



The New York State Society of Anesthesiologists, Inc.

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To: **Legislative Day Participants; Board of Directors, NYSSA; GLAC Members; EAC Members**

Re: **Legislative Day May 21, 2019**

Thank you for volunteering to participate in this year's Annual Legislative Day in Albany. Your involvement, as always, is critical.

The primary bill that NYSANA will be promoting this Session to permit independent practice for nurse anesthetists is the nurse anesthetist collaborative practice ("certification procedures for the profession of nurse anesthesia") bills: **S2563 (Bailey) and A1745 (Gottfried)**. The key points of NYSSA's opposition to this bill are below.

Key Points:

- Defeat proposals that remove the physician anesthesiologist from the treatment team, including peri-operative assessment of a patient, preparation of an anesthetic plan, and post anesthesia care, which is the current statewide requirement that a physician anesthesiologist must either administer anesthesia or supervise a nurse anesthetist (or the operative surgeon who accepts responsibility for supervising the nurse anesthetist).
- Defeat proposals creating a two-tier anesthesia delivery system. Without a statewide uniform requirement as it currently exists, hospitals will be free to permit nurse anesthetists to administer anesthesia independently - a decision that would be based on economic considerations and would result in a two-tiered health care system.
- Defeat proposals that allow nurse anesthetists broad prescriptive writing authority - at a time when NYS is combating a prescription drug and opioid abuse crisis, it defies common sense to give over 1,240 nurse anesthetists unrestricted prescriptive authority.
- The current physician led supervision safety requirement contained in the NYS Health Code is consistent with coordinated and team-based care, including the Anesthesia Care Team, one of the most common, safest, and cost effective ways anesthesia care is delivered in NYS.
- By granting nurse anesthetists independent practice, healthcare costs will increase. Independent studies have shown that the odds of an adverse outcome are 80% higher when anesthesia is provided only by a nurse anesthetist as opposed to a physician anesthesiologist. Adverse outcomes lead to higher costs for patients in both monetary and physical terms when patients require longer hospital stays. Because nurse anesthetists are not qualified to make medical evaluations and judgments, the need in the pre- and post-anesthesia periods for additional

LEGISLATIVE REPRESENTATION

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consultations and laboratory testing by physician specialists is more likely than when a physician anesthesiologist is involved.

A. Listed below (**and attached**) are the materials that we request you review prior to Legislative Day as well as the memorandums for you to distribute to Legislators on Legislative Day (**copies will be made available in a folder May 21st to hand to Legislators**), including memorandums in support and opposition to various bills of interest to NYSSA.¹

1. **Legislative Day Booklet.** This document is intended to provide you a useful script to which you can refer when you meet with your Legislator. It provides an outline of key bills of importance to NYSSA - a summary of arguments about bills NYSSA supports and opposes.

2. **Memo in Support** of Bichotte's **Patient's Right to Equal Access to Physician Anesthesiologist Led Anesthesia Care Team Bill** (A7100).

3. **Comparison Chart** of Bichotte Bill (A.7100) and New York State Health Code.

4. **Memo in Opposition** to Bailey (S.3501) and Gottfried (A8007) **Collaboration Practice-CRNA Bills.**

5. **Memo in Opposition** to Dinowitz (A2370) **Patient Privacy Protection Act Bill.**

6. **Table of Bill Sponsors** indicating those on Senate and Assembly Higher Education Committees (*copies will not be included in folders for Legislators*).

7. **Letter to Board Members.** A reminder about new JCOPE regulations regarding interaction with Legislators, regulators, or legislative staff members.

8. **Agenda** for the day.

B. **Legislative Day Agenda** (please see attached) beginning at 8:00 AM on Tuesday, May 21, 2019 with a breakfast buffet at **The Renaissance Albany Hotel, 144 State Street**, Albany, and continuing on until 8:45 AM with welcoming remarks from NYSSA leaders and invited NYS Legislators. Legislative visits will occur thereafter.

C. In view of the foregoing developments, as well as other bills listed in the booklet, your involvement in our governmental advocacy plan is essential. As such, please consider pursuing the following action items at this time:

If you are scheduling a District meeting in the near future:

- Update your District on these initiatives and consider inviting Stuart Hayman, Bob Reid, and Chuck Assini to address your District.
- Review the NYSSA website for information, including supporting and opposing memorandums on legislation.

Stuart Hayman, Bob Reid, Shauneen McNally, and Chuck Assini

¹ All materials will be available on the NYSSA website under Advocacy tab, Legislative/Regulatory Issues webpage, "NYSSA's Annual Legislative Day in Albany 2019"