGIST ASSISTANTS MAY ASSIST IN THE
10 PRACTICE OF MEDICINE ONLY UNDER THE SUPERVISION OF AN
11 ANESTHESIOLOGIST; TO PROVIDE THAT ANESTHESIOLOGIST ASSISTANTS MAY
12 PERFORM ONLY THOSE DUTIES DELEGATED TO THEM BY A SUPERVISING
13 ANESTHESIOLOGIST; TO PROVIDE THAT A SUPERVISING ANESTHESIOLOGIST
14 SHALL DELEGATE TO AN ANESTHESIOLOGIST ASSISTANT ANY DUTIES
15 REQUIRED TO DEVELOP AND IMPLEMENT A COMPREHENSIVE ANESTHESIA CARE
16 PLAN FOR A PATIENT; TO AUTHORIZE THE BOARD TO REVOKE LICENSES AND
17 TAKE OTHER DISCIPLINARY ACTION AGAINST LICENSEES AND TO REINSTATE
18 LICENSES AFTER REVOCATION; TO PROHIBIT PRACTICING AS AN
19 ANESTHESIOLOGIST ASSISTANT WITHOUT A LICENSE, AND PROVIDE A
20 CRIMINAL PENALTY FOR PERSONS CONVICTED OF UNAUTHORIZED PRACTICE;
21 AND FOR RELATED PURPOSES.

22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

23 **SECTION 1. Definitions.** As used in this act, unless the
24 context otherwise requires:

25 (a) "Anesthesiologist" means a physician who is
26 licensed under Section 73-25-1 et seq., and who has completed a
27 residency in anesthesiology approved by the American Board of



Anesthesiology or the American Osteopathic Board of
Anesthesiology.

(b) "Anesthesiologist assistant" means a person who
meets the requirements of Section 3 of this act and is
board-approved to assist in the practice of medicine under the
delegation of an anesthesiologist.

(c) "Assists" means the anesthesiologist assistant
personally performs those duties and responsibilities delegated by
the anesthesiologist.

(d) "Board" means the State Board of Medical Licensure.

(e) "Supervision" means the availability of a physician
anesthesiologist who can delegate, coordinate, direct or consult,
and oversee the implementation of the anesthesiologist's
intentions.

(f) "Certification examination" means the initial
certifying examination approved by the board for the certification
of anesthesiologist assistants, including the examination
administered by the National Commission for the Certification of
Anesthesiologist Assistants or another national anesthesiologist
assistant certifying agency that has been reviewed and approved by
the board.

SECTION 2. Board; powers and duties. (1) The board shall
review and determine the qualifications and fitness of all persons
applying for a license to practice as an anesthesiologist
assistant.



(2) The board shall:

(a) Grant, deny, revoke and reinstate licenses;

(b) Investigate allegations that an anesthesiologist assistant or the supervising anesthesiologist has engaged in conduct constituting a ground for revocation;

(c) Conduct informal interviews and hearings;

(d) Adopt rules governing the practice of anesthesiologist assistants; and

(e) Retain jurisdiction over only those licensees to whom temporary or full licenses are granted under this act, regardless of whether the license has expired, has lapsed or was relinquished during or after any alleged occurrence of conduct.

(3) The board shall establish a position to be filled by an anesthesiologist assistant licensed under this act.

SECTION 3. Licensure; use of title; temporary license; temporary licensure; fees. (1) A person may not practice in this state as an anesthesiologist assistant or use the title or represent that the person is a certified anesthesiologist assistant, anesthesiologist assistant or use the abbreviation "C.A.A." or "A.A." without having a license granted by the board under this act.

(2) The board may grant an anesthesiologist assistant license to an applicant who:

(a) Graduated from an anesthesiologist assistant program accredited by the Commission on Accreditation of Allied



78 Health Education Programs or its predecessor or successor
79 organization;

80 (b) Satisfactorily completed a certification
81 examination administered by the National Commission for the
82 Certification of Anesthesiologist Assistants or another national
83 certifying agency that has been reviewed and approved by the board
84 and that is currently certified;

85 (c) Completes an application form; and

86 (d) Pays the required application and licensure fees as
87 prescribed by the board in rule.

88 (3) A license issued under this act, other than a temporary
89 license, is valid for a period of one (1) year. A licensee shall
90 renew the license every other year on or before June 30 by
91 completing and submitting to the board a renewal application form
92 as prescribed by the board and the prescribed renewal fee before
93 the current license expires. The board shall provide renewal
94 notices to licensees at least one (1) month before the expiration
95 date.

96 (4) The board may reinstate a lapsed license if the
97 applicant pays a reinstatement fee as prescribed by the board in
98 rule and meets the requirements for initial licensure.

99 (5) The board may issue a temporary license to any person
100 who:

101 (a) Completes a temporary license application;



(b) Pays the required temporary license fee as prescribed by the board in rule; and

(c) Successfully completes a Commission on Accreditation of Allied Health Education program or another board-approved program for educating and training anesthesiologist assistants but who has not passed a certification examination.

The person shall take the next available certification examination after receiving a temporary license. A temporary license may not be issued for a period of more than six (6) months and is subject to any other requirements that the board adopts by rule.

SECTION 4. Scope of practice. (1) This section does not apply to persons who are enrolled in an anesthesiologist assistant education program approved by the board.

(2) An anesthesiologist assistant may assist in the practice of medicine only under the supervision of an anesthesiologist. The anesthesiologist assistant may perform only those duties and responsibilities delegated to the anesthesiologist assistant by the supervising anesthesiologist.

(3) The supervising anesthesiologist shall be allowed to supervise anesthesiologist assistants in a manner consistent with federal rules or regulations for reimbursement for anesthesia services.

(4) The supervising anesthesiologist shall be immediately available to the anesthesiologist assistant who assists in the



delivery of medical care such that the supervising anesthesiologist is able to intervene if needed.

(5) An anesthesiologist assistant's practice may not exceed his or her education and training, and the scope of practice of the supervising anesthesiologist. A medical care task assigned by the supervising anesthesiologist to the anesthesiologist assistant may not be delegated by the anesthesiologist assistant to another person.

(6) A supervising anesthesiologist shall delegate to an anesthesiologist assistant any duties required to develop and implement a comprehensive anesthesia care plan for a patient.

(7) This act does not prevent an anesthesiologist assistant from having access to and being able to obtain prescription drugs as directed by the supervising anesthesiologist.

SECTION 5. Regulation of licensure. (1) The board may refuse to renew and may revoke, suspend or restrict a license or take other disciplinary action, including imposing conditions or restrictions on a license under this act and the rules adopted under this act.

(2) If the board determines that a person is ineligible for licensure, that an application for licensure should be denied, that a license should be suspended or that any other action should be taken on a current license, the board shall adopt and enter its written order and findings.



151 **SECTION 6. Reinstatement of license; requirements.** (1) The

152 board may issue a new license to an anesthesiologist assistant
153 whose license was previously revoked by the board if the applicant
154 applies in writing to the board and demonstrates to the board's
155 satisfaction that the applicant is completely rehabilitated with
156 respect to the conduct that was the basis for the revocation. In
157 making its decision, the board shall determine:

158 (a) That the applicant has not engaged in any conduct
159 during the revocation period that would constitute a basis for
160 revocation pursuant to rules adopted by the board;

161 (b) If a criminal conviction was a basis of the
162 revocation, that the applicant's civil rights have been fully
163 restored pursuant to statute or any other applicable recognized
164 judicial or gubernatorial order;

165 (c) That the applicant has made restitution to any
166 aggrieved person as ordered by a court of competent jurisdiction;
167 and

168 (d) That the applicant demonstrates any other standard
169 of rehabilitation the board determines is appropriate.

170 (2) Except as provided in subsection (3) of this section, a
171 person may not apply for license reinstatement earlier than one
172 (1) year after the date of revocation.

173 (3) If a license revocation was based on a conviction of a
174 felony or an offense involving moral turpitude and that conviction
175 has been reversed on appeal, the board shall vacate its previous



order to revoke the license and the anesthesiologist assistant may apply for reinstatement as soon as the court enters the reversal.

(4) An applicant for reinstatement shall comply with all initial licensure requirements prescribed by this act and rules adopted by the board under this act.

SECTION 7. Unauthorized practice; violation; penalties. Any person practicing as an anesthesiologist assistant or representing that he or she is an anesthesiologist assistant without a license, or any person employing an unlicensed person to practice as an anesthesiologist assistant, is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than one (1) year, or both. Each violation constitutes a separate offense for which the penalty in this section may be assessed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2025.

