

Errata – LCB File No. R074-19P.

Blue italic = Proposed language found in LCB File No. R074-19P.

[Red in brackets] = Proposed omitted material found in LCB File No. R074-19P.

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

Green italic = New language proposed in Errata.

Sec. 16(3) is hereby amended to read as follows:

Sec. 16.

For the purpose of subsection 1 of section 36 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2725 (NRS 653.510), the Division may issue a license to engage in radiation therapy and radiologic imaging to a person who is certified pursuant to subsection 2 of section 36 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2725 (NRS 653.510), and who has successfully completed an educational program accredited by:

- 1. A regional accrediting agency, as recognized by the American Registry of Radiologic Technologists;*
- 2. The Conjoint Accreditation Services of the Canadian Medical Association, or its successor organization. [; or*
- 3. The Australian Society of Medical Imaging and Radiation Therapy, or its successor organization.]*

Justification: The Australian Society of Medical Imaging and Radiation Therapy is not an accrediting agency.

Sec. 18 (2)(3) is hereby amended to read as follows:

Sec. 18.

For the purpose of defining the scope of practice pursuant to paragraph (b) of subsection 1 of section 34 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2723 (NRS 653.460):

1. A radiologist assistant who is authorized to practice pursuant to section 41 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2728 (NRS 653.600):

(a) May perform any duties relating to the care and management of patients, including, without limitation, radiologic imaging and interventional procedures guided by radiologic imaging, under the supervision of a radiologist who is certified by the American Board of Radiology, or its successor organization, or the American Osteopathic Board of Radiology, or its successor organization, in the areas of patient care, patient management, clinical imaging and interventional procedures.

(b) May provide initial observations concerning the images of a patient to a supervising physician who specializes in radiology.

(c) Shall not interpret images, make diagnoses, prescribe medication or therapies or otherwise engage in the practice of medicine, as defined in NRS 630.020.

2. A person who holds a license [or a limited license] to engage in radiation therapy issued pursuant to sections 22 to 51, inclusive, of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at pages 2722-32 (NRS 653.310 to 653.910, inclusive), may:

(a) Administer ionizing radiation emitted from X-ray machines, particle accelerators or sealed radioactive sources to human beings for therapeutic purposes.

(b) Perform simulation, procedures related to treatment planning, treatment delivery and dosimetric calculations as prescribed by a physician who is certified in radiation oncology by the American Board of Radiology, or its successor organization, or the American Osteopathic Board of Radiology, or its successor organization.

(c) Participate in procedures involving brachytherapy.

3. A person who holds a license [or a limited license] to engage in radiologic imaging issued pursuant to sections 22 to 51, inclusive, of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2722-32 (NRS 653.310 to 653.910, inclusive), may:

(a) While under the supervision of a licensed practitioner, if applicable, use ionizing radiation for diagnostic purposes or to visualize a medical condition by applying the ionizing radiation emitted from X-ray machines to any part of the human body;

(b) In conjunction with the study of radiation, administer contrast agents and related drugs for diagnostic purposes.

(c) Perform diagnostic radiographic and noninterpretive fluoroscopic procedures, as prescribed by a licensed practitioner, and may assist the licensed practitioner with fluoroscopic and specialized radiologic procedures.

Justification: Pursuant to Section 37(4) of Senate Bill 130, The holder of a limited license shall not perform procedures using contrast media, nuclear medicine or radiation therapy.

Sec. 20 (1)(2) is hereby amended to read as follows:

Sec. 20

1. Pursuant to paragraph (d) of subsection 1 of section 34 of Senate Bill 130, chapter 435, Statutes of Nevada 2019, at page 2723 (NRS 653.460), a person who holds a limited license may perform radiologic imaging, as specified by his or her limited license, only while under the [direct] supervision of a licensed practitioner.

2. When providing the [direct] supervision pursuant to subsection 1, the licensed practitioner:

(a) Is responsible for and must control the quality, radiation safety and protection and any other technical aspect of using ionizing radiation on human beings for diagnostic or therapeutic purposes.

[(b) Must be:

(1) Present in the same area or an adjacent area to where the holder of the limited license is performing radiologic imaging; and

(2) Available to furnish immediate assistance and direction throughout the radiologic imaging.]

Justification: Pursuant to Senate Bill 130 Section 34(d) Prescribing the qualifications of a person who is authorized to supervise the holder of a limited license, the tasks for which such supervision is required, and the level of supervision required. The Radiation Control Program (RCP) is proposing that the holder of a limited licence not be required to be under direct supervision of a licensed practitioner when operating within their scope of practice. This requirement seems excessive and burdensome to both the licensee and licensed practitioner.

Added to R074-19 as carryover from R021-18RP3 Section 1.

Section 1. NAC 457.295 is hereby amended to read as follows:

457.295

1. Except as otherwise provided in subsection 2, the Division shall charge and collect the following nonrefundable fees:
 - (a) For the issuance or renewal of a certificate for a machine, \$551.
 - (b) For the issuance or renewal of a mammographer's certificate, ~~[\$88.]~~ \$200.
 - (c) For the issuance of a duplicate mammographer's certificate for posting at multiple facilities for mammography pursuant to NAC 457.360, \$25.
 - (d) For the issuance or renewal of a certificate to provide training to mammographers pursuant to NAC 457.357, \$100.
2. If a payment was made in error, the Division will refund the fee collected pursuant to subsection 1, after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.
3. A mammographer's certificate expires 3 years after the date on which it was issued unless it is renewed before that date. If the fee for renewal of a mammographer's certificate that is charged pursuant to subsection 1 is not received before the date on which the mammographer's certificate expires, the person whose mammographer's certificate expired shall:
 - (a) Stop operating the radiation machine for mammography on the date his or her mammographer's certificate expires; or
 - (b) Submit to the Division not later than 5 days after his or her mammographer's certificate expires:
 - (1) An application for a renewal of his or her mammographer's certificate;
 - (2) The fee for renewal of a mammographer's certificate that is charged pursuant to subsection 1; and
 - (3) A fee for late payment of \$100 per mammographer's certificate.

Justification: In an effort to be responsive to comments received during the public workshop and in the small business impact study this fee increase was postponed by the BOH until it could be reevaluated as part of the licensing fee structure required by Senate Bill 130.

