

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 890**

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**Introduced by Assembly Member Ridley-Thomas**

February 26, 2015

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~~An act to amend Section 301 of the Business and Professions Code, relating to consumers.~~ *An act to add Chapter 7.75 (commencing with Section 3550) to Division 2 of the Business and Professions Code, relating to healing arts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 890, as amended, Ridley-Thomas. ~~Consumers.~~ *Anesthesiologist assistants.*

*Existing law provides for the licensure and regulation of specified healing arts licensees, including, among others, physicians and surgeons, physician assistants, nurses, and nurse anesthetists.*

*This bill would enact the Anesthesiologist Assistant Practice Act, which would make it unlawful for any person to hold himself or herself out as an anesthesiologist assistant unless he or she meets specified requirements. The bill would make it an unfair business practice to violate these provisions. The bill would require an anesthesiologist assistant to work under the direction and supervision of an anesthesiologist, and would require the anesthesiologist to be physically present on the premises and available to the anesthesiologist assistant when medical services are being rendered and to oversee the activities of, and accept responsibility for, the medical services being rendered by the anesthesiologist assistant. The bill would authorize an anesthesiologist assistant to assist the supervising anesthesiologist in developing and implementing an anesthesia care plan for a patient.*

~~Existing law states that it is the intent of the Legislature to promote and protect the interests of the people as consumers, and that the government advances the interests of consumers by, among other things, protecting consumers from the sale of goods and services through the use of deceptive methods, acts, or practices that are inimical to the general welfare of consumers.~~

~~This bill would make a nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Chapter 7.75 (commencing with Section 3550)  
2     is added to Division 2 of the Business and Professions Code, to  
3     read:

4  
5             CHAPTER 7.75. ANESTHESIOLOGIST ASSISTANT  
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7     3550. This chapter shall be known and may be cited as the  
8     Anesthesiologist Assistant Practice Act.

9     3551. For purposes of this section, the following definitions  
10    shall apply:

11    (a) "Anesthesiologist" means a physician and surgeon who has  
12    completed a residency in anesthesiology approved by the American  
13    Board of Anesthesiology or the American Osteopathic Board of  
14    Anesthesiology and is licensed under Chapter 5 (commencing with  
15    Section 2000).

16    (b) "Anesthesiologist assistant" means a person who meets the  
17    requirements of Section 3552.

18    3552. (a) A person shall not hold himself or herself out to be  
19    an anesthesiologist assistant unless he or she meets the following  
20    requirements:

21    (1) Has graduated from an anesthesiologist assistant program  
22    recognized by the American Medical Association's Committee on  
23    Allied Health Education and Accreditation or by its successor  
24    agency.

25    (2) Has passed the certifying examination and holds an active  
26    certification by the National Commission on Certification of  
27    Anesthesiologist Assistants.

1 (b) *It is an unfair business practice within the meaning of*  
 2 *Chapter 5 (commencing with Section 17200) of Part 2 of Division*  
 3 *7 for any person to use the title “anesthesiologist assistant” or*  
 4 *any other term, including, but not limited to, “certified,”*  
 5 *“licensed,” “registered,” or “AA,” that implies or suggests that*  
 6 *the person is certified as an anesthesiologist assistant, if the person*  
 7 *does not meet the requirements of subdivision (a).*

8 3553. *An anesthesiologist assistant shall work under the*  
 9 *direction and supervision of an anesthesiologist. The supervising*  
 10 *anesthesiologist shall do both of the following:*

11 (a) *Be physically present on the premises and available to the*  
 12 *anesthesiologist assistant when medical services are being*  
 13 *rendered.*

14 (b) *Oversee the activities of, and accept responsibility for, the*  
 15 *medical services being rendered by the anesthesiologist assistant.*

16 3554. *Notwithstanding any other law, an anesthesiologist*  
 17 *assistant may assist the supervising anesthesiologist in developing*  
 18 *and implementing an anesthesia care plan for a patient.*

19 SECTION 1. ~~Section 301 of the Business and Professions Code~~  
 20 ~~is amended to read:~~

21 ~~301. It is the intent of the Legislature and the purpose of this~~  
 22 ~~chapter to promote and protect the interests of the people as~~  
 23 ~~consumers. The Legislature finds that vigorous representation and~~  
 24 ~~protection of consumer interests are essential to the fair and~~  
 25 ~~efficient functioning of a free enterprise market economy. The~~  
 26 ~~Legislature declares that government advances the interests of~~  
 27 ~~consumers by facilitating the proper functioning of the free~~  
 28 ~~enterprise market economy through (a) educating and informing~~  
 29 ~~the consumer to ensure rational consumer choice in the~~  
 30 ~~marketplace; (b) protecting the consumer from the sale of goods~~  
 31 ~~and services through the use of deceptive methods, acts, or~~  
 32 ~~practices that are inimical to the general welfare of consumers;~~  
 33 ~~(c) fostering competition; and (d) promoting effective~~  
 34 ~~representation of consumers’ interests in all branches and levels~~  
 35 ~~of government.~~

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