

West's New Mexico Statutes Annotated

Chapter 61. Professional and Occupational Licenses (Refs & Annos)

Article 6d. Anaesthesiologist Assistants
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N. M. S. A. 1978, § 61-6D-1
Formerly cited as NM ST § 61-6-10.1

§ 61-6D-1. Short title

Effective: May 18, 2022

Currentness

Chapter 61, Article 6D NMSA 1978 may be cited as the “Anesthesiologist Assistants Act”.

Credits

L. 2001, Ch. 311, § 1, eff. April 5, 2001; Recompiled from § 61-6-10.1 by L. 2022, Ch. 39, § 35, eff. May, 18 2022.

NMSA 1978, § 61-6D-1, NM ST § 61-6D-1

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N. M. S. A. 1978, § 61-6D-2
Formerly cited as NM ST § 61-6-10.2

§ 61-6D-2. Definitions

Effective: May 18, 2022

Currentness

<This version of section effective until July 1, 2025. See, also, version of section § 61-6-10.2 effective July 1, 2025.>

As used in the Anesthesiologist Assistants Act:

A. “anesthesiologist” means a physician licensed to practice medicine in New Mexico who has successfully completed an accredited anesthesiology graduate medical education program, who is board certified by the American board of anesthesiology or the American osteopathic board of anesthesiology or is board eligible and who has completed a residency in anesthesiology within the last three years or who has foreign certification determined by the board to be the substantial equivalent;

B. “anesthesiologist assistant” means a skilled person licensed by the board as being qualified by academic and practical training to assist an anesthesiologist in developing and implementing anesthesia care plans for patients under the supervision and direction of the anesthesiologist who is responsible for the performance of that anesthesiologist assistant;

C. “applicant” means a person who is applying to the board for a license as an

anesthesiologist assistant;

D. “board” means the New Mexico medical board; and

E. “license” means an authorization to practice as an anesthesiologist assistant.

Credits

L. 2001, Ch. 311, § 2, eff. April 5, 2001; L. 2003, Ch. 19, § 11; L. 2003, Ch. 302, § 1; L. 2015, Ch. 52, § 1, eff. July 1, 2015; L. 2021, Ch. 54, § 23, eff. June 18, 2021; Recompiled from § 61-6-10.2 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-2, NM ST § 61-6D-2

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N. M. S. A. 1978, § 61-6D-3
Formerly cited as NM ST § 61-6-10.3

§ 61-6D-3. Licensure; registration; anesthesiologist assistant; scope of authority

Effective: May 18, 2022

Currentness

A. The board may license qualified persons as anesthesiologist assistants.

B. A person shall not perform, attempt to perform or hold the person's own self out as an anesthesiologist assistant until the person is licensed by the board as an anesthesiologist assistant and has registered the anesthesiologist assistant's supervising licensed anesthesiologist in accordance with board regulations.

C. An anesthesiologist assistant may assist the supervising anesthesiologist in developing and implementing an anesthesia care plan for a patient. In providing assistance to the supervising anesthesiologist, an anesthesiologist assistant may do any of the following:

(1) obtain a comprehensive patient history and perform a physical exam and present the history and exam findings to the supervising anesthesiologist who shall conduct a pre-anesthetic interview and evaluation;

(2) pretest and calibrate anesthesia delivery systems;

(3) monitor, obtain and interpret information from anesthesia delivery systems and anesthesia monitoring equipment;

(4) assist the supervising anesthesiologist with the implementation of medically accepted monitoring techniques;

(5) establish basic and advanced airway interventions, including intubation of the trachea and performing ventilatory support;

(6) administer intermittent vasoactive drugs;

(7) start and adjust vasoactive infusions;

(8) administer anesthetic drugs, adjuvant drugs and accessory drugs;

(9) assist the supervising anesthesiologist with the performance of epidural anesthetic procedures and spinal anesthetic procedures;

(10) administer blood, blood products and supportive fluids;

(11) participate in administrative activities and clinical teaching activities;

(12) participate in research activities by performing the same procedures that may be performed under Paragraphs (1) through (10) of this subsection; and

(13) provide assistance to cardiopulmonary resuscitation teams in response to life-threatening situations.

D. An applicant shall complete an application form provided by the board and shall submit the completed form and, except as provided in Section 61-1-34 NMSA 1978, the application fee to the board.

Credits

L. 2001, Ch. 311, § 3, eff. April 5, 2001; L. 2003, Ch. 302, § 2; L. 2020, Ch. 6, § 14, eff. July 1, 2020; Recompiled from § 61-6-10.3 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-3, NM ST § 61-6D-3

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N. M. S. A. 1978, § 61-6D-4
Formerly cited as NM ST § 61-6-10.4

§ 61-6D-4. Annual registration of employment; employment change

Effective: May 18, 2022

Currentness

A. Upon becoming licensed, the board shall register the anesthesiologist assistant on the anesthesiologist assistants' roster, including his name, address and other board-required information and the anesthesiologist assistant's supervising anesthesiologist's name and address.

B. Annually, each anesthesiologist assistant shall register with the board, providing the anesthesiologist assistant's current name and address, the name and address of the supervising anesthesiologist for whom he is working and any additional information required by the board. Failure to register annually will result in the anesthesiologist assistant being required to pay a late fee or having his license placed on inactive status.

C. Every two years, each licensed anesthesiologist assistant in the state shall submit proof of completion of board-required continuing education to the board.

D. The registration of an anesthesiologist assistant shall be void upon changing his supervising anesthesiologist, until the anesthesiologist assistant registers a new supervising anesthesiologist with the board, accompanied by a change in supervision fee, in an amount to be determined by the board.

Credits

L. 2001, Ch. 311, § 4, eff. April 5, 2001; Recompiled from § 61-6-10.4 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-4, NM ST § 61-6D-4

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N. M. S. A. 1978, § 61-6D-5
Formerly cited as NM ST § 61-6-10.5

§ 61-6D-5. Fees

Effective: May 18, 2022

Currentness

Except as provided in Section 61-1-34 NMSA 1978, the following fees shall be submitted as appropriate to the board:

- A. an application fee, not to exceed one hundred fifty dollars (\$150);
- B. a license renewal fee, not to exceed one hundred dollars (\$100) paid once every two years upon application for renewal of an anesthesiologist assistant's license;
- C. a late fee not to exceed twenty-five dollars (\$25.00), if the anesthesiologist assistant fails to renew the license by July 1 of the renewal year; and
- D. a change in supervision fee, not to exceed fifty dollars (\$50.00), but in no case shall the change in supervision fee exceed one-half of the license renewal fee.

Credits

L. 2001, Ch. 311, § 5, eff. April 5, 2001; L. 2020, Ch. 6, § 15, eff. July 1, 2020; Recompiled from § 61-6-10.5 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-5, NM ST § 61-6D-5

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N. M. S. A. 1978, § 61-6D-6
Formerly cited as NM ST § 61-6-10.6

§ 61-6D-6. Inactive license

Effective: May 18, 2022

Currentness

A. An anesthesiologist assistant who notifies the board in writing on forms prescribed by the board may elect to place the anesthesiologist assistant's license on inactive status. An anesthesiologist assistant with an inactive license shall be excused from payment of renewal fees and shall not practice as an anesthesiologist assistant.

B. An anesthesiologist assistant who engages in practice while the anesthesiologist assistant's license is lapsed or on inactive status is practicing without a license and is subject to disciplinary action pursuant to the Anesthesiologist Assistants Act and Medical Practice Act.

C. An anesthesiologist assistant requesting restoration from inactive status shall pay the current renewal fee and fulfill the requirement for renewal pursuant to the Anesthesiologist Assistants Act.

Credits

L. 2001, Ch. 311, § 6, eff. April 5, 2001; L. 2021, Ch. 54, § 25, eff. June 18, 2021; Recompiled from § 61-6-10.6 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-6, NM ST § 61-6D-6

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N. M. S. A. 1978, § 61-6D-7
Formerly cited as NM ST § 61-6-10.7

§ 61-6D-7. Exemption from licensure

Effective: May 18, 2022

Currentness

A. An anesthesiologist assistant student enrolled in an anesthesiologist assistant educational program accredited by the commission on accreditation of allied health education programs or its successor is exempt from licensure while functioning as an anesthesiologist assistant student; provided that the anesthesiologist assistant student is supervised by an anesthesiologist, a licensed anesthesiologist assistant or a second-year, third-year or fourth-year resident anesthesiologist.

B. An anesthesiologist assistant employed by the federal government is not required to be licensed as an anesthesiologist assistant pursuant to the Anesthesiologist Assistants Act while performing duties incident to that employment.

Credits

L. 2001, Ch. 311, § 7, eff. April 5, 2001; L. 2013, Ch. 129, § 1, eff. July 1, 2013; Recompiled from § 61-6-10.7 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-7, NM ST § 61-6D-7

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N. M. S. A. 1978, § 61-6D-8
Formerly cited as NM ST § 61-6-10.9

§ 61-6D-8. Rules

Effective: June 16, 2023

Currentness

A. The board may adopt in accordance with the State Rules Act and enforce in accordance with the Uniform Licensing Act reasonable rules:

(1) for setting qualifications of education, skill and experience for licensure of a person as an anesthesiologist assistant;

(2) for providing procedures and forms for licensure and annual registration;

(3) for examining and evaluating applicants for licensure as an anesthesiologist assistant regarding the required skill, knowledge and experience in developing and implementing anesthesia care plans under supervision;

(4) for allowing a supervising anesthesiologist to temporarily delegate supervisory responsibilities for an anesthesiologist assistant to another anesthesiologist;

(5) for allowing an anesthesiologist assistant to temporarily serve under the supervision of an anesthesiologist other than the supervising anesthesiologist with whom the anesthesiologist assistant is registered; and

(6) to carry out the provisions of the Anesthesiologist Assistants Act.

B. The board shall not adopt a rule allowing an anesthesiologist assistant to perform procedures outside the anesthesiologist assistant's scope of practice.

C. The board shall adopt rules:

(1) establishing requirements for anesthesiologist assistant licensing, including:

(a) completion of a graduate level training program accredited by the commission on accreditation of allied health education programs;

(b) successful completion of a certifying examination for anesthesiologist assistants administered by the national commission for the certification of anesthesiologist assistants; and

(c) current certification by the American heart association in advanced cardiac life-support techniques;

(2) establishing minimum requirements for continuing education of not less than forty hours every two years;

(3) requiring adequate identification of the anesthesiologist assistant to patients and others;

(4) requiring the presence, except in cases of emergency, and the documentation of the presence, of the supervising anesthesiologist in the operating room during induction of a general anesthetic and during emergence from a general anesthetic, the presence of the supervising anesthesiologist within the operating suite and immediate availability to the operating room at other times when the anesthetic procedure is being performed and requiring that the anesthesiologist assistant comply with the above restrictions;

(5) requiring the supervising anesthesiologist to ensure that all activities, functions, services and treatment measures are properly documented in written form by the anesthesiologist assistant. The anesthesia record shall be reviewed, countersigned and dated by the supervising anesthesiologist;

(6) requiring the anesthesiologist assistant to inform the supervising anesthesiologist of serious adverse events;

(7) establishing that the number of anesthesiologist assistants a supervising anesthesiologist may supervise at one time, except in emergency cases, shall not exceed four anesthesiologist assistants; and

(8) within twelve months of the date on which the Anesthesiologist Assistants Act becomes effective, providing for enhanced supervision at the commencement of an anesthesiologist assistant's practice.

Credits

L. 2001, Ch. 311, § 9, eff. April 5, 2001; L. 2003, Ch. 302, § 3; L. 2015, Ch. 52, § 2, eff. July 1, 2015; Recompiled from § 61-6-10.9 by L. 2022, Ch. 39, § 36, eff. May 18, 2022; L. 2023, Ch. 91, § 2, eff. June 16, 2023.

NMSA 1978, § 61-6D-8, NM ST § 61-6D-8

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N. M. S. A. 1978, § 61-6D-9
Formerly cited as NM ST § 61-6-10.10

§ 61-6D-9. Supervising anesthesiologist; responsibilities

Effective: May 18, 2022

Currentness

A. Supervising anesthesiologists shall be licensed to practice pursuant to the Medical Practice Act and shall be approved by the board.

B. The anesthesiologist actually supervising the licensed anesthesiologist assistant at the time is individually responsible and liable for the acts and omissions that the anesthesiologist assistant performs in the scope of his duties. Nothing in the Anesthesiologist Assistants Act relieves a supervising anesthesiologist of the responsibility and liability of his own acts or omissions.

C. An anesthesiologist may have that number of anesthesiologist assistants under his supervision as permitted by the board.

Credits

L. 2001, Ch. 311, § 10, eff. April 5, 2001; Recompiled from § 61-6-10.10 by L. 2022, Ch. 39, § 105, eff. May 18, 2022.

NMSA 1978, § 61-6D-9, NM ST § 61-6D-9

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N. M. S. A. 1978, § 61-6D-10
Formerly cited as NM ST § 61-6-10.11

§ 61-6D-10. Anesthesiologist assistants; employment conditions

Effective: June 16, 2023

Currentness

An anesthesiologist assistant shall:

A. be a current or future employee of a university in New Mexico with a medical school; or

B. in a practice other than one at a university in New Mexico with a medical school:

(1) be certified as an anesthesiologist assistant by the national commission for certification of anesthesiologist assistants;

(2) practice only in a health facility licensed by the department of health where anesthesiologists who are licensed physicians and who are board-certified as anesthesiologists by the American board of anesthesiology are on staff as employees or contractors;

(3) practice only in a class A county; and

(4) be supervised by a licensed anesthesiologist who is physically present at all times in the health facility while supervising an anesthesiologist assistant.

Credits

L. 2015, Ch. 52, § 3, eff. July 1, 2015; L. 2021, Ch. 54, § 26, eff. June 18, 2021; Recompiled from § 61-6-10.11 by L. 2021, Ch. 39, § 105, eff. May 18, 2022; L. 2023, Ch. 91, § 3, eff. June 16, 2023.

NMSA 1978, § 61-6D-10, NM ST § 61-6D-10

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