

**2021**

**STATE OF NEBRASKA**

**STATUTES RELATING TO  
CERTIFIED REGISTERED NURSE ANESTHETIST  
PRACTICE ACT**

**NEBRASKA**

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**DEPT. OF HEALTH AND HUMAN SERVICES**

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## STATUTES PERTAINING TO THE CERTIFIED REGISTERED NURSE ANESTHETIST PRACTICE ACT

### **38-701. Act, how cited.**

Sections 38-701 to 38-711 shall be known and may be cited as the Certified Registered Nurse Anesthetist Practice Act.

**Source:** Laws 2005, LB 256, § 73; R.S.Supp.,2006, § 71-1728; Laws 2007, LB463, § 231.

### **38-702. Definitions, where found.**

For purposes of the Certified Registered Nurse Anesthetist Practice Act and elsewhere in the Uniform Credentialing Act, unless the context otherwise requires, the definitions found in sections 38-703 to 38-706 apply.

**Source:** Laws 2007, LB463, § 232.

### **38-703. Board, defined.**

Board means the Board of Advanced Practice Registered Nurses.

**Source:** Laws 2007, LB463, § 233.

### **38-704. Certified registered nurse anesthetist, defined.**

Certified registered nurse anesthetist means a licensed registered nurse certified by a board-approved certifying body and licensed under the Advanced Practice Registered Nurse Practice Act to practice as a certified registered nurse anesthetist in the State of Nebraska.

**Source:** Laws 2007, LB463, § 234.

#### **Cross References**

- **Advanced Practice Registered Nurse Practice Act**, see section 38-201.

### **38-705. Licensed practitioner, defined.**

Licensed practitioner means any physician or osteopathic physician licensed to prescribe, diagnose, and treat as prescribed in the Medicine and Surgery Practice Act.

**Source:** Laws 2007, LB463, § 235.

#### **Cross References**

- **Medicine and Surgery Practice Act**, see section 38-2001.

### **38-706. Practice of anesthesia, defined; activities not subject to act.**

(1) Practice of anesthesia means (a) the performance of or the assistance in any act involving the determination, preparation, administration, or monitoring of any drug used to render an individual insensible to pain for procedures requiring the presence of persons educated in the administration of anesthetics or (b) the performance of any act commonly the responsibility of educated anesthesia personnel. Practice of anesthesia includes the use of those techniques which are deemed necessary for adequacy in performance of anesthesia administration.

(2) Nothing in the Certified Registered Nurse Anesthetist Practice Act prohibits (a) routine administration of a drug by a duly licensed registered nurse, licensed practical nurse, or other duly authorized person for the alleviation of pain or (b) the practice of anesthesia by students enrolled in an accredited school of nurse anesthesia when the services performed are a part of the course of study and are under the supervision of a licensed practitioner or certified registered nurse anesthetist.

**Source:** Laws 1981, LB 379, § 26; Laws 1992, LB 1019, § 73; Laws 2002, LB 1062, § 47; Laws 2005, LB 256, § 74; R.S.Supp.,2006, § 71-1729; Laws 2007, LB185, § 14; Laws 2007, LB296, § 485; Laws 2007, LB463, § 236.

### **38-707. Certified registered nurse anesthetist; license; requirements.**

(1) An applicant for a license under the Advanced Practice Registered Nurse Practice Act to practice as a certified registered nurse anesthetist shall:

- (a) Hold a license as a registered nurse in the State of Nebraska or have the authority based on the Nurse Licensure Compact to practice as a registered nurse in Nebraska;
- (b) Submit evidence of successful completion of a course of study in anesthesia in a school of nurse anesthesia accredited or approved by or under the auspices of the department or the Council on Accreditation of Nurse Anesthesia and Educational Programs; and
- (c) Submit evidence of current certification by the Council on Certification of Nurse Anesthetists.

(2) If more than five years have elapsed since the applicant completed the nurse anesthetist program or since the applicant has practiced as a nurse anesthetist, he or she shall meet the requirements of subsection (1) of this section and shall provide evidence of continuing competency as determined by the board, including, but not

limited to, a reentry program, supervised practice, examination, or one or more of the continuing competency activities listed in section 38-145.

**Source:** Laws 1981, LB 379, § 27; Laws 1984, LB 724, § 29; Laws 1992, LB 1019, § 74; Laws 1996, LB 414, § 44; Laws 1997, LB 752, § 174; Laws 1999, LB 828, § 155; Laws 2002, LB 1021, § 61; Laws 2003, LB 242, § 105; Laws 2005, LB 256, § 78; R.S.Supp.,2006, § 71-1730; Laws 2007, LB185, § 15; Laws 2007, LB463, § 237.

**Cross References**

- **Advanced Practice Registered Nurse Practice Act**, see section 38-201.
- **Credentialing**, general requirements and issuance procedures, see section 38-121 et seq.
- **Nurse Licensure Compact**, see sections 71-1795 to 71-1795.02.

**38-708. Certified registered nurse anesthetist; temporary license; permit.**

(1) The department may, with the approval of the board, grant a temporary license in the practice of anesthesia for up to one hundred twenty days upon application (a) to graduates of an accredited school of nurse anesthesia pending results of the first certifying examination following graduation and (b) to registered nurse anesthetists currently licensed in another state pending completion of the application for a Nebraska license. A temporary license issued pursuant to this subsection may be extended at the discretion of the board with the approval of the department.

(2) An applicant for a license to practice as a certified registered nurse anesthetist who is a military spouse may apply for a temporary license as provided in section 38-129.01.

**Source:** Laws 1981, LB 379, § 28; Laws 1984, LB 724, § 30; Laws 1992, LB 1019, § 75; Laws 1996, LB 414, § 45; Laws 1999, LB 828, § 156; Laws 2005, LB 256, § 79; R.S.Supp.,2006, § 71-1731; Laws 2007, LB185, § 16; Laws 2007, LB463, § 238; Laws 2017, LB88, § 41.

**38-709. Certified registered nurse anesthetist; license; renewal.**

To renew a license to practice as a certified registered nurse anesthetist, the applicant shall have current certification by the Council on Certification of Nurse Anesthetists.

**Source:** Laws 1981, LB 379, § 32; Laws 1993, LB 536, § 73; Laws 1995, LB 563, § 42; Laws 1996, LB 414, § 46; Laws 1999, LB 828, § 157; Laws 2000, LB 1115, § 61; Laws 2002, LB 1021, § 62; Laws 2003, LB 242, § 106; Laws 2005, LB 256, § 80; R.S.Supp.,2006, § 71-1735; Laws 2007, LB185, § 18; Laws 2007, LB463, § 239.

**Cross References**

- **Nurse Licensure Compact**, see sections 71-1795 to 71-1795.02.

**38-710. Use of title and abbreviation.**

A person licensed as a certified registered nurse anesthetist has the right to use the title certified registered nurse anesthetist and the abbreviation C.R.N.A.

**Source:** Laws 2007, LB463, § 240.

**38-711. Certified registered nurse anesthetist; performance of duties.**

(1) The determination and administration of total anesthesia care shall be performed by the certified registered nurse anesthetist or a nurse anesthetist temporarily licensed pursuant to section 38-708 in consultation and collaboration with and with the consent of the licensed practitioner.

(2) The following duties and functions shall be considered as specific expanded role functions of the certified registered nurse anesthetist:

(a) Preanesthesia evaluation including physiological studies to determine proper anesthetic management and obtaining informed consent;

(b) Selection and application of appropriate monitoring devices;

(c) Selection and administration of anesthetic techniques;

(d) Evaluation and direction of proper postanesthesia management and dismissal from postanesthesia care;

(e) Evaluation and recording of postanesthesia course of patients; and

(f) Use of fluoroscopy in conjunction with a licensed medical radiographer in connection with the performance of authorized duties and functions upon (i) the successful completion of appropriate education and training as approved jointly by the department and the board and promulgated by the department in rules and regulations pursuant to section 71-3508 and (ii) a determination regarding the scope and supervision of such use consistent with subsection (3) of this section.

(3) The determination of other duties that are normally considered medically delegated duties to the certified registered nurse anesthetist or to a nurse anesthetist temporarily licensed pursuant to section 38-708 shall be the joint responsibility of the governing board of the hospital, medical staff, and nurse anesthetist personnel of any duly licensed hospital or, if in an office or clinic, the joint responsibility of the duly licensed practitioner and nurse

anesthetist. All such duties, except in cases of emergency, shall be in writing in the form prescribed by hospital or office policy.

**Source:** Laws 1981, LB 379, § 31; Laws 1992, LB 1019, § 76; R.S.1943, (2003), § 71-1734; Laws 2007, LB185, § 17; Laws 2007, LB463, § 241; Laws 2008, LB928, § 4.

**71-1728. Transferred to section 38-701.**

**71-1729. Transferred to section 38-706.**

**71-1730. Transferred to section 38-707.**

**71-1731. Transferred to section 38-708.**

**71-1732 and 71-1733. Repealed.** Laws 1992, LB 1019, §129.

**71-1734. Transferred to section 38-711.**

**71-1735. Transferred to section 38-709.**

**71-1736. Repealed.** Laws 2005, LB 256, §103.

**71-1736.01 to 71-1736.03. Repealed.** Laws 2007, LB 185, § 54.

**71-1737. Repealed.** Laws 2007, LB 463, § 1319.