

107TH CONGRESS
1ST SESSION

H. R. 716

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 HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2001

Mr. WELDON of Florida (for himself, Mr. GREEN of Texas, Mr. SHAW, Mr. STARK, and Mr. SESSIONS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

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

6 (a) **STUDY.**—(1) The Secretary of Health and
7 Human Services shall conduct a multistate comparative
8 study of mortality and adverse outcome rates of Medicare
9 patients by providers of anesthesia services and by type
10 of such providers. In conducting the study, the Secretary
11 shall develop comparative outcome data for a representa-
12 tive sample of Medicare patients based on the complexity
13 of the anesthesia services furnished to such patients.

14 (2) In conducting the study, the Secretary shall con-
15 sult with appropriate national professional organizations
16 with respect to the methodology, and shall use Medicare
17 operating room reimbursement claims data verified by
18 sampling of actual patient records.

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

22 (c) **PROMULGATION OF REVISED REGULATIONS.**—

23 (1) **IN GENERAL.**—Pending the completion of
24 the study under subsection (a), the Secretary of
25 Health and Human Services shall revise any regula-
26 tions establishing conditions of participation under

1 the Medicare Program for hospitals and ambulatory
2 surgical centers under title XVIII of the Social Se-
3 curity Act relating to anesthesia services furnished
4 under such program to provide that nurse anes-
5 thetists may furnish anesthesia services as follows:

6 (A) Under the medical direction of an im-
7 mediately available anesthesiologist.

8 (B) Under the supervision of an imme-
9 diately available physician.

10 (C) If not under subparagraph (A) or (B),
11 then under a written collaboration agreement
12 with an immediately available physician or phy-
13 sician group that is (i) experienced in the ad-
14 ministration of anesthesia and (ii) credentialed
15 by the hospital or ambulatory surgical center to
16 participate in such collaboration.

17 (2) DEFINITIONS.—In this subsection:

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

23 (B) The term “supervision” means the
24 medical management of the anesthesia services
25 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.