

# **WEST VIRGINIA LEGISLATURE**

**2020 REGULAR SESSION**

**Introduced**

## **Senate Bill 786**

BY SENATORS RUCKER AND CLINE

[Introduced February 14, 2020; referred  
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §30-3-10b, relating to the West Virginia Medical Practice Act; recognizing  
 3 anesthesiologist assistants; providing for scope of practice and supervision; and requiring  
 4 rules for minimum education and regulation.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 3. WEST VIRGINIA MEDICAL PRACTICE ACT.**

**§30-3-10b. Anesthesiologist Assistant.**

1 (a) The West Virginia Board of Medicine, with the advice of the West Virginia Society of  
 2 Anesthesiologist shall propose rules for legislative approval in accordance with the provisions of  
 3 29A-3-1 et seq. of this code to:

4 (1) Develop the minimum education and training requirements for an anesthesiologist  
 5 assistant; and

6 (2) Regulate anesthesiologist assistants.

7 (b) An anesthesiologist assistant, consistent with the anesthesiologist’s assistant’s  
 8 education training and licensure, and under the supervision of a physician who is actively and  
 9 directly engaged in the clinical practice of medicine as an anesthesiologist, may do the following:

10 (1) Undertake any of the duties or functions of the written practice protocol adopted by the  
 11 supervising anesthesiologist: *Provided*, That any action under this subdivision by an  
 12 anesthesiologist assistant be done in the immediate presence of the supervising anesthesiologist:

13 (2) Obtain informed consent for anesthesia care and perform preanesthetic preparation  
 14 and evaluation, postanesthetic preparation and evaluation, post anesthesia care and any other  
 15 function authorized under the written practice protocol required by subdivision (b)(1) of this  
 16 section;

17 (3) Direct the nurse or therapist to administer treatments drugs, and intravenous fluids to  
 18 treat conditions related to the administration of anesthesia if the nurse or therapist is authorized  
 19 by law to administer treatments, drugs, and intravenous fluids and the supervising

20 anesthesiologist ordered the treatments, drugs, or intravenous fluids.  
21 (4) Performing and documenting evaluations and assessments, which may include  
22 ordering and evaluating one or more diagnostic tests for conditions related to the administration  
23 of anesthesia; and  
24 (5) Perform any other preanesthetic preparation and evaluation, postanesthetic  
25 preparation and evaluation, or post anesthesia care consistent with the written protocols  
26 established pursuant to subdivision(b)(1) of this section.

NOTE: The purpose of this bill is to recognize anesthesiologist assistants who will practice under the supervision and presence of anesthesiologists pursuant to written practice protocols. A defined scope of practice is set forth for anesthesiologist assistants. The Board of Medicine is required to promulgate rules for the purpose of setting minimum educational and training standards and regulating the practice of anesthesiologist assistants.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.