

ASSEMBLY, No. 537

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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SYNOPSIS

Provides for licensing of radiologist assistants by DEP under "Radiologic Technologist Act" and requires State Board of Medical Examiners to approve procedures and establish level of supervision necessary for practice of radiologist assistants.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the licensing and supervision of radiologist
2 assistants, amending P.L.1981, c.295 and supplementing chapter
3 9 of Title 45 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 3 of P.L.1981, c.295 (C.26:2D-26) is amended to
9 read as follows:

10 3. As used in this act:

11 a. "Board" means the Radiologic Technology Board of
12 Examiners created pursuant to section 5 of **[this act]** P.L.1981,
13 c.295 (C.26:2D-28).

14 b. "License" means a certificate issued by the board authorizing
15 the licensee to use equipment emitting ionizing radiation on human
16 beings for diagnostic or therapeutic purposes in accordance with the
17 provisions of this act.

18 c. "Chest x-ray technologist" means a person, other than a
19 licensed practitioner, whose practice of radiologic technology is
20 limited to the chest area for diagnostic purposes only.

21 d. "Commissioner" means the Commissioner of Environmental
22 Protection.

23 e. "Dental x-ray technologist" means a person, other than a
24 licensed practitioner, whose practice of radiologic technology is
25 limited to intraoral radiography for diagnostic purposes only.

26 f. "Health physicist" means a person who is certified by the
27 American Board of Health Physics or the American Board of
28 Radiology in radiation physics.

29 g. "Licensed practitioner" means a person licensed or otherwise
30 authorized by law to practice medicine, dentistry, dental hygiene,
31 podiatric medicine, osteopathy or chiropractic.

32 h. "Radiation therapy technologist" means a person, other than
33 a licensed practitioner, whose application of radiation on human
34 beings is for therapeutic purposes.

35 i. "Diagnostic x-ray technologist" means a person, other than a
36 licensed practitioner, whose application of radiation on human
37 beings is for diagnostic purposes.

38 j. "Radiologic technologist" means any person who is licensed
39 pursuant to this act.

40 k. "Radiologic technology" means the use of equipment
41 emitting ionizing radiation on human beings for diagnostic or
42 therapeutic purposes under the supervision of a licensed
43 practitioner.

44 l. "Podiatric x-ray technologist" means a person, other than a
45 licensed practitioner, whose practice of radiologic technology is

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 limited to the operation of x-ray machines as used by podiatrists on
2 the lower leg, foot and ankle area for diagnostic purposes only.

3 m. "Orthopedic x-ray technologist" means a person, other than a
4 licensed practitioner, whose practice of radiologic technology is
5 limited to the spine and extremities for diagnostic purposes only.

6 n. "Urologic x-ray technologist" means a person, other than a
7 licensed practitioner, whose practice of radiologic technology is
8 limited to the abdomen and pelvic area for diagnostic purposes
9 only.

10 o. "Radiologist" means a licensed practitioner specializing in
11 radiology certified by the American Board of Radiology, the
12 American Osteopathic Board of Radiology or other national
13 radiologic certifying body approved by the board.

14 p. "Radiologist assistant" means a person, other than a licensed
15 practitioner, who is a licensed radiologic technologist, is certified
16 and registered with a national radiologic certifying body approved
17 by the board, and is credentialed to provide primary advanced-level
18 radiology health care under the supervision of a licensed
19 radiologist.

20 (cf: P.L.2005, c.259, s.31)

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22 2. Section 4 of P.L.1981, c.295 (C.26:2D-27) is amended to
23 read as follows:

24 4. a. Except as hereinafter provided, no person other than a
25 licensed practitioner or the holder of a license as provided in this
26 act shall use x-rays on a human being.

27 b. A person holding a license as a diagnostic x-ray technologist
28 may use the title "licensed radiologic technologist" or the letters
29 (LRT) (R) after his name. No other person shall be entitled to use
30 the title or letters, or any other title or letters after his name that
31 indicate or imply that he is a licensed diagnostic x-ray technologist;
32 nor may any person hold himself out in any way, whether orally or
33 in writing, expressly or by implication, as a licensed diagnostic
34 technologist.

35 c. A person holding a limited license as a chest x-ray
36 technologist may use the title "licensed chest x-ray technologist" or
37 the letters (LRT) (C) after his name. No other person shall be
38 entitled to use the title or letters, or any other title or letters after his
39 name that indicate or imply that he is a licensed chest x-ray
40 technologist; nor may any person hold himself out in any way,
41 whether orally or in writing, expressly or by implication, as a
42 licensed chest x-ray technologist.

43 d. A person holding a limited license as a dental x-ray
44 technologist may use the title "licensed dental x-ray technologist"
45 or the letters (LRT) (D) after his name. No other person shall be
46 entitled to use the title or letters, or any other title or letters after his
47 name that indicate or imply that he is a licensed dental x-ray
48 technologist; nor may any person hold himself out in any way,

1 whether orally or in writing, expressly or by implication, as a
2 licensed dental x-ray technologist.

3 e. A person holding a license as a radiation therapy
4 technologist may use the title "licensed therapy technologist" or
5 (LRT) (T) after his name. No other person shall be entitled to use
6 the title or letters, or any other title or letters after his name that
7 indicate or imply that he is a licensed therapy technologist; nor may
8 any person hold himself out in any way, whether orally or in
9 writing, expressly or by implication, as a licensed therapy
10 technologist.

11 f. A person holding a license as provided by this act shall use
12 medical equipment emitting ionizing radiation on human beings
13 only for diagnostic or therapeutic purposes on a case by case basis
14 at the specific direction of a licensed practitioner, and only if the
15 application of the equipment is limited in a manner hereinafter
16 specified.

17 g. Nothing in the provisions of this act relating to radiologic
18 technologists shall be construed to limit, enlarge or affect, in any
19 respect, the practice of their respective professions by duly licensed
20 practitioners.

21 h. The requirement of a license shall not apply to a hospital
22 resident specializing in radiology, who is not a licensed practitioner
23 in the State of New Jersey, or a student enrolled in and attending a
24 school or college of medicine, osteopathy, podiatric medicine,
25 dentistry, dental hygiene, dental assistance, chiropractic or
26 radiologic technology, who applies radiation to a human being
27 while under the direct supervision of a licensed practitioner.

28 i. A person holding a license as a diagnostic x-ray technologist
29 and a license as a radiation therapy technologist may use the letters
30 (LRT) (R) (T) after his name.

31 j. A person holding a limited license as a podiatric x-ray
32 technologist may use the title "licensed podiatric x-ray
33 technologist" or the letters (LRT) (P) after his name. No other
34 person shall be entitled to use the title or letters, or any other title or
35 letters after his name that indicate or imply that he is a licensed
36 podiatric x-ray technologist; nor may any person hold himself out in
37 any way, whether orally or in writing, expressly or by implication,
38 as a licensed podiatric x-ray technologist.

39 k. A person holding a limited license as an orthopedic x-ray
40 technologist may use the title "licensed orthopedic x-ray
41 technologist" or the letters (LRT) (O) after his name. No other
42 person shall be entitled to use the title or letters, or any other title or
43 letters after his name that indicate or imply that he is a licensed
44 orthopedic x-ray technologist; nor may any person hold himself out
45 in any way, whether orally or in writing, expressly or by
46 implication, as a licensed orthopedic x-ray technologist.

47 l. A person holding a limited license as a urologic x-ray
48 technologist may use the title "licensed urologic x-ray technologist"

1 or the letters (LRT) (U) after his name. No other person shall be
2 entitled to use the title or letters, or any other title or letters after his
3 name that indicate or imply that he is a licensed urologic x-ray
4 technologist; nor may any person hold himself out in any way,
5 whether orally or in writing, expressly or by implication, as a
6 licensed urologic x-ray technologist.

7 m. A person holding a limited license as a radiologist assistant
8 may use the title “licensed radiologist assistant” or the letters (RA)
9 after the person’s name. No other person shall be entitled to use the
10 title or letters, or any other title or letters after the person’s name
11 that indicate or imply that the person is a licensed radiologist
12 assistant; nor may any person represent in any way, whether orally
13 or in writing, expressly or by implication, that such person is a
14 licensed radiologist assistant.

15 (cf: P.L.2005, c.259, s.32)

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17 3. Section 6 of P.L.1981, c.295 (C.26:2D-29) is amended to
18 read as follows:

19 6. a. The board shall admit to examination for licensing any
20 applicant who shall pay to the department a nonrefundable fee
21 established by rule of the commission and submit satisfactory
22 evidence, verified by oath or affirmation, that the applicant:

23 (1) At the time of application is at least 18 years of age;

24 (2) Is of good moral character;

25 (3) Has successfully completed a four-year course of study in a
26 secondary school approved by the State Board of Education, or
27 passed an approved equivalency test.

28 b. In addition to the requirements of subsection a. hereof, any
29 person seeking to obtain a license in a specific area of radiologic
30 technology **【must】** shall comply with the following requirements:

31 (1) Each applicant for a license as a diagnostic x-ray
32 technologist (LRT (R)) shall have satisfactorily completed a 24-
33 month course of study in radiologic technology approved by the
34 board or its equivalent, as determined by the board.

35 (2) Each applicant for a license as a radiation therapy
36 technologist (LRT(T)) shall have satisfactorily completed a 24-
37 month course in radiation therapy technology approved by the
38 board or the equivalent of such, as determined by the board.

39 (3) Each applicant for a license as a chest x-ray technologist
40 (LRT(C)) shall have satisfactorily completed the basic curriculum
41 for chest radiography as approved by the board or its equivalent, as
42 determined by the board.

43 (4) Each applicant for a license as a dental x-ray technologist
44 (LRT(D)) shall have satisfactorily completed the curriculum for
45 dental radiography as approved by the board or its equivalent, as
46 determined by the board.

47 (5) Each applicant for a license as a podiatric x-ray technologist
48 (LRT(P)) shall have satisfactorily completed the basic curriculum

1 for podiatric radiography as approved by the board or its equivalent,
2 as determined by the board.

3 (6) Each applicant for a license as an orthopedic x-ray
4 technologist (LRT(O)) shall have satisfactorily completed the basic
5 curriculum for orthopedic radiography as approved by the board or
6 its equivalent, as determined by the board.

7 (7) Each applicant for a license as an urologic x-ray technologist
8 (LRT(U)) shall have satisfactorily completed the basic curriculum
9 for urologic radiography as approved by the board or its equivalent,
10 as determined by the board.

11 (8) Each applicant for a license as a radiologist assistant (RA)
12 shall have satisfactorily completed the basic curriculum for a
13 radiologist assistant as approved by the board or its equivalent, as
14 determined by the board.

15 c. The board shall establish criteria and standards for programs
16 of diagnostic or radiation therapy and approve these programs upon
17 a finding that the standards and criteria have been met.
18 (cf: P.L.1985, c.540, s.4)

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20 4. Section 7 of P.L.1981, c.295 (C.26:2D-30) is amended to
21 read as follows:

22 7. a. The program of diagnostic x-ray technology shall be at
23 least a 24-month course or its equivalent, as determined by the
24 board. The curriculum for this course may follow the **【Committee】**
25 Commission on Accreditation of Allied Health Education **【and**
26 Accreditation (CAHEA)】 Programs (CAAHEP) standards; provided
27 that the standards are not in conflict with board policies.

28 b. The program of radiation therapy technology shall be at least
29 a 24-month course of study or its equivalent, as determined by the
30 board. The curriculum for the course may follow the **【Committee】**
31 Commission on Accreditation of Allied Health Education **【and**
32 Accreditation (CAHEA)】 Programs (CAAHEP) standards; provided
33 that the standards are not in conflict with board policies.

34 c. The board shall establish criteria and standards for programs
35 of chest radiography, podiatric radiography, orthopedic
36 radiography, urologic radiography **【and】** , dental radiography , and
37 radiologist assistants and approve the programs upon a finding that
38 the standards and criteria have been met.

39 d. An approved program of radiologic technology may be
40 offered by a medical or educational institution or other public or
41 private agency or institution, and, for the purpose of providing the
42 requisite clinical experience, shall be affiliated with one or more
43 hospitals that, in the opinion of the board, are likely to provide the
44 experience.

45 (cf: P.L.1985, c.540, s.5)

1 5. Section 12 of P.L.1981, c.295 (C.26:2D-35) is amended to
2 read as follows:

3 a. No person shall knowingly or negligently employ as a
4 radiologic technologist any person who requires and does not
5 possess a valid license to engage in the activities of a radiologic
6 technologist.

7 b. No person shall knowingly or negligently employ as a
8 radiologist assistant any person who requires and does not possess a
9 valid license to engage in the activities of a radiologist assistant.
10 (cf: P.L.1981, c.295, s.12)

11

12 6. (New section) a. Radiologist assistants may, under the
13 supervision of a licensed radiologist, perform delegated
14 fluoroscopic procedures in accordance with rules promulgated by
15 the State Board of Medical Examiners, provided that such practice
16 is authorized pursuant to regulations promulgated by the Radiologic
17 Technology Board of Examiners, in the Department of
18 Environmental Protection.

19 b. For purposes of this section:

20 (1) “Delegated fluoroscopic procedures” means the use of
21 fluoroscopic equipment to perform any of the following procedures
22 to the extent approved by the State Board of Medical Examiners:
23 esophageal study; swallowing function study; upper gastrointestinal
24 study; small bowel study; barium enema lower gastrointestinal
25 study; nasogastric/enteric and oroenteric/enteric tube placement; t-
26 tube cholangiogram; chest fluoroscopy; hysterosalpingogram
27 procedure and imaging; Antegrade Pyelogram; arthrogram, joint
28 injection and aspiration; cystography or voiding cystourethrography
29 (catheter placement); loopography; lumbar puncture with contrast;
30 myelogram; abcess, fistula, sinus tract study; paracentesis;
31 thoracentesis; venous access ports; tunneled and non-tunneled
32 central venous catheters; tunneled and non-tunneled peripherally
33 inserted central venous catheters; and tunneled and non-tunneled
34 chest and abdominal drainage catheters; and

35 (2) “Radiologist assistant” means a person, other than a licensed
36 practitioner, who is a licensed radiologic technologist, is certified
37 and registered with a national radiologic certifying body approved
38 by the Radiologic Technology Board of Examiners created pursuant
39 to section 5 of P.L.1981, c.295 (C.26:2D-28), and is credentialed to
40 provide primary advanced-level radiology health care under the
41 supervision of a licensed radiologist.

42 c. The State Board of Medical Examiners shall promulgate
43 regulations pursuant to the “Administrative Procedure Act,”
44 P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to implement this
45 section, including but not limited to approving specific delegated
46 fluoroscopic procedures that a radiologist assistant may perform
47 and establishing the level of supervision necessary for a radiologist

1 assistant to perform any of the approved delegated fluoroscopic
2 procedures.

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4 7. This act shall take effect on the 180th day next following
5 enactment, except that the Radiologic Technology Board of
6 Examiners and State Board of Medical Examiners may take such
7 anticipatory actions as may be necessary to effectuate the
8 provisions of this act.

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STATEMENT

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This bill amends the “Radiologic Technologist Act” to provide for the licensure and registration of radiologist assistants by the Radiologic Technology Board of Examiners in the Department of Environmental Protection. The bill also provides for the approval by the State Board of Medical Examiners of delegated fluoroscopic procedures that a radiologist assistant may perform, and the establishment of the level of supervision by a licensed radiologist necessary for the radiologist assistant to perform those procedures.

The radiologist assistant (RA) is a new title in the field of medical imaging. Radiologist assistants are licensed radiologic technologists who are experienced as primary care-givers with regard to patient assessment, patient management and providing a broad range of radiology diagnostic and intervention services. A radiologist assistant acts under the supervision of a licensed radiologist.

Specifically, the bill defines a “radiologist assistant” as a person, other than a licensed practitioner, certified and registered with a national radiologic certifying body approved by the Radiologic Technology Board of Examiners and credentialed to provide primary advanced-level radiology health care under the supervision of a licensed radiologist.

The bill provides that each applicant for licensure as a radiologist assistant must complete the basic curriculum for a radiologist assistant as approved by the board or its equivalent, as determined by the board. The bill further provides that a person holding a license as a radiologist assistant may use the title “licensed radiologist assistant” or the letters (RA) after his name and that no other person shall be entitled to use that title or those letters.

The bill directs the State Board of Medical Examiners (BME) to adopt rules and regulations to allow radiologist assistants to practice in New Jersey under the supervision of a licensed radiologist. The BME will approve specific delegated fluoroscopic procedures, and establish the level of supervision necessary, for radiologist assistants to practice as authorized pursuant to regulations promulgated by the Radiologic Technology Board of Examiners.