

**Center for Medicaid, CHIP, and Survey & Certification/Survey & Certification Group**

**Ref: S&C-11-10-Hospitals**

**DATE:** January 14, 2011

**TO:** State Survey Agency Directors

**FROM:** Director  
Survey and Certification Group

**SUBJECT:** Revised Hospital Anesthesia Services Interpretive Guidelines—State Operations Manual (SOM) Appendix A

**Memorandum Summary**

**Revisions to Recently Updated Interpretive Guidelines for Anesthesia Services:** The Centers for Medicare & Medicaid Services (CMS) has revised the guidelines concerning the anesthesia services Condition of Participation (CoP) at 42 CFR 482.52.

- Hospitals are expected to develop and implement policies and procedures that address the clinical circumstances under which medications that fall along the analgesia-anesthesia continuum are considered anesthesia, and specify the qualifications of practitioners who can administer analgesia.
- Additional clarifications related to pre- and post-anesthesia evaluation requirements are provided.
- Frequently Asked Questions (FAQs) are also attached.

On December 11, 2009 CMS released updated Interpretive Guidelines for the Anesthesia Services Condition of Participation (CoP) for Hospitals as an attachment to S&C memo 10-09. Among other things, this guidance was a response to requests for clarification of the distinction between analgesia and anesthesia, given that the regulation at 42 CFR 482.52(a) limits the administration of anesthesia to certain types of practitioners. Following the release of this guidance we received a great deal of feedback from a variety of practitioners suggesting that some of the examples provided in the guidance did not clearly fall on one side or the other of the anesthesia/analgesia spectrum.

After careful review of the issues raised, we are further clarifying our guidance in a manner that is consistent with the regulatory requirements and appropriately balances patient safety with avoidance of undue burdens on facilities or reductions in access to care. The guidance now specifies that hospitals must establish policies and procedures that address whether specific clinical situations involve anesthesia versus analgesia. In addition, hospitals must also specify the qualifications for each category of practitioner who administers analgesia and their supervision requirements. These policies must be based on nationally recognized guidelines. For those procedures that require the administration of anesthesia, the regulations at 42 CFR 482.52(a)

concerning who may administer anesthesia continue to apply. CMS also expects that hospitals that provide Anesthesia

Services will periodically evaluate the effects of their policies regarding the administration of analgesia and anesthesia on the safety of patients and adopt appropriate modifications to these policies as necessary.

In addition, we are refining the guidance concerning pre- and post-anesthesia evaluations. With respect to the pre-anesthesia evaluation, we have clarified that the evaluation must be completed within 48 hours prior to surgery or a procedure requiring anesthesia services. However, some individual elements may be performed prior to that period, so long as they are reviewed and appropriately updated within the 48 hour timeframe. We also corrected the guidance concerning the post-anesthesia evaluation, which may be completed after a patient is moved to another inpatient location within the hospital, or is discharged, so long as the evaluation is completed and documented within 48 hours.

An advance copy of the updated portions of Appendix A of the State Operations Manual is attached and may differ slightly from the final version, which will be released later this year. We have also attached a series of FAQs that may be helpful.

Questions about this topic should be addressed to Frances Jensen, M.D. at [frances.jensen@cms.hhs.gov](mailto:frances.jensen@cms.hhs.gov).

**Effective Date:** Immediately. Please ensure that all appropriate staff are fully informed within 30 days of the date of this memorandum.

**Training:** The information contained in this letter should be shared with all survey and certification staff, their managers, and the State/RO training coordinators.

/s /  
Thomas E. Hamilton

Attachments

cc: Survey and Certification Regional Office Management