

April 27, 2021

Delaware House of Representatives  
Attn: Chairwoman Sherry Dorsey Walker and Members of the House Sunset, Policy Analysis  
and Government Accountability Committee  
411 Legislative Hall  
Dover, DE 19901

**Re: Opposition to House Bill 141 and House Bill 21**

Dear Chairwoman Walker and members of the House Sunset, Policy Analysis and Government Accountability Committee,

On behalf of the Delaware Society of Anesthesiologists, **I am writing in strong opposition to House Bill 141 (HB 141) and by association, House Bill 21 (HB 21).** Taken together, these bills would make a highly concerning change related to the scope of practice for Advanced Practice Registered Nurses (APRNs), and more specifically, for nurse anesthetists administering anesthesia. In doing so, these measures would inappropriately broaden the scope of practice for nurse anesthetists and jeopardize the lives of patients across Delaware.

The proposed language of HB 141 would remove all physician involvement from anesthesia care for nurse anesthetists in Delaware. The benefits of scope expansion that are discussed for other fields – increased access and reduced costs – **do not correspond to the circumstances of how patients receive anesthesia care.** Nurse anesthetists often advocate that substituting nurses for physicians cuts costs without increasing patient deaths or complications, but independent studies have shown that the odds of an adverse outcome<sup>1</sup> are **80 percent higher** when anesthesia is provided only by a nurse anesthetist. Additionally, bad outcomes lead to higher costs for patients in both monetary and physical terms. Beyond patient safety concerns, removing physician involvement requirements will neither improve costs nor access to care. Medicare, Medicaid and most commercial insurers charge and pay the *same* for anesthesia services, whether delivered by an anesthesiologist, a physician directing a nurse anesthetist, or a nurse anesthetist working without physician direction. Claims that patients will experience an increase in access to care in rural areas are similarly not supported. Published studies indicate that removing physician involvement requirements from anesthesia care does *not* increase access for patients.

Equally concerning are the potential ramifications these bills would have on our state's ability to recruit and retain physicians. Other states have conveyed stories of physician anesthesiologists leaving due to expanded nurse anesthetist practice. I am concerned if our state passes legislation that is unfriendly to physicians, we will see the same loss of highly skilled and highly educated physicians, ultimately to the detriment of your constituents. HB 141 and HB 21 have the potential to not only endanger patient lives but also risk the financial and economic growth of our state for years to come.

As a physician anesthesiologist, I have over 12 years of medical education and training. Nurse anesthetists have as little as two years post-graduate training in anesthesia. Although nurse anesthetists are vital members of the health care team, they are neither educated nor trained to fully medically manage a patient. The proper preparation for and administration of anesthesia is

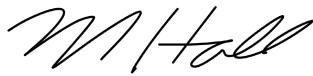
---

<sup>1</sup> "Factors independently increasing the risk for unexpected disposition [a research term associated with adverse outcomes and increased costs] included...anesthesia provided by non-anesthesiology professionals and certified registered nurse-anesthetists versus anesthesiologists."

a complex and demanding medical process that requires physician involvement. An independent outcome study published in the peer-reviewed journal *Anesthesiology* found that the presence of a physician anesthesiologist prevented 6.9 excess deaths per 1,000 cases when an anesthesia or surgical complication occurred.

Patient safety and providing the best medical care possible must remain the primary goal when considering any changes to law. This legislation puts patient safety at risk. Please maintain the safety that our Delaware patients deserve and that your constituents demand for their anesthesia care. **I urge you to oppose HB 141 and HB 21.**

Sincerely,

A handwritten signature in black ink, appearing to read "M. Hall", written in a cursive style.

Michael A. Hall, MD  
President  
Delaware Society of Anesthesiologists

cc: Members, House Sunset, Policy Analysis and Government Accountability Committee