December 11, 2001

Via Fax #202-690-6833

The Honorable Thomas A. Scully, Administrator
Centers for Medicare and Medicaid Services
314G Hubert Humphrey Building
200 Independence Ave., S.W.
Washington, DC 20201

Dear Mr. Scully:

Pursuant to the recently filed rule regarding anesthesia services condition of participation for hospitals and as published in the Federal Register on November 13, I hereby notify you of the state of Iowa’s election for state exemption from the requirement for physician supervision of CRNAs. Please consider this official notice of Iowa’s election for state exemption.

Pursuant to the prerequisites of the rule, please be advised that I have consulted with the State Board of Medicine and the State Board of Nursing to ensure that the quality of care provided by nurse anesthetists in the state of Iowa is of the highest degree and that the opt-out ensures access to anesthesia care in Iowa’s 118 hospitals that have surgical suites. In the state of Iowa, CRNAs are the exclusive provider of anesthesia services in 91 out of 118 Iowa hospitals.

In order to assure quality, Iowa will apply for an unsolicited proposal grant to scientifically measure the difference, severity and age corrected, for peri and post anesthetic outcomes, morbidity, mortality, and rescue rates, between the two groups providing unsupervised anesthesia in the state of Iowa. This comparison will be between board certified MD/DO anesthesiologists and CRNAs. Should there be a significant statistical difference, this waiver request would be reviewed for further action, if indicated.

By this letter we are seeking your support for such funding, and will, at your indication, file a formal request from the Iowa Department of Public Health for such funding.

Furthermore, pursuant to the rules, you are advised that under Iowa law, CRNAs are independent practitioners who have prescriptive authority. Iowa was among the first states to grant full prescriptive authority during the peri-operative period to CRNAs. Should you need any additional information, please let me know immediately. As Governor of Iowa I have concluded it is in the best interest of the state of Iowa to opt-out of the current Physician Supervision Requirement, that the opt-out is consistent with state law and is requested on behalf of the citizens of the state of Iowa, hospitals, ambulatory surgical centers and critical access hospitals.

Sincerely,

Thomas J. Vilsack
Governor