

## **Expert Witness for Nurse Anesthesia Practice** *Position Statement*

The U.S. legal system treats nurse anesthetists as professionals who, because of their specialized education, training, and skills, are qualified to testify to the standard of care for nurse anesthetists. When courts need to establish the nurse anesthesia standard of care, Certified Registered Nurse Anesthetists (CRNAs) are qualified to articulate current professional standards and explain technical concepts. Individuals who are not trained in the practice of nurse anesthesia cannot testify to the nurse anesthesia standard of care. Qualified CRNAs provide expert testimony to assist judges, juries, and other triers of fact to understand the evidence in a case and to make factual determinations, especially where the issues are beyond the comprehension or knowledge of a lay person.

CRNAs give expert testimony in various situations including, but not limited to, state regulatory board disciplinary proceedings, medical malpractice actions, and institutional peer review. The following considerations apply to CRNAs who serve as expert witnesses on issues related to nurse anesthesia practice:

- The CRNA expert witness should currently be certified or recertified.
- The CRNA should be knowledgeable about the relevant standard of care.
- The CRNA should have expertise in the area in which he or she is testifying.
- The CRNA should accurately represent his or her qualifications, relevant background, and experience.
- Fees for expert testimony should be for time spent in preparing and giving testimony and should not be contingent upon the outcome of the legal action.

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