



# In re: New Hampshire Association of Nurse Anesthetists, 2021 WL 876911 (N.H. S. Ct. 2021)

Topics Covered:      Scope of Practice

## **Outcome: Very Favorable**

### **Issue**

The issue in this case is whether nurse anesthetists in New Hampshire can properly call themselves “nurse anesthesiologists.”

### **AMA Interest**

The AMA believes that anesthesia care requires the personal performance or supervision by an appropriately licensed doctor of medicine, osteopathy, or dentistry.

### **Case Summary**

The New Hampshire Board of Nursing (BON) issued a position statement that allowed Certified Registered Nurse Anesthetists (CRNAs) to call themselves “nurse anesthesiologists.” Following the BON decision, the New Hampshire Medical Society and the New Hampshire Society of Anesthesiologists petitioned the New Hampshire Board of Medicine (BOM) to declare that all New Hampshire anesthesiologists must be licensed physicians. The BOM granted the petition and ruled that anyone in New Hampshire who identifies themselves as a nurse anesthesiologist without a license from the BOM is deceptively holding themselves out as qualified to practice medicine, in violation of New Hampshire law.

On March 9, 2021, the New Hampshire Supreme Court ruled in favor of the BOM’s decision that health care professionals using the term “anesthesiologist” must be licensed physicians and meet all of the requirements to practice medicine in the state.

### **Litigation Center Involvement**

The AMA, along with the American Society of Anesthesiologists, filed an *amicus* brief to support the BOM decision.

New Hampshire Supreme Court brief