February 22, 2002

Honorable Thomas A. Scully
Administrator
Centers for Medicare and Medicaid Services
314G Huber Humphrey Building
200 Independence Ave SW
Washington DC 20201

Dear Mr. Scully,

In accordance with the final rule published in the November 13, 2001 Federal Register, Volume 66, Number 219, I am writing to request an exemption for the State of Nebraska from physician supervision of Certified Registered Nurse Anesthetists (CRNAs) in the following regulations:

- Hospitals – 42 CFR 482.52 Condition of Participation: Anesthesia Services
- Critical Access Hospitals – 42 CFR 485.639 Condition of Participation: Surgical Services
- Ambulatory Surgical Centers – 42 CFR 416.42 Condition of Participation: Surgical Services

After consultation with the State’s Boards of Medicine and Nursing on issues related to access to and the quality of anesthesia services, and consistent with State law, and in full awareness of the State’s right to an exemption from the requirement I have determined that it is in the best interest of the State’s citizens to exercise this exemption.

Sincerely,

[Signature]

Mike Johanns, Governor

cc: Nanette Foster Reilly
    Acting Associate Regional Administrator
    For Division of Medicaid and State Operations