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Introduction

Every day, in health care facilities all across this country, nurse anesthetists have responsibility for the lives and health of patients to whom anesthesia is administered. In order to discharge this important responsibility, nurse anesthetists must develop specialized knowledge and sophisticated skills. They must also keep up with rapidly evolving scientific and technological advances. Finally, they must be free of any impairments which may prevent them from administering anesthesia professionally.

Through the recertification process, the Council on Recertification of Nurse Anesthetists seeks to advance the quality of nurse anesthesia care provided to patients. Specifically, it endeavors to make sure that nurse anesthetists are maintaining their skills and keeping current with scientific and technological developments. It also strives to assure that appropriate limitations are placed on those who are known to have developed conditions that might adversely affect their ability to practice nurse anesthesia.

To be sure, no national organization can hope to determine the specific procedures which any individual nurse anesthetist is qualified to perform. Nor can any national organization determine whether a particular nurse anesthetist may have developed an impairment that could interfere with the proper administration of anesthesia. Ultimately, these judgments must be entrusted to the individual nurse anesthetist and to those with whom he or she works.

The Council has, however, set forth objective criteria designed to determine whether an individual certified registered nurse anesthetist is properly licensed, has engaged in the practice required to maintain an adequate level of skill, has obtained continuing education credit sufficient to indicate an effort to keep current with advances, and has avoided mental, physical and other problems which could interfere with the practice of nurse anesthesia. In an effort to make sure that continuing education courses taken by nurse anesthetists are relevant, the Council recognizes qualified organizations as providers of continuing education programs. These providers must meet the criteria of the Council for approval of continuing education programs.

A nurse anesthetist who has satisfied the Council's objective criteria receives recertification for a period of two years. Recertification, of course, is not and cannot be a guarantee of competence to perform all nurse anesthesia procedures. Full recertification is, however, an indication that the recertified nurse anesthetist has maintained a current license to practice, has exercised his or her skills, has participated in approved continuing education activities and is not known to have developed any impairment that could interfere with the administration of anesthesia.

The Council also recognizes that some individuals who have not met the *Criteria for Recertification* may nonetheless be qualified to practice although sometimes subject to certain limitations. For this reason, the Council has created two categories of interim recertification. These categories are designed to reflect the particular situations of individual nurse anesthetists and to make potential employers or colleagues aware of these situations.

Finally, the Council seeks to conduct the recertification process in a fair manner. Accordingly, it gives nurse anesthetists an opportunity to seek reconsideration of any adverse decision. Moreover, if after reconsideration the Council adheres to its decision, the nurse anesthetist has a right to appeal to the Council for Public Interest in Anesthesia. Throughout the recertification process, the Council attempts to keep an individual's file confidential unless disclosure is authorized by the individual or required by law.

In summary, the Council on Recertification seeks through the recertification process to contribute to a high level of professionalism among nurse anesthetists and, above all, to a high quality of nurse anesthesia practice for patients.

Purposes

The purposes of the Council on Recertification of Nurse Anesthetists are to:

1. Recertify qualified Certified Registered Nurse Anesthetists on a biennial basis.
2. Formulate and adopt criteria for eligibility for recertification of Certified Registered Nurse Anesthetists based upon current licensure, maintenance of practice skills, participation in approved continuing education activities and other recognized activities conducive to professional proficiency, and freedom from known mental or physical impairments which may prevent the professional practice of nurse anesthesia. The practice of nurse anesthesia may include clinical practice and nurse anesthesia-related administrative, educational, and research activities.
3. Formulate and adopt criteria for approval of continuing education programs and offerings.
4. Develop and maintain mechanisms to provide for a hearing and appellate review for individuals who have received adverse decisions related to recertification.
5. Develop and maintain a mechanism for the investigation and final resolution of charges or other allegations against individuals currently holding recertification by the Council.
6. Make recommendations to the Board of Directors, Councils, and Committees of the American Association of Nurse Anesthetists (AANA) in conformity with stated purposes.

Council History

In 1967 and early 1968, the Board of Directors of the AANA realized that evidence of continued professional excellence was becoming increasingly important in our society. Therefore, the Board directed the AANA Education Committee to study the issue of recertification.

At the AANA Annual Meeting in 1969, a bylaw was adopted to provide certificates to members who had demonstrated they had completed clinical and didactic experiences reflective of the changes in nurse anesthesia practice within a five-year period. The program was optional to all members.

A characteristic of a profession is that its members accept collective responsibility for the quality of service offered to the public. Continuing education provides one means to assess current educational and knowledge levels of practitioners. A mandatory continuing education program was adopted by the AANA membership at the 1976 Annual Meeting, with full implementation effective August 1, 1978.

In November 1977, the AANA Board of Directors accepted the recommendations of the AANA Ad Hoc Long Range Planning Committee and implemented the necessary procedures to develop a plan that would provide for an organizational restructuring of the Association.

In April 1978, the AANA Board of Directors appointed an Ad Hoc Committee on Recertification in anticipation of the adoption of the proposed bylaw changes. This committee worked to develop bylaws, policies, procedures, and *Criteria for Recertification*. Its members became the initial members of the Council.

At the AANA Annual Meeting in Detroit, September 1978, the membership adopted the proposed AANA bylaw revisions providing for an organizational restructuring of the Association and establishing a Council on Recertification of Nurse Anesthetists.

The members of the first Council were: Ruth Ecklund, CRNA; Elaine Jacobsen, CRNA; Barbara Filosi, CRNA; Sandra Maree, CRNA; Mary J. Mannino, CRNA; Richard Ouellette, CRNA; Athole Jacobi, MD (Anesthesiologist); Jasper McPhail, MD (Surgeon); and Jack Slusser, RN (Public Member).

At the AANA Annual Meeting in New Orleans in 1983, the membership adopted bylaw provisions granting the Council autonomy.

Composition and Term of Office

The Council on Recertification is composed of nine members:

- CRNA—Chairman of the Continuing Education Committee
- CRNA Educator-1
- CRNA Practitioners-4
- Anesthesiologist-1
- Surgeon-1
- Public Representative-1

Each member is elected by the Council on Recertification for a term of three years. Nurse anesthetist members are eligible for re-election for one (1) additional three (3) year term. Physician and Public members are eligible for re-election for two (2) additional three (3) year terms. To assure continuity in the decision-making body, terms of membership are staggered.

Each officer is elected by the Council for a one (1) year term with eligibility for re-election for two (2) additional one (1) year terms.

The Chairman of the AANA Continuing Education Committee serves as a Council member by virtue of his/her position and serves for a term or terms corresponding with such chairmanship.

Council Meetings

The Council meets at least two times a year for the purpose of conducting Council business at a time and place determined by the Council. A majority of the members of the Council constitute a quorum.

Special Meetings

Special meetings of the Council may be called by the Chairman or any six members, provided at least 10 days notice is given to each member of the Council, unless such notice is waived in writing. Consideration of other matters at a special meeting, other than provided for in the call, may be conducted with the approval of two-thirds of the Council members present.

Criteria for Recertification

A — Categories of Recertification

In order to take into account the different situations of applicants for recertification, the Council has two categories of recertification: Full and Interim Recertification.

1. Full Recertification

Applicants who fulfill all *Criteria for Recertification* will be recertified without qualification.

2. Interim Recertification

The two categories of interim recertification are Provisional Recertification and Conditional Recertification. The purpose of these two categories is to provide for those individuals who, for a specific reason and for a limited period of time, may not be in compliance with all recertification criteria. In appropriate circumstances, an individual may be granted Provisional and Conditional Recertification. A more complete description of these categories is set forth below in the *Criteria* covering Provisional and Conditional Recertification.

B — Criteria for Full Recertification

In order to receive Full Recertification, an applicant must comply with all of the following requirements:

1. Initial Certification

Receipt of initial certification by the Council on Certification of Nurse Anesthetists or its predecessor.

2. Licensure

- a. Documentation of compliance with all state requirements for licensure as a registered nurse performing nurse anesthesia, including a current unrestricted license to practice as a registered nurse, with authority to practice nurse anesthesia if such authority is granted, in at least one state and in all states in which the applicant currently practices. For those individuals employed by the United States government, "state requirements" refer to the requirements of any state or territory of the United States; and

- b. Certification by the applicant that his or her license has never been revoked, restricted, suspended or limited by any state, has never been surrendered, and is not the subject of a pending action or investigation, except for those actions or pending actions that previously were reported to the Council in writing. If the applicant does not so certify, he or she must provide full documentation of the reasons therefor so that the Council may evaluate whether any revocation, restriction, suspension, limitation, surrender, or any pending action impacts on the applicant's current ability to practice nurse anesthesia.

3. Continuing Education

Documentation of completion of 40 hours of approved continuing education, as set forth in the *Continuing Education Program* of the AANA, within the two-year period prior to the applicant's upcoming August 1 recertification date or, if the applicant's recertification period is shorter than two years, within such shortened period prior to the applicant's upcoming August 1 recertification date.

4. Practice

Certification by the applicant that he or she has been or will have been substantially engaged in the practice of nurse anesthesia during the two-year period prior to the applicant's upcoming August 1 recertification date.

It is recommended that substantial engagement in the practice of nurse anesthesia generally should consist of a minimum of 850 hours of practice over the two-year recertification period. Because individual practice experiences vary, it is the responsibility of the applicant to assess whether his or her practice experience constitutes substantial engagement and to so certify.

The practice of nurse anesthesia may include clinical practice, nurse anesthesia-related administrative, educational or research activities, or a combination of two or more of such areas of practice. To be nurse anesthesia-related, activities must have as their primary objective and be directly related to the delivery of anesthesia care to patients or the improvement of delivery of anesthesia care to patients.

Where there is an inconsistency between the applicant's practice certification and his or her record of practice, or other information received by the Council, the decision as to whether an applicant has satisfied the practice requirement is at the discretion of the Council.

5. Certifications by Applicant

Certification by the applicant that he or she:

- a. does not currently suffer from a mental or physical condition which might interfere with the practice of nurse anesthesia;
- b. does not currently suffer from drug or alcohol addiction or abuse;
- c. has not been convicted of, and is not currently under indictment for, any felony; and
- d. has not been the subject of any documented allegations of misconduct, incompetent practice or unethical behavior.

If the applicant does not so certify, he or she must state the reasons therefor with sufficient specificity to allow the Council to evaluate the possible impact of the problem on the applicant's current ability to practice nurse anesthesia and to resolve the issue to the Council's satisfaction.

C — Application for Recertification

In order to be recertified, an applicant must submit the following materials to the Council:

1. Application and Fee

- a. A completed, signed Recertification Application postmarked by the July 31 expiration date of applicant's initial certification or current recertification.

An applicant who has complied with all recertification criteria on or before the July 31 expiration date and whose application for recertification is postmarked after July 31 but by October 31 may, at the discretion of the Council, have his or her recertification made retroactive to August.

An applicant whose application is postmarked after October 31 shall not receive retroactive recertification.

If an applicant has not complied with the recertification criteria by the July 31 expiration date, he or she will be recertified as of the date on which all of the recertification criteria have been satisfied and a completed application has been received by the Council. It is the responsibility of the applicant to notify the Council when the criteria have been satisfied. The Council will not, under any circumstances, extend the July 31 expiration date for compliance with recertification criteria.

An applicant who submits an application postmarked after the July 31 expiration date shall pay an additional late filing fee as determined by the Council.

- b. Payment of the recertification fee and any late filing fee which may be due must be received with the application. If the applicant has been an active dues-paying member of the AANA for the preceding two-year period, a portion of the recertification fee (but not the late filing fee) may be paid by the AANA.

2. Documentation of Licensure

- a. A photocopy of the applicant's current license to practice as a registered nurse, with authority to practice nurse anesthesia if such authority is granted, in at least one state and in all states in which the applicant practices. For those individuals employed by the United States government, the license may be issued by any state or territory of the United States;
- b. If the applicant has practiced in more than one state during the prior two-year period, the applicant must provide appropriate documentation of licensure for the relevant time of practice in each state shown on the applicant's record of practice.
- c. If state law prohibits the copying of a license to practice as a registered nurse, the applicant must submit a written statement from the state nursing board attesting to the applicant's current licensure and giving an expiration date for the RN license; and

- d. Certification by the applicant that his or her license has never been revoked, restricted, suspended or limited by any state, has never been surrendered, and is not the subject of a pending action or investigation, except for those actions or pending actions that previously were reported to the Council in writing. If the applicant does not so certify, he or she must provide full documentation of the reasons therefor so that the Council may evaluate whether any revocation, restriction, suspension, limitation, surrender, or any pending action impacts on the applicant's current ability to practice nurse anesthesia.

3. Documentation of Continuing Education

Acceptable documentation of completion of 40 hours of approved continuing education. All continuing education must be approved by a recognized accrediting/approval agency or organization and must indicate the number of credits earned at a particular program or through a particular activity.

4. Documentation of Practice

- a. A record of practice setting forth:
 - i. a list of the facilities at which the applicant has practiced clinical nurse anesthesia or performed nurse anesthesia-related administrative, educational, or research services within the preceding two-year period;
 - ii. the applicant's title at each facility, such as "chief anesthetist" or "instructor";
 - iii. the address and telephone number of each facility; and
 - iv. the inclusive dates of practice at each facility.
- b. Certification by the applicant that the record of practice is accurate and that he or she has been or will have been substantially engaged in the practice of nurse anesthesia during the two-year period prior to the applicant's upcoming August 1 recertification date.

5. Submission of Certifications

Certification by the applicant that he or she:

- a. does not currently suffer from a mental or physical condition which might interfere with the practice of nurse anesthesia;
- b. does not currently suffer from drug or alcohol addiction or abuse;
- c. has not been convicted of, and is not currently under indictment for, any felony; and
- d. has not been the subject of any documented allegations of misconduct, incompetent practice, or unethical behavior.

If the applicant does not so certify, he or she must state the reasons therefor with sufficient specificity to allow the Council to evaluate the possible impact of the problem on the applicant's current ability to practice nurse anesthesia and to resolve the issue to the Council's satisfaction.

D — New Graduates

New graduates of a program of nurse anesthesia accredited by the Council on Accreditation of Nurse Anesthesia Educational Programs who achieve a passing score on the Certification Examination and are granted initial certification by the Council on Certification of Nurse Anesthetists must comply with all of the requirements of Section B and must submit all of the materials required by Section C according to the following schedule:

Date of Initial Certification	Application is due for Recertification	Period in which Continuing Education Credits may be Earned
Jan. 1-July 31, 2006 Aug. 1-Dec. 31, 2006	July 31, 2008 July 31, 2008	Aug. 1, 2006-July 31, 2008 Date of Initial Certification – July 31, 2008
Jan. 1-July 31, 2007 Aug. 1-Dec. 31, 2007	July 31, 2009 July 31, 2009	Aug. 1, 2007-July 31, 2009 Date of Initial Certification – July 31, 2009

E — Procedures

1. Statement on Confidentiality

Any information or material that is received or generated by the Council on Recertification in connection with the recertification of a nurse anesthetist will be kept confidential and will not be released except as otherwise provided in these *Criteria for Recertification*, unless such release is authorized by the nurse anesthetist or required by law. However, the fact that a nurse anesthetist has or has not been recertified and the dates of recertification are considered nonconfidential and a matter of public record and may be disclosed.

2. Consent

Submission of an application for recertification shall constitute consent to investigation or verification by the Council or its designee of the applicant's license status, experience, record of practice, and other matters which may impact on the applicant's compliance with the *Criteria for Recertification*. Investigation shall be conducted either on a random basis or if, in the sole discretion of the Council, such investigation is warranted by the facts presented by a specific application.

3. Duty to Notify Council of Change in Compliance with Criteria

If, at any time during the recertification period, there is a change in an individual's continued compliance with the recertification criteria, the individual shall promptly notify the Council of the change, and the individual's recertification status will, if appropriate, be modified accordingly. Failure to notify the Council of any such change may, at the discretion of the Council, result in revocation of recertification.

4. Revocation, Suspension, or Probation

The Council may determine that cause exists to revoke an individual's recertification, to suspend an individual's recertification for a specified period of time, or to place an individual's recertification on probation. An individual whose recertification has been placed on probation may, at the Council's discretion, be granted Provisional Recertification.

5. Evaluation of Information by the Council

The Council may consider, investigate and evaluate any information which, in its judgment, may affect an individual's compliance with the recertification criteria. Such information may also be referred to an appropriate outside body for further investigation. The Council shall have no obligation to investigate the professional standing of any applicant or recertified nurse anesthetist or to refer any information to an outside body.

6. Recertification Application Forms

Recertification application forms are mailed to nurse anesthetists by the Council between 90 and 120 days prior to the expiration date, and are mailed to the last known address. For this reason, nurse anesthetists are encouraged to notify the Council of a change of name or address. In the event that an application form is not received by a nurse anesthetist, it is the responsibility of the anesthetist to contact the Council and obtain one. The claim that an applicant did not receive an application form, or that an applicant submitted a form that was not received by the Council, will not excuse the applicant from payment of a late filing fee non-retroactive recertification, or non-renewal of recertification.

F — Recertification Period

Recertification is effective for a period of up to two years. Recertification granted on August 1 expires two years later on July 31. Recertification granted at any time other than August 1 expires on July 31, two years following the August 1 immediately preceding the date on which recertification was granted. Recertification status may be altered in accordance with the provisions of these criteria. Recertification expires automatically at the end of the recertification period unless renewed.

G — Provisional Recertification

1. Provisional Recertification — Pending Review of Application

The Council may grant Provisional Recertification if there are unresolved questions relating to whether an applicant who has submitted a completed application has satisfied the *Criteria for Recertification*. The Provisional Recertification card granted under this paragraph shall state that the nurse anesthetist's status is in the process of being reviewed. Upon completion of its review, the Council will grant or deny recertification.

2. Provisional Recertification — Pending Fulfillment of Practice Requirement

- a. Applicability. The Council may grant Provisional Recertification to applicants who are currently able to practice nurse anesthesia but have not been substantially engaged in the practice of nurse anesthesia during the two-year period prior to the applicant's upcoming August 1 recertification date and, therefore, do not meet the practice criterion of the *Criteria for Recertification*. The Provisional Recertification card granted under this paragraph shall state that the nurse anesthetist does not have the current practice experience required for Full Recertification.
- b. Eligibility. In order to be eligible for Provisional

Recertification under this section, applicants must:

- i. Comply with all recertification criteria other than the practice criterion set forth in Section B-4;
 - ii. Submit all application materials required for recertification in Section C; and
 - iii. Fulfill the applicable requirements set forth in paragraphs 2(c) through (e).
- c. For applicants who have not been substantially engaged in nurse anesthesia practice for more than two years but who practiced within five years prior to the next upcoming August 1 recertification date:
- i. Provisional Recertification may be granted if the applicant:
 - (a) meets the criteria set forth in paragraph 2(b); and
 - (b) submits a record of practice as set forth in Section C-4, demonstrating substantial engagement in nurse anesthesia practice within the past five years.
 - ii. Provisional Recertification granted under this paragraph will expire automatically on the July 31 following the date of issuance unless:
 - (a) the Provisional Recertification period was less than twelve months, in which case it will be extended automatically until the following July 31;
 - (b) the applicant submits documentation of substantial engagement in nurse anesthesia practice during the Provisional Recertification period, in which case Full Recertification may be granted; or
 - (c) the applicant petitions the Council for an extension of Provisional Recertification stating the reasons why an extension is warranted, in which case the Council will review the petition and may, in its discretion, grant an extension for such period as the Council deems appropriate.
- d. For applicants who have not been substantially engaged in nurse anesthesia practice for more than five years but who practiced within ten years prior to the upcoming August 1 recertification date:
- i. Provisional Recertification may be granted if the applicant:
 - (a) meets the criteria set forth in paragraph 2(b);
 - (b) submits a record of practice as set forth in Section C-4, demonstrating substantial engagement in nurse anesthesia practice within the past ten years; and
 - (c) submits documentation of enrollment in a refresher program approved by the Continuing Education Committee of the AANA.
 - ii. Provisional Recertification granted under this paragraph will expire automatically on the July 31 following the date of issuance unless:
 - (a) the Provisional Recertification period was less

- than twelve months, in which case it will be extended automatically until the following July 31;
- (b) the applicant submits documentation of successful completion of the applicable refresher requirements of the Continuing Education Committee of the AANA and substantial engagement in nurse anesthesia practice during the Provisional Recertification period, in which case Full Recertification may be granted; or
 - (c) the applicant petitions the Council for an extension of Provisional Recertification stating the reasons why an extension is warranted, in which case the Council will review the petition and may, in its discretion, grant an extension for such period as the Council deems appropriate.
- e. For applicants who have not been substantially engaged in nurse anesthesia practice for more than ten years prior to the upcoming August 1 recertification date:
- i. Provisional Recertification may be granted if the applicant:
 - (a) meets the criteria set forth in paragraph 2(b); and
 - (b) submits documentation of enrollment in a refresher program approved by the Continuing Education Committee of the AANA.
 - ii. In order to obtain Full Recertification, the applicant also must achieve a passing score on the Certification Examination administered by the Council on Certification of Nurse Anesthetists.
 - iii. Provisional Recertification granted under this paragraph will expire automatically on the July 31 following the date of issuance unless:
 - (a) the Provisional Recertification period was less than twelve months, in which case it will be extended automatically until the following July 31;
 - (b) the applicant submits documentation of successful completion of the applicable refresher requirements of the Continuing Education Committee of the AANA and achievement of a passing score on the Certification Examination, substantial engagement in nurse anesthesia practice during the Provisional Recertification period, in which case Full Recertification may be granted; or
 - (c) the applicant petitions the Council for an extension of Provisional Recertification stating the reasons why an extension is warranted, in which case the Council will review the petition and may, in its discretion, grant an extension for such period as the Council deems appropriate.
- f. Refresher Requirements. A clinical refresher program may be established in conjunction with another CRNA or an anesthesiologist and must be conducted at an accredited medical facility. The refresher program must

be prior approved by the Continuing Education Committee of the AANA.

The Continuing Education Committee of the AANA has determined that an applicant has up to 18 months to complete the Refresher Requirements. If the requirements have not been completed within 18 months, the applicant must reapply and begin the refresher course again unless the Council, in its discretion, determines that extraordinary circumstances warrant further extension.

- g. Early Application for Full Recertification. Applicants who complete the applicable requirements for Full Recertification prior to the expiration of their Provisional Recertification may apply to the Council for Full Recertification at such earlier date.
- h. Limitations. The Council, in its discretion, may deny an applicant more than one period of Provisional Recertification or may extend a Provisional Recertification period for only a limited time.

3. Provisional Recertification — Pending Completion of Treatment or Rehabilitation Program

The Council may grant Provisional Recertification to an applicant who is participating in a drug or alcohol-related or other type of treatment or rehabilitation program provided that the applicant has satisfied all of the *Criteria for Recertification*. Upon receipt of documentation of successful completion of such a program, the Council may grant Full Recertification. The Provisional Recertification card granted under this paragraph shall state that the nurse anesthetist is provisionally recertified.

4. Provisional Recertification — Pending Completion of Probation

The Council may grant Provisional Recertification to an individual whose recertification is on probation, provided that the individual has satisfied all of the *Criteria for Recertification*. Upon completion of the probationary period, the Council may, at its discretion, grant Full Recertification. The Provisional Recertification card granted under this paragraph shall state that the nurse anesthetist is provisionally recertified.

5. Provisional Recertification — Pending Outcome of Investigation or Disciplinary or Legal Action

The Council may, at its discretion, grant provisional recertification if an applicant's license is the subject of a pending investigation, or if the applicant is awaiting the outcome of a pending disciplinary or legal action, hearing, trial or appeal. The Provisional Recertification granted under this paragraph shall state that the nurse anesthetist's status is in the process of being reviewed. Upon resolution of the investigation or the disciplinary or legal action, the Council will grant or deny recertification.

H — Conditional Recertification

1. Grant of Conditional Recertification

Applicants who have a restricted license to practice

professional nursing and, where applicable, nurse anesthesia, may be granted Conditional Recertification provided that all other recertification requirements have been fulfilled. The Conditional Recertification will reflect any conditions imposed by the appropriate State licensure authority. Examples of a restricted license include a license to practice only under supervision and a license to practice provided the individual remains in a drug or alcohol-related or other type of treatment or rehabilitation program for a stated period. The Conditional Recertification card shall state that recertification is conditioned on the individual's compliance with the terms of his or her license conditions.

2. Conditional Recertification Period

Conditional Recertification shall remain in effect as long as the individual complies with all terms of the conditions on his or her license. It shall be revoked for failure to comply. The nurse anesthetist shall be responsible for providing the Council with adequate documentation that he or she has complied with all licensure conditions for the requisite period of time. Statements of the employer or supervisor may be used to satisfy this requirement.

3. Change in Status

- a. Full Recertification may be changed to Conditional Recertification for failure to maintain an unrestricted license to practice professional nursing and, where applicable, nurse anesthesia.
- b. A request to change Conditional Recertification to Full Recertification shall be accompanied by written documentation sufficient to demonstrate that any licensure condition has been removed.
- c. The decision to change an individual's recertification status is at the discretion of the Council.

I — Denial, Revocation, Suspension, Modification, or Probation of Recertification

1. Automatic Denial or Revocation

The Council on Recertification will automatically deny or revoke an individual's recertification in the following circumstances:

- a. Failure of the individual to maintain licensure as a registered nurse, with authority to practice nurse anesthesia if such authority is granted, in at least one state.
- b. Adjudication by a court that the individual is mentally incompetent.
- c. Conviction of or pleading no contest to a felony that is, in the view of the Council, related to the practice of nursing or nurse anesthesia.

2. Discretionary Denial, Revocation, Suspension, Modification, or Probation

The Council may, at its discretion, after due and thorough deliberation, and upon a two-thirds vote of all Council members, deny, revoke, suspend, or modify an individual's recertification or place the individual's recertification on

probation for any of the following reasons:

- a. Failure of the individual to maintain licensure as a registered nurse with authority to practice nurse anesthesia if such authority is granted, in all states in which the individual practices, except for those anesthetists employed by the United States government. Such anesthetists are required to maintain licensure in any state or territory of the United States.
- b. Conviction of or pleading no contest to a felony.
- c. Failure of the individual to make the required certifications on the recertification application and to provide sufficient information to allow the Council to evaluate the possible impact of the problem on the individual's current ability to practice nurse anesthesia and resolve the issue to the Council's satisfaction.
- d. Failure to comply with the other *Criteria for Recertification*.
- e. Intentional misstatement of material fact or deliberate failure to provide relevant information to the Council at any time.
- f. Reproduction, distribution, alteration, or use of a fraudulent or otherwise unauthorized recertification card.
- g. Documented evidence of gross incompetence, unethical conduct, or moral turpitude which, in the judgment of the Council, represents a significant threat to patient well-being.

3. Modification

The recertification status of a nurse anesthetist may be modified at any time to reflect information which comes to the attention of the Council. Such modification shall be at the discretion of the Council.

4. Application Following Denial, Revocation, Suspension, Modification or Probation

An individual whose recertification has been denied, revoked, suspended, modified, or placed on probation by the Council may apply again for recertification or may apply for re-modification when the situation underlying the Council's decision has been remedied. If the Council's decision is based on conviction of or pleading no contest to a felony, the individual may not apply to the Council until all sentences have been served and, unless the Council by a two-thirds vote of all Council members determines to grant an exception, until all judgments have been satisfied. Action on all applications following revocation or modification shall be at the discretion of the Council.

J — Procedures Governing Reconsideration by the Council on Recertification

1. Notice of Adverse Decision by the Council on Recertification

- a. A nurse anesthetist whose application for recertification is not granted as requested or whose recertification status is modified shall be given prompt written notice of the Council's decision. The notice shall contain the following:
 - i. a brief statement of the reason for the Council's decision;

- ii. a statement that the nurse anesthetist has the right to seek reconsideration of the Council's decision by submitting a written request for reconsideration, together with an explanation of the basis for the request, within 30 days;
- iii. a statement that the nurse anesthetist may reapply or request an alteration in recertification status when the situation underlying the Council's decision has been remedied; and
- iv. a statement that the nurse anesthetist may request a hearing.

2. Request for Reconsideration by the Council on Recertification

A written request for reconsideration must be submitted within 30 days after receipt of the notice described in paragraph 1. Submission of a request for reconsideration shall not stay the effect of the Council's decision.

3. Reconsideration Process

The Council shall act upon a timely request for reconsideration as soon as practical. It may at its discretion take any of the following actions:

- a. Grant or restore the recertification status requested;
- b. Adhere to its initial decision;
- c. Modify its original decision.
- d. Seek further information from the nurse anesthetist; or
- e. Grant a hearing if the nurse anesthetist has timely requested one and the Council has determined that a hearing might be useful.

If a hearing is granted, it shall be held at the next regularly scheduled meeting of the Council occurring more than 20 days after the granting of the hearing.

4. Notice of Decision After Reconsideration

The nurse anesthetist shall be given prompt written notice of the Council's action on a timely request for reconsideration. If the Council determines not to grant or restore the recertification status requested, the notice shall include a brief statement of the Council's reason and shall indicate that the nurse anesthetist has a right to appeal to the Council for Public Interest in Anesthesia within 30 days. If further information is sought, the notice shall specify the information and the date by which it must be submitted. If a hearing is granted, the notice shall specify the time and place of the hearing which shall not take place sooner than 30 days after receipt of the notice.

5. Hearing Procedure

The nurse anesthetist shall be present at any hearing before the Council and shall have the right to be represented by legal counsel. The anesthetist shall have the right to present any evidence and any other material that reasonably relates to the decision of the Council. All relevant, reliable and non-duplicative evidence and material shall be considered. A tape recording of the hearing shall be made and transcribed unless the anesthetist elects to have the hearing memorialized stenographically. All expenses of the nurse anesthetist incurred in connection with the hearing,

including the expenses of a stenographer if elected, shall be borne by the anesthetist.

6. Notice of Decision After Hearing

As soon as practical after a hearing, the Council shall determine whether to grant or restore the recertification status requested. The nurse anesthetist shall be given prompt written notice of the Council's determination. If the Council determines not to grant or restore the recertification status requested, the notice shall include a brief statement of the Council's reason and shall indicate that the nurse anesthetist has a right to appeal to the Council for Public Interest in Anesthesia within 30 days.

7. Appeal to the Council for Public Interest in Anesthesia

- a. A determination not to grant or restore the recertification status requested shall be deemed final action by the Council. Such action may be appealed to the Council for Public Interest in Anesthesia by submitting a written notice of appeal to the Council for Public Interest in Anesthesia with a copy to the Council on Recertification within 30 days of the date of the final action. A decision of the Council on Recertification may not be appealed unless the nurse anesthetist has requested reconsideration and the Council has determined not to restore the recertification status requested.
- b. An appeal to the Council for Public Interest in Anesthesia shall be limited to a determination of the following:
 - i. whether the review process through which the Council on Recertification reached its decision was conducted in accordance with fair and objective policies and procedures; and
 - ii. whether the nurse anesthetist can rebut the specific factual grounds on which the adverse decision was based.
- c. After consideration of the matter, the Council on Public Interest may take one of the following actions:
 - i. affirm the final action of the Council on Recertification; or
 - ii. refer the matter back to the Council on Recertification for further consideration.

Procedures for Revising Recertification Criteria

The Council will solicit and consider the views of nurse anesthetists and other interested persons before adding or making material modifications to the recertification criteria. The following procedures have been adopted in order to assure an opportunity for input by nurse anesthetists.

1. Notice

Notice of all proposed new recertification criteria or material modifications of existing criteria will be published in the *AANA NewsBulletin*. The Notice will contain a request for comments to be submitted to the Council within a specified period of time not less than 30 days.

2. Evaluation of Comments

The Council or its designee will review and evaluate all comments received by the date specified in the Notice.

3. Adoption of New or Modified Criteria

New or modified criteria shall be adopted by a majority vote of the Council after consideration of all comments received.

4. Publication of New or Modified Criteria

New or modified criteria adopted by the Council will be published in the *AANA NewsBulletin*. Publication of the Criteria will include a statement of why various comments were accepted or rejected, and will state the effective date of the new or modified criteria. The effective date will not be less than 30 days after publication. A copy of the new or modified criteria will be mailed to individual nurse anesthetists upon specific request.

5. Modification Necessitated by Law

In the event that the criteria must be modified to comply with federal, state or local law or regulation, the Council may make such modifications without giving prior notice or opportunity for comment. The Council will, however, promptly publish any revisions made in this manner, together with an explanation of the reasons for such revisions, in the *AANA NewsBulletin*.

