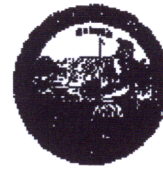




DIANA M. BONTÁ, R.N., Dr. P.H.
Director

State of California—Health and Human Services Agency
Department of Health Services



GRAY DAVIS
Governor

November 20, 2002

Ms. Ruth Ann Terry
Executive Officer
California Board of Registered Nursing
P.O. Box 942210
Sacramento, CA 94244-2100

Dear Ms. Terry:

FEBRUARY 11, 2002 LETTER—CRNA SCOPE OF PRACTICE

Thank you for your letter requesting that the Department of Health Services (DHS) retract the February 11, 2002, letter concerning the scope of practice for certified registered nurse anesthetists (CRNA). The February letter was written in response to a letter sent to Governor Gray Davis by the California Association of Anesthesiologists (CAA). CAA requested that California refrain from seeking any exemption, which may be permitted by new federal requirements to permit states to exempt physician supervision requirements for CRNAs.

Please find enclosed a clarification letter from DHS directed to the CSA regarding the February letter. This letter clarifies the February letter intended to only address the new federal Medicare rules related to the opt out provision regarding physician supervision of nurse anesthetists. DHS further clarifies that it is within the jurisdiction of the California Board of Registered Nursing (CBRN) to interpret state licensure laws regarding the scope of practice for of nurse anesthetists and that DHS defers to the CBRN on scope of practice for such matters involving nurse anesthetists.

DHS has made clear to the interested parties that the February letter should not be relied upon for interpretation of state licensure law as to the scope of practice of nurse anesthetists. However, DHS will continue to interpret and apply federal or other state requirements in order to ensure the State of California continues to receive federal financial participation for the Medi-Cal program.

DHS appreciates your attention to this matter and anticipates your future cooperation with any necessary clarifications DHS will need regarding the scope of practice of nurse anesthetists in order that it may properly implement the law DHS administers.



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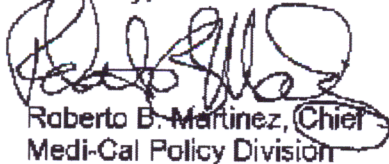
714 P STREET, ROOM 1581 P.O. BOX 942732, SACRAMENTO, CA 94234-7320
(916) 657-1542

Internet Address: www.dhs.ca.gov

Ms. Ruth Ann Terry
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If you have further questions, please contact Ms. Mary Lamar-Wiley, Acting Chief of the Medi-Cal Benefits Branch, at (916) 657-1460.

Sincerely,



Roberto B. Martinez, Chief
Medi-Cal Policy Division

Enclosure

cc: William E. Barnaby, Esq.
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