

59 As used in this chapter:

60 (1) "Anesthesiologist" means an individual who:

61 (a) is licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah
62 Osteopathic Medical Practice Act; and

63 (b) has completed a residency program in anesthesiology.

64 (2) "Anesthesiologist assistant" means an individual licensed under this chapter.

65 (3) "Board" means the Physicians Licensing Board created in Section 58-67-201.

66 (4) "Practice of assisting an anesthesiologist" means personally performing the health
67 care services delegated to the anesthesiologist assistant by the supervising anesthesiologist in
68 accordance with the acceptable medical practice and the American Society of
69 Anesthesiologists' guidance for best practice of anesthesia in a care team model.

70 (5) "Supervision ~~§~~ standards ~~←§~~" means ~~§~~ [a supervising anesthesiologist is
70a immediately available in

71 physical proximity that allows the anesthesiologist to return and re-establish direct contact with
72 the patient to meet the medical needs and address any urgent or emergent clinical problems.]

72a standards ~~§~~ [that:] ~~←§~~

72b ~~§~~ [(a) are] ~~←§~~ established by the division through rule ~~§~~ [; and] that:

72b1 (a) prohibit an anesthesiologist from supervising more than four anesthesiologist assistants at
72b2 any one time; and ~~←§~~

72c (b) comply with the rules and regulations for anesthesia service reimbursement created by the
72d Centers for Medicare and Medicaid Services ~~§~~ to the extent that the rules and regulations
72d1 do not conflict with state law ~~←§~~ . ~~←§~~

73 Section 3. Section **58-70b-102** is enacted to read:

74 **58-70b-102. Rulemaking.**

75 In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
76 division may make rules as authorized by this chapter.

77 Section 4. Section **58-70b-201** is enacted to read:

78 **Part 2. Board**

79 **58-70b-201. Board.**

80 The board shall regulate anesthesiologist assistants.

81 Section 5. Section **58-70b-301** is enacted to read:

82 **Part 3. Licensing**

83 **58-70b-301. Licensure required -- Supervision -- Issuance of licenses.**

84 (1) Beginning January 1, 2023, and except as provided in Section 58-1-307:

85 (a) a license is required to engage in the practice of assisting an anesthesiologist; and

86 (b) the practice of assisting an anesthesiologist requires ~~§~~ [supervision] compliance with
86a supervision standards ~~←§~~ .

87 (2) The division shall issue to any individual who qualifies under this chapter a license
88 to practice as an anesthesiologist assistant.

89 Section 6. Section **58-70b-302** is enacted to read:

90 **58-70b-302. Qualifications for licensure -- Temporary license.**

91 ~~H→ [(1) Except as provided in Subsection (2), each]~~ ~~Each ←H~~ applicant for licensure as an
 92 anesthesiologist assistant under this chapter shall:

93 ~~H→ [(a)] (1) ←H~~ submit an application on a form established by the division;

94 ~~H→ [(b)] (2) ←H~~ pay a fee determined by the division under Section 63J-1-504;

95 ~~H→ [(c)] (3) ←H~~ provide satisfactory documentation of having graduated from a program
 95a certified by
 96 the Commission on Accreditation of Allied Health Education Programs the commission's
 97 successor organization;

98 ~~H→ [(d)] (4) ←H~~ within 12 months of completing the training under Subsection

98a ~~H→ [(1)(c)] (3) ←H~~ , pass the
 99 certification exam offered by the National Commission for Certification of Anesthesiologist
 100 Assistants; and

101 ~~H→ [(e)] (5) ←H~~ have the certification described in Subsection ~~H→ [(1)(d)] (4) ←H~~ at the
 101a time of the application

102 and maintain the certification throughout the term of the license.

103 ~~H→ [(2) The division may issue a temporary license, in accordance with Section 58-1-303~~
 104 ~~and any other conditions established by rule, to an applicant who meets all of the requirements~~
 105 ~~for licensure except the certification requirement of Subsection (1)(d) or (1)(e).]~~ ←H

106 Section 7. Section **58-70b-303** is enacted to read:

107 **58-70b-303. Term of license -- Expiration -- Renewal.**

108 (1) (a) The division shall issue each license under this chapter in accordance with a
 109 two-year renewal cycle established by rule.

110 (b) The division may by rule extend or shorten a renewal cycle by as much as one year
 111 to stagger the renewal cycles the division administers.

112 (2) Each licensee shall, at the time of applying for renewal, demonstrate compliance
 113 with continuing education requirements established through rule by the division in
 114 collaboration with the board.

115 (3) Each license automatically expires on the expiration date shown on the license
 116 unless the licensee renews the license in accordance with Section 58-1-308.

117 Section 8. Section **58-70b-401** is enacted to read:

118 **Part 4. Unlawful and Unprofessional Conduct**

119 **58-70b-401. Unlawful conduct.**

120 (1) An individual commits unlawful conduct by:

121 (a) using the title "anesthesiologist assistant" or any other title or designation tending to
122 indicate that the individual is an anesthesiologist assistant unless that individual has a current
123 license as an anesthesiologist assistant issued under this chapter; or

124 (b) engaging in the practice of assisting an anesthesiologist without being an
125 anesthesiologist assistant.

126 (2) An anesthesiologist assistant commits unlawful conduct by engaging in the practice
127 of assisting an anesthesiologist without ~~§~~→ [supervision] complying with supervision standards
127a ←~~§~~ .

128 Section 9. Section **58-70b-402** is enacted to read:

129 **58-70b-402. Unprofessional conduct.**

130 An anesthesiologist assistant commits unprofessional conduct by:

131 (1) engaging in any act or practice in a professional capacity which the licensee is not
132 competent to perform through training or experience;

133 (2) failing to refer a client to other competent professionals when the licensee is unable
134 or unwilling to adequately support or serve the client;

135 (3) failing to maintain the confidentiality of any information received from a client,
136 unless released by the client or otherwise authorized or required by law; or

137 (4) exploiting a client for personal advantage, profit, or interest.