



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

William E. Barnaby, Esq.
Legislative Counsel
California Society of Anesthesiologists, Inc.
1650 South Amphlett Boulevard, Suite 212
San Mateo, CA 94402

Dear Mr. Barnaby:

FEBRUARY 11, 2002 LETTER--CRNA SCOPE OF PRACTICE

The Department of Health Services has received inquiries and comments regarding the February 11, 2002, letter. This letter was a response to your November 16, 2001, letter sent to Governor Gary Davis by the California Association of Anesthetists (CAA). It requested that California refrain from seeking any exemption permitted by the new federal Medicare rules which permit states to exempt physician supervision requirements for nurse anesthetists (See 66 Federal Register 4674-01).

Apparently the language of that letter can be interpreted as a determination of the level of supervision required of nurse anesthetists under state law. No such determination was intended. Issues regarding the scope of practice for California nurse anesthetists are within the jurisdiction of the California Board of Registered Nursing. The February 11, 2002, letter should be regarded as inoperative to the extent that it suggests any analysis of state licensure laws pertaining to the scope of practice of nurse anesthetists. The intent of the letter was to clarify that the supervision requirements referred to as standards of participation under federal law continue to apply until an opt out exemption is effectively exercised pursuant to the new federal regulations.

If you have comments regarding the scope of practice of nurse anesthetists, please contact the California Board of registered Nursing to obtain additional clarification.



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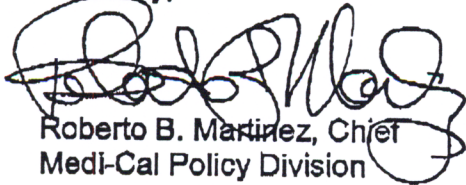
William E. Barnaby, Esq.

Page 2

November 20, 2002

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 III, Esq.
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