

CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 876 Author:(Flora)

As Amended Ver:July 9, 2025

Majority vote

SUMMARY

Defines "anesthesia services" for purposes of the provision of anesthesia by a certified registered nurse anesthetist (CRNA), specifies that an order by a physician, dentist, or podiatrist for anesthesia services for a specific patient shall be the authorization for the nurse anesthetist to select and implement the modality of anesthesia for the patient and to abort or modify the modality of anesthesia for the patient during the course of care, and makes other technical clarifications.

Senate Amendments

Reduced the bill to the definition of "anesthesia services" and the order required to provide services.

COMMENTS

Background. In healthcare, anesthesia services are procedures involving the use of drugs or other means to induce a loss of sensation to manage pain and other forms of discomfort and the care necessary to accomplish the procedures. Anesthesia can be used as a direct treatment or to facilitate a surgical operation or other non-surgical medical procedure, such as a colonoscopy. The RN providers of anesthesia services are CRNAs, who are advanced practice RNs specifically trained in anesthesia services and related care. The physician providers who specialize in anesthesia services are anesthesiologists.

CRNA Scope of Practice. The CRNA scope of practice has two components. First, as licensed RNs, they are authorized to perform health care functions that require a substantial amount of scientific knowledge or technical skill, including direct and indirect patient care; disease prevention and restorative measures; administration of medication and therapeutic agents upon order of a physician, dentist, podiatrist, or specified clinical psychologist; skin tests; immunizations; blood withdrawal; patient assessment, analysis, planning, and treatment implementation; and clinical laboratory testing.

Second, as CRNAs, they are authorized to perform anesthesia services. In acute care facilities, the facility must approve the services and the services must be provided at the discretion of the physician, dentist, or podiatrist. In dental offices where general anesthesia is administered, the dentist must hold a general anesthesia permit issued by the Dental Board of California (DBC).

CRNA Statutory Anesthesia Authority. The statutory authority for CRNAs to provide anesthesia services is vague—aside from what is implied under the RN scope of practice, there is no affirmative, specific authorization for a CRNA to provide anesthesia services, and there is no definition of anesthesia services. Instead, three sentences in the Nursing Practice Act work together and form the basis of the current understanding of CRNA authority to provide anesthesia services, which is that a CRNA is authorized to provide anesthesia services in any setting where anesthesia may lawfully be provided, subject to the following conditions:

- 1) If administering anesthesia medications therapeutic agents, the administration must be pursuant to an order issued by a physician, dentist, podiatrist, or clinical psychologist who is authorized to order anesthesia.
- 2) If providing anesthesia services in an acute care facility, the services must be approved by the acute care facility administration and the appropriate committee, and at the discretion of the physician, dentist, or podiatrist.
- 3) If providing anesthesia services in a dental office where general anesthesia is administered, the dentist must hold a general anesthesia permit issued by the DBC.

The structure of this implied authority has raised many questions among stakeholders, including what must be contained in an "order" from a qualified licensee. In healthcare, the term "order" refers to the mechanism for delegating a healthcare function, such as the treatment of a condition or performance of tests, to another provider. When giving an order, the ordering provider is responsible for determining the medical necessity of the order. However, there is no statute or other requirement specifying whether the provider must maintain control of or otherwise supervise the ordered provider.

Advisory opinions from the Board of Registered Nursing, an Attorney General Opinion, and case law have interpreted the existing law and nursing scope to mean that, while an order is needed for a CRNA to provide anesthesia, the order does not mean and is not required to include supervision. This bill would codify that interpretation. For further detail, please see the Assembly Business and Professions Committee analysis of this bill.

According to the Author

This bill is sponsored by the *California Association of Nurse Anesthesiology*. According to the author, "[This bill] removes barriers that limit Certified Registered Nurse Anesthetists (CRNAs) from providing comprehensive anesthesia care, ensuring patients have greater access to safe and timely services.... It also clarifies CRNAs' authority to practice independently within the scope of their nationally accredited education and AANA guidelines, affirming their ability to provide high-quality care without unnecessary delays. By addressing provider shortages and improving efficiency, [this bill] strengthens California's healthcare system and enhances patient outcomes."

Arguments in Support

Supporters note, "This important legislation will provide much-needed statutory clarity regarding the authority of Certified Registered Nurse Anesthetists (CRNAs) to practice in alignment with long-standing case law and regulations. [This bill] reaffirms the ability of health care facilities to determine how anesthesia services are delivered locally, while ensuring consistency and certainty for both providers and patients."

Arguments in Opposition

Opponents note, "We appreciate that the scope of [this bill] has been narrowed and now focuses on defining anesthesia services, rather than expanding scope of practice. However, several provisions in the current language could still lead to confusion in practice settings that could lead to unintended consequences that could compromise patient safety."

FISCAL COMMENTS

According to the Senate Appropriations Committee, pursuant to rule 28.8, no significant state costs anticipated.

VOTES:

ASM BUSINESS AND PROFESSIONS: 15-1-2

YES: Berman, Flora, Ahrens, Alanis, Bauer-Kahan, Caloza, Chen, Elhawary, Hadwick, Haney, Jackson, Krell, Lowenthal, Macedo, Pellerin

NO: Bains

ABS, ABST OR NV: Irwin, Nguyen

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Sanchez, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Arambula

ASSEMBLY FLOOR: 61-1-17

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Hadwick, Harabedian, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ransom, Celeste Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Solache, Soria, Ta, Tangipa, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Bains

ABS, ABST OR NV: Alanis, Arambula, Bennett, Castillo, Jeff Gonzalez, Mark González, Haney, Hart, Irwin, McKinnor, Nguyen, Quirk-Silva, Ramos, Michelle Rodriguez, Sharp-Collins, Stefani, Valencia

SENATE FLOOR: 33-0-7

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Dahle, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Stern, Strickland, Umberg, Valladares, Wiener

ABS, ABST OR NV: Choi, Durazo, Gonzalez, Menjivar, Smallwood-Cuevas, Wahab, Weber Pierson

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

SENATE FLOOR: 38-0-2

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Wiener

ABS, ABST OR NV: Choi, Weber Pierson

UPDATED

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