

# MAINE STATE LEGISLATURE

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L.D. 32

DATE: 5-20-99

(Filing No. H-649)

MAJORITY  
BANKING AND INSURANCE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
119TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 22, L.D. 32, Bill, "An Act to Allow Reimbursement of Registered Nurse First Assistants for Surgical Procedures"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 24 MRSA §2332-J is enacted to read:

§2332-J. Coverage for services provided by registered nurse first assistants

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Perioperative nursing" means a practice of nursing in which the nurse provides preoperative, intraoperative and postoperative nursing care to surgical patients.

B. "Recognized program" means a program that addresses all content of the core curriculum for registered nurse first assistants as established by the Association of Operating Room Nurses or its successor organization.

C. "Registered nurse first assistant," or "RNFA," means a person who:

COMMITTEE AMENDMENT

(1) Is licensed as a registered nurse under Title 32, chapter 31;

(2) Is experienced in perioperative nursing; and

(3) Has successfully completed a recognized program.

2. Institutional powers. Each health care institution, as defined in Title 22, chapter 405, may establish specific procedures for the appointment and reappointment of registered nurse first assistants and for granting, renewing and revising their clinical privileges.

3. Required coverage for services. Notwithstanding any other provisions of this chapter, a nonprofit hospital and medical service organization that issues individual and group health care contracts that provide coverage for surgical first assisting benefits or services shall provide coverage and payment under those contracts to a registered nurse first assistant who performs services that are within the scope of a registered nurse first assistant's qualifications. The provisions of this subsection apply only if reimbursement for an assisting physician would be covered and a registered nurse first assistant who performed those services is used as a substitute.

4. Limits; coinsurance; deductibles. Any contract that provides coverage for the services required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

Sec. 2. 24-A MRSA §2756 is enacted to read:

§2756. Coverage for services provided by registered nurse first assistants

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Perioperative nursing" means a practice of nursing in which the nurse provides preoperative, intraoperative and postoperative nursing care to surgical patients.

B. "Recognized program" means a program that addresses all content of the core curriculum for registered nurse first assistants as established by the Association of Operating Room Nurses or its successor organization.

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C. "Registered nurse first assistant," or "RNFA," means a person who:

(1) Is licensed as a registered nurse under Title 32, chapter 31;

(2) Is experienced in perioperative nursing; and

(3) Has successfully completed a recognized program.

2. Institutional powers. Each health care institution, as defined in Title 22, chapter 405, may establish specific procedures for the appointment and reappointment of registered nurse first assistants and for granting, renewing and revising their clinical privileges.

3. Required coverage for services. Notwithstanding any other provisions of this chapter, an insurer that issues individual health insurance policies and contracts that provide coverage for surgical first assisting benefits or services shall provide coverage and payment under those contracts to a registered nurse first assistant who performs services that are within the scope of a registered nurse first assistant's qualifications. The provisions of this subsection apply only if reimbursement for an assisting physician would be covered and a registered nurse first assistant who performed those services is used as a substitute. This section does not apply to policies or contracts that cover only specified diseases.

4. Limits; coinsurance; deductibles. Any contract that provides coverage for the services required by this section may contain provisions for maximum benefits and coinsurance and reasonable limitations, deductibles and exclusions to the extent that these provisions are not inconsistent with the requirements of this section.

Sec. 3. 24-A MRSA §2847-G is enacted to read:

**§2847-G. Coverage for services provided by registered nurse first assistants**

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Perioperative nursing" means a practice of nursing in which the nurse provides preoperative, intraoperative and postoperative nursing care to surgical patients.

B. "Recognized program" means a program that addresses all content of the core curriculum for registered nurse first

2 assistants as established by the Association of Operating  
3 Room Nurses or its successor organization.

4 C. "Registered nurse first assistant," or "RNFA," means a  
5 person who:

6 (1) Is licensed as a registered nurse under Title 32,  
7 chapter 31;

10 (2) Is experienced in perioperative nursing; and

12 (3) Has successfully completed a recognized program.

14 2. Institutional powers. Each health care institution, as  
15 defined in Title 22, chapter 405, may establish specific  
16 procedures for the appointment and reappointment of registered  
17 nurse first assistants and for granting, renewing and revising  
18 their clinical privileges.

20 3. Required coverage for services. Notwithstanding any  
21 other provisions of this chapter, an insurer that issues group  
22 health insurance policies and contracts that provide coverage for  
23 surgical first assisting benefits or services shall provide  
24 coverage and payment under those contracts to a registered nurse  
25 first assistant who performs services that are within the scope  
26 of a registered nurse first assistant's qualifications. The  
27 provisions of this subsection apply only if reimbursement for an  
28 assisting physician would be covered and a registered nurse first  
29 assistant who performed those services is used as a substitute.  
30 This section does not apply to policies or contracts that cover  
31 only specified diseases.

32 4. Limits; coinsurance; deductibles. Any contract that  
33 provides coverage for the services required by this section may  
34 contain provisions for maximum benefits and coinsurance and  
35 reasonable limitations, deductibles and exclusions to the extent  
36 that these provisions are not inconsistent with the requirements  
37 of this section.

40 **Sec. 4. 24-A MRSA §4245 is enacted to read:**

42 **§4245. Coverage for services provided by registered nurse first**  
43 **assistants**

44 1. Definitions. As used in this section, unless the context  
45 otherwise indicates, the following terms have the following  
46 meanings.

48 A. "Perioperative nursing" means a practice of nursing in  
49 which the nurse provides preoperative, intraoperative and  
50 postoperative nursing care to surgical patients.

2 B. "Recognized program" means a program that addresses all  
4 content of the core curriculum for registered nurse first  
6 assistants as established by the Association of Operating  
8 Room Nurses or its successor organization.

10 C. "Registered nurse first assistant," or "RNFA," means a  
12 person who:

14 (1) Is licensed as a registered nurse under Title 32,  
16 chapter 31;

18 (2) Is experienced in perioperative nursing; and

20 (3) Has successfully completed a recognized program.

22 2. Institutional powers. Each health care institution, as  
24 defined in Title 22, chapter 405, may establish specific  
26 procedures for the appointment and reappointment of registered  
28 nurse first assistants and for granting, renewing and revising  
30 their clinical privileges.

32 3. Required coverage for services. Notwithstanding any  
34 other provisions of this chapter, a health maintenance  
36 organization that issues individual and group health care  
38 contracts that provide coverage for surgical first assisting  
40 benefits or services shall provide coverage and payment under  
42 those contracts to a registered nurse first assistant who  
44 performs services that are within the scope of a registered nurse  
46 first assistant's qualifications. The provisions of this  
48 subsection apply only if reimbursement for an assisting physician  
50 would be covered and a registered nurse first assistant who  
performed those services is used as a substitute.

4. Limits; coinsurance; deductibles. Any contract that  
provides coverage for the services required by this section may  
contain provisions for maximum benefits and coinsurance and  
reasonable limitations, deductibles and exclusions to the extent  
that these provisions are not inconsistent with the requirements  
of this section.

Sec. 5. Application. The requirements of this Act apply to  
all policies, contracts and certificates executed, delivered,  
issued for delivery, continued or renewed in this State on or  
after January 1, 2000. For purposes of this Act, all contracts  
are deemed to be renewed no later than the next yearly  
anniversary of the contract date.'

Further amend the bill by inserting at the end before the  
summary the following:

RWS

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**FISCAL NOTE**

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This bill is not expected to appreciably affect the costs of the state employee health insurance program or the State's share of retired teachers' health insurance.

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The Bureau of Insurance within the Department of Professional and Financial Regulation will incur some minor additional costs to review additional insurance company filings. These costs can be absorbed within the bureau's existing budgeted resources.'

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**SUMMARY**

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This amendment replaces the bill. It requires individual and group health insurance policies, health care services plans and other contracts that provide for the payment of surgical assistants to pay registered nurse first assistants for surgical assisting performed. The amendment also adds a fiscal note to the bill.

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