



— State of —  
**North Dakota**  
*Office of the Governor*  
**John Hoeven**  
*Governor*

October 14, 2003

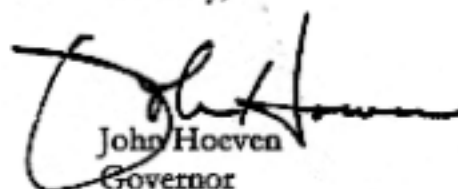
The Honorable Thomas A. Scully  
Administrator  
Centers for Medicare and Medicaid Services  
314G Hubert Humphrey Building  
200 Independence Avenue, SW  
Washington, DC 20201

Dear Mr. Scully:

In accordance with 42 CFR – Chapter IV, as amended by the final rule published in the November 13, 2001, Federal Register, Volume 66, Number 219, I am writing to request an exemption from the requirement of physician supervision of Certified Registered Nurse Anesthetists as a condition of participation for hospitals, critical access hospitals and ambulatory surgical centers as they provide surgical and anesthesia services.

After consultation with the State's boards of medicine and nursing and other interested and affected parties, I have concluded that this exemption is consistent with state law and in the best interest of North Dakota citizens.

Sincerely,



John Hoeven  
Governor

38:31:33

cc: Rolf Sletten, Executive Director, State Board of Medical Examiners  
Bruce Levi, Executive Director, North Dakota Medical Association  
Constance B. Kalanck, Executive Director, State Board of Nursing