



General Assembly

February Session, 2016

***Raised Bill No. 5538***

LCO No. 2373



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING THE SCOPE OF PRACTICE FOR ANESTHESIOLOGISTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-123a of the 2016 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2016*):

4 For purposes of this section, [and] section 20-123b, as amended by  
5 this act, and section 2 of this act:

6 (1) "Deep sedation" means a drug-induced depression of  
7 consciousness during which (A) a person cannot be easily aroused but  
8 responds purposefully following repeated or painful stimulation, (B) a  
9 person's ability to independently maintain ventilator function may be  
10 impaired, (C) assistance may be required for a person to maintain his  
11 or her airway and spontaneous ventilation may be inadequate, and (D)  
12 cardiovascular function is usually maintained;

13 (2) "General anesthesia" means a drug-induced loss of consciousness

14 during which (A) a person is not able to be aroused, even by painful  
15 stimulation, (B) a person's ability to independently maintain ventilator  
16 function is often impaired, (C) a person often requires assistance in  
17 maintaining his or her airway and positive pressure ventilation may be  
18 required because of depressed spontaneous ventilation or drug-  
19 induced depression of neuromuscular function, and (D) a person's  
20 cardiovascular function may be impaired;

21 (3) "Minimal sedation" means a minimally depressed level of  
22 consciousness that (A) is produced by a pharmacological method that  
23 retains a person's ability to independently and continuously maintain  
24 an airway and to respond appropriately to physical stimulation or a  
25 verbal command, (B) may result in modest impairment of cognitive  
26 function and coordination but does not affect a person's ventilator and  
27 cardiovascular function, and (C) is produced by nitrous oxide or an  
28 orally administered sedative using not more than the maximum  
29 therapeutic dose recommended by the federal Food and Drug  
30 Administration and that may be prescribed for unmonitored use by a  
31 person in his or her home;

32 (4) "Moderate sedation" means a drug-induced depression of  
33 consciousness during which (A) a person responds purposefully to  
34 verbal commands, either alone or when accompanied by light tactile  
35 stimulation, (B) intervention is not required to maintain a person's  
36 airway and spontaneous ventilation is adequate, and (C) a person's  
37 cardiovascular function is usually maintained; and

38 (5) "Commissioner" means the Commissioner of Public Health.

39 Sec. 2. (NEW) (*Effective October 1, 2016*) A physician licensed under  
40 chapter 370 of the general statutes who is a board-certified  
41 anesthesiologist may administer minimal sedation, moderate sedation,  
42 deep sedation or general anesthesia on the patient of a dentist licensed  
43 under chapter 379 of the general statutes for purposes of assisting the  
44 dentist in his or her treatment of the patient.

45       Sec. 3. Section 20-123b of the 2016 supplement to the general statutes  
46 is repealed and the following is substituted in lieu thereof (*Effective*  
47 *October 1, 2016*):

48       (a) [On and after the effective date of the regulations adopted in  
49 accordance with subsection (d) of this section, no] No dentist licensed  
50 under this chapter shall use moderate sedation, deep sedation or  
51 general anesthesia, as these terms are defined in section 20-123a, as  
52 amended by this act, on any patient unless such dentist has a permit,  
53 currently in effect, issued by the commissioner, initially for a period of  
54 twelve months and renewable annually thereafter, authorizing the use  
55 of such moderate sedation, deep sedation or general anesthesia. A  
56 dentist may use minimal sedation, as defined in section 20-123a, as  
57 amended by this act, without obtaining a permit issued by the  
58 commissioner.

59       (b) No applicant shall be issued a permit initially as required in  
60 subsection (a) of this section unless (1) the commissioner approves the  
61 results of an on-site evaluation of the applicant's facility conducted in  
62 consultation with the Connecticut Society of Oral and Maxillo-Facial  
63 Surgeons by an individual or individuals selected from a list of site  
64 evaluators approved by the commissioner, provided such evaluation is  
65 conducted without cost to the state, (2) the commissioner is satisfied  
66 that the applicant is in compliance with guidelines in the American  
67 Dental Association Guidelines for Teaching and the Comprehensive  
68 Control of Pain and Anxiety in Dentistry, and (3) such initial  
69 application includes payment of a fee in the amount of two hundred  
70 dollars.

71       (c) The commissioner may renew such permit annually, provided  
72 (1) application for renewal is received by the commissioner not later  
73 than three months after the date of expiration of such permit, (2)  
74 payment of a renewal fee of two hundred dollars is received with such  
75 application, and (3) an on-site evaluation of the dentist's facility is  
76 conducted in consultation with The Connecticut Society of Oral and

77 Maxillo-Facial Surgeons by an individual or individuals selected from  
78 a list of site evaluators approved by the commissioner, provided such  
79 evaluation is conducted without cost to the state on a schedule  
80 established in regulations adopted pursuant to this section and the  
81 commissioner approves the results of each such evaluation.

82 (d) A dentist shall not be required to obtain a permit issued under  
83 this section if a physician who is (1) licensed under chapter 370, and (2)  
84 a board-certified anesthesiologist assists the dentist by administering  
85 moderate sedation, deep sedation or general anesthesia on the dentist's  
86 patient.

87 ~~[(d)]~~ (e) The commissioner, with the advice and assistance of the  
88 State Dental Commission, shall adopt regulations in accordance with  
89 the provisions of chapter 54 to implement the provisions of this  
90 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	20-123a
Sec. 2	<i>October 1, 2016</i>	New section
Sec. 3	<i>October 1, 2016</i>	20-123b

**Statement of Purpose:**

To permit anesthesiologists to administer sedation and general anesthesia on dental patients and eliminate the need for dentists to obtain permits for the use of moderate sedation, deep sedation and general anesthesia when assisted by an anesthesiologist who administers such sedation and anesthesia on their patients.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*