

Errata – LCB File No. R181-09RP1.

Blue italic = Proposed language found in LCB File No. R181-09RP1.

[Red in brackets] = Proposed omitted material found in LCB File No. R181-09RP1.

~~Strikethrough any color~~ = New omitted material proposed in errata.

Green italic = New language proposed in Errata.

Sec. 7 NAC 449.9743 is hereby amended to read as follows:

449.9743 “Surgery” means the treatment of a human being by a physician using one or more of the following procedures:

1. Cutting into any part of the body using a scalpel, electrocautery or any other means for [diagnosis] :

(a) ~~The Cosmetic enhancement of tissue, organs, tumors or foreign bodies;~~

(b) ~~Diagnosis of tissue, organs, tumors or foreign bodies;~~ or [the]

(c) ~~the~~ removal or repair of [diseased or damaged] tissue, organs, tumors or foreign bodies.

2. The *open* reduction *and internal fixation* of a *bone* fracture . [or the dislocation of a bone, joint or bony structure.]

3. The repair of a malformation of the body resulting from an injury, a birth defect or another cause, that requires cutting and manipulation or a suture.

4. An instrumentation of the uterine cavity of a woman for diagnostic or therapeutic purposes, including the procedure commonly known as dilation and curettage.

5. Any instrumentation of, or injection of a substance into, the uterine cavity of a woman to terminate a pregnancy.

6. Any procedure to sterilize a human being.

7. An endoscopic procedure.

8. A laproscopic procedure.

Rationale: When changes were made to this section in the LCB proposed version; the language was modified so that it became inappropriate. The changes indicated in the errata above re-associates terms in an appropriate fashion.

New Section #:

NAC 449.993 is hereby amended to read as follows:

1. Each ambulatory surgical center shall maintain diagnostic radiological services or have such services immediately available. Whether these services are provided directly or by contract, personnel capable of supervising the performance of the services must be available.

2. If a center provides diagnostic radiological services directly, the center must have a full-time radiologist or a radiologist who works as a part-time consultant available to supervise the department of radiology and to interpret films.

3. Only a person designated as qualified by the radiologist may operate the equipment for X rays. Only *the following individuals may operate a fluoroscopy machine;*

- a) a physician,*
- b) a physician assistant or advanced practitioner of nursing with 16 hours of documented training in radiation safety,*
- c) or a registered radiologic technologist registered by the American Registry of Radiologic Technologists (ARRT), under the personal direction or written protocol of a physician and registrant of the machine.*

~~a physician may perform a fluoroscopy.~~

4. A radiological technician **technologist** must be on duty or available within 15 minutes after being called while the center is open.

5. Examinations by X-ray must be ordered by the physician responsible for the care of the patient, and the order must contain a concise statement of the reason for the examination. Reports of these examinations must be signed by the reporting physician. The original report must be filed in the medical records of the patient, and a copy of the report must be kept in the radiology department.

Rationale: The language in the errata above will continue to require personnel performing fluoroscopy to be highly trained individuals, but it allows for a wider range of individuals to perform fluoroscopy, rather than the requiring all fluoroscopy to be performed by physicians.