

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 289

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO NURSES; AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 54-1421, IDAHO CODE, TO ESTABLISH PROVISIONS  
3 REGARDING CERTIFIED REGISTERED NURSE ANESTHETISTS; AND DECLARING AN  
4 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 14, Title 54, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 54-1421, Idaho Code, and to read as follows:

10 54-1421. CERTIFIED REGISTERED NURSE ANESTHETIST. (1) For the purposes  
11 of this section, "certified registered nurse anesthetist" or "CRNA" means  
12 a licensed registered nurse who has graduated from a nationally accredited  
13 graduate or post-graduate nurse anesthesia program and holds current certi-  
14 fication as a nurse anesthetist from a national organization recognized by  
15 the board. CRNAs are authorized to provide the full spectrum of anesthesia  
16 care and related services to individuals across the lifespan, whose health  
17 status may range across the wellness-illness continuum, including healthy  
18 persons; persons with immediate, severe, or life-threatening illness or in-  
19 jury; and persons with sustained or chronic health conditions.

20 (2) A CRNA shall be responsible for the care provided by the CRNA and for  
21 obtaining professional liability insurance if the CRNA is not covered by the  
22 facility or practice in which the CRNA works.

23 (3) A physician shall not be liable for civil damages arising out of any  
24 act or omission relating to anesthesia services when:

25 (a) Such anesthesia services have been furnished solely and indepen-  
26 dently by a CRNA acting within the scope of the CRNA's licensure, edu-  
27 cation, training, and experience, and in compliance with all applicable  
28 state and federal laws and rules; and

29 (b) The physician did not provide direct control or supervision or ex-  
30 pressly assume responsibility for the anesthesia services provided by  
31 the CRNA.

32 (4) The immunity from liability provided for in subsection (3) of this  
33 section applies regardless of whether a physician is physically present in  
34 the facility or practice setting where the CRNA is providing anesthesia ser-  
35 vices as long as the physician did not undertake, accept, or contractually  
36 agree to supervise or direct the CRNA's anesthesia care.

37 (5) Nothing in this section shall excuse or immunize a physician from  
38 liability for:

39 (a) The physician's own acts of negligence, gross negligence, or will-  
40 ful misconduct; or

41 (b) Any separate and independent professional services personally ren-  
42 dered by the physician to a patient.

- 1 (6) Nothing in this section shall:  
2 (a) Be interpreted to create any new requirement for physician super-  
3 vision of CRNAs or to restrict the practice of any other licensed health  
4 professional; or  
5 (b) Affect or impair any requirement for facility accreditation, fed-  
6 eral participation conditions for medicare or medicaid, or other regu-  
7 latory standards that are not superseded by state law.  
8 (7) The indemnity and immunity provided for in this section shall not  
9 limit or alter the jurisdiction of the board or the Idaho state board of  
10 medicine in regulating their respective licensees, nor shall it preclude the  
11 application of any other provision of state law.  
12 (8) If any provision of this section or its application to any person  
13 or circumstance is held invalid, such invalidity shall not affect other  
14 provisions or applications of this section that can be given effect without  
15 the invalid provision or application. To this end, the provisions of this  
16 statute are declared to be severable.

17 SECTION 2. An emergency existing therefor, which emergency is hereby  
18 declared to exist, this act shall be in full force and effect on and after  
19 July 1, 2025.