

**ASSEMBLY CONCURRENT
RESOLUTION No. 32**

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

SYNOPSIS

Strongly encourages State Board of Medical Examiners to adopt regulations as necessary to authorize radiologist assistants to practice in New Jersey.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **A CONCURRENT RESOLUTION** strongly encouraging the adoption of
2 rules and regulations related to the practice of radiologist
3 assistants in the State.
4

5 **WHEREAS**, Radiologist assistants are advanced-level radiographers
6 who improve patient access to timely radiologic care, and extend
7 the capacity of radiologists in the diagnostic imaging environment,
8 by performing patient assessment, patient management,
9 fluoroscopy, and other radiology procedures under radiologist
10 supervision, and by making initial observations of diagnostic
11 images; and

12 **WHEREAS**, Radiologist assistants effectively reduce the workload of
13 radiologists, and improve productivity and efficiency in the
14 diagnostic imaging environment, by performing exams designated
15 by a radiologist, and by allowing radiologists to spend more time on
16 image interpretation and diagnosis and the performance of invasive
17 procedures that lie outside the scope of the assistant's practice; and

18 **WHEREAS**, In order to engage in practice as a radiologist assistant, a
19 person must be licensed as a diagnostic radiologic technologist, and
20 must additionally be certified by, and registered with, the American
21 Registry of Radiologic Technologists (ARRT) as a radiologist
22 assistant; and

23 **WHEREAS**, A person may not become certified and registered as a
24 radiologist assistant, unless the person has first completed an
25 ARRT-recognized advanced educational program that encompasses
26 a nationally recognized radiologist assistant curriculum and
27 includes a radiologist-directed clinical preceptorship; and

28 **WHEREAS**, The Master of Science Radiologist Assistant Program,
29 which is offered by Rutgers, the State University, at Newark, is one
30 of only nine educational programs across the United States that has
31 been recognized by the ARRT as being adequate for the purposes of
32 radiologist assistant certification and registration; and

33 **WHEREAS**, Based upon the education and competency testing required
34 to act as a registered radiologist assistant, the Radiological Society
35 of New Jersey (RSNJ) and Rutgers University have each
36 determined that it is appropriate to authorize radiologist assistants,
37 as part of their scope of practice, to perform the following delegated
38 procedures, which require the use of fluoroscopic equipment:
39 esophageal study; swallowing function study; upper gastrointestinal
40 study (UGI); small bowel study; barium enema (BE) lower
41 gastrointestinal study; nasogastric/enteric and oroenteric/enteric
42 tube placement; t-tube cholangiogram; chest fluoroscopy;
43 hysterosalpingogram procedure and imaging; Antegrade
44 Pyelogram; arthrogram, joint injection and aspiration; cystography
45 or voiding cystourethrography (catheter placement); loopography;
46 lumbar puncture with contrast; myelogram; abcess, fistula, sinus
47 tract study; paracentesis; thoracentesis; venous access ports;
48 tunneled and non-tunneled central venous catheters; tunneled and

1 non-tunneled peripherally inserted central venous catheters; and
2 tunneled and non-tunneled chest and abdominal drainage catheters;
3 and

4 **WHEREAS**, Despite the fact that New Jersey is one of the few states in
5 the nation that provides sufficient education for radiologist assistant
6 certification, and is one of only a few regular producers of
7 professionals in this field, radiologist assistants are currently unable
8 to practice in this State, because the State Board of Medical
9 Examiners (BME) has failed to adopt regulations to define the
10 parameters of this particular practice specialty; and

11 **WHEREAS**, Although the practice of radiologic technologists and
12 radiologist assistants in New Jersey is primarily regulated by the
13 Radiologic Technology Board of Examiners, in the Department of
14 Environmental Protection, (hereafter referenced as the “DEP
15 Radiologic Board”), the regulations adopted by the DEP Radiologic
16 Board, in this respect, require certain additional regulatory actions
17 to be undertaken by the BME before radiologist assistants will be
18 authorized to practice in New Jersey; and

19 **WHEREAS**, The DEP Radiologic Board’s regulations at N.J.A.C.7:28-
20 19.1 et seq. specify, in particular, that an ARRT-certified
21 radiologist assistant in New Jersey will be authorized to perform
22 procedures identified by the ARRT, but only if those procedures
23 have been approved by the BME, and only if those procedures are
24 performed “under the level of radiologist supervision specified by
25 the BME;” and

26 **WHEREAS**, Although the DEP Radiologic Board authorizes radiologist
27 assistants to perform supervised procedures approved by the BME,
28 it does not appear that the BME has taken appropriate regulatory
29 action to adopt a list of approved procedures that may be
30 undertaken by a radiologic assistant in accordance with the
31 Radiologic Board’s authorizations, or to identify the level of
32 radiologist supervision that is necessary for a radiologic assistant to
33 perform such approved procedures; and

34 **WHEREAS**, Without these BME regulations, the authorizations
35 contained in the DEP Radiologic Board’s regulations are
36 insufficient to allow a certified and registered radiologist assistant
37 to practice in the State; and

38 **WHEREAS**, This inability of radiologist assistants to practice in New
39 Jersey has resulted in the unintended outsourcing of talent to other
40 states, as properly educated professionals are forced to leave the
41 State to find appropriate employment in their specialty; and

42 **WHEREAS**, Because it would significantly benefit radiologists and
43 patients in New Jersey to maintain this educated workforce in the
44 State and allow radiologist assistants to become incorporated into
45 the State’s diagnostic imaging environments, it is essential that the
46 BME promptly adopt appropriate rules and regulations, as is
47 necessary to allow radiologist assistants to practice their specialty in
48 this State; now, therefore,

BE IT RESOLVED by the General Assembly of the State of New Jersey (the Senate concurring):

1. The State Board of Medical Examiners is strongly urged to adopt rules and regulations, within one year after the effective date of this resolution, and pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), to define the parameters for radiologist assistant practice in New Jersey, as is necessary to implement existing regulations of the Radiologic Technology Board of Examiners, which authorize certified radiologist assistants to practice in New Jersey, but only in accordance with parameters established by the Board of Medical Examiners. In particular, and as soon as is practicable, the Board of Medical Examiners is strongly advised to adopt a list of approved procedures in which a certified radiologist assistant may engage in the State, and identify the levels of supervision that are necessary for radiologist assistants to engage in such approved procedures.

2. The Governor is respectfully requested to take any executive actions, which may be necessary to facilitate the rule-making described in section 1 of this resolution.

3. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly or the Secretary of the Senate to the Governor, the Chair of the Radiologic Technology Board of Examiners, and each member of the State Board of Medical Examiners.

STATEMENT

This resolution would strongly urge the State Board of Medical Examiners (BME) to adopt rules and regulations, within one year after the resolution’s effective date, as is necessary to allow radiologist assistants to practice in New Jersey. Radiologist assistants are advanced-level radiographers who improve patient access to timely radiologic care, and extend the capacity of radiologists in the diagnostic imaging environment, by performing patient assessment, patient management, fluoroscopy, and other radiology procedures under radiologist supervision, and by making initial observations of diagnostic images. They effectively reduce the workload of radiologists, and improve productivity and efficiency in the diagnostic imaging environment, by performing exams when a radiologist is not available, and by allowing radiologists to spend more time on image interpretation and diagnosis and the performance of invasive procedures that lie outside the scope of the assistant’s practice.

The Radiological Society of New Jersey (RSNJ) and Rutgers University have each determined that it is appropriate to authorize

1 radiologist assistants, as part of their scope of practice, to perform the
2 following delegated procedures, which require the use of fluoroscopic
3 equipment: esophageal study; swallowing function study; upper
4 gastrointestinal study (UGI); small bowel study; barium enema (BE)
5 lower gastrointestinal study; nasogastric/enteric and oroenteric/enteric
6 tube placement; t-tube cholangiogram; chest fluoroscopy;
7 hysterosalpingogram procedure and imaging; Antegrade Pyelogram;
8 arthrogram, joint injection and aspiration; cystography or voiding
9 cystourethrography (catheter placement); loopography; lumbar
10 puncture with contrast; myelogram; abscess, fistula, sinus tract study;
11 paracentesis; thoracentesis; venous access ports; tunneled and non-
12 tunneled central venous catheters; tunneled and non-tunneled
13 peripherally inserted central venous catheters; and tunneled and non-
14 tunneled chest and abdominal drainage catheters.

15 In order to engage in practice as a radiologist assistant, a person
16 must be licensed as a diagnostic radiologic technologist, and must
17 additionally be certified by, and registered with, the American
18 Registry of Radiologic Technologists (ARRT) as a radiologist
19 assistant. A person may not become certified and registered as a
20 radiologist assistant, however, unless the person has first completed
21 an ARRT-recognized educational program.

22 The Master of Science Radiologist Assistant Program, which is
23 offered by Rutgers, the State University, at Newark, is one of only
24 nine educational programs across the United States that has been
25 recognized by the ARRT as being adequate for the purposes of
26 radiologist assistant certification and registration. However, while
27 New Jersey is one of the few states in the nation that provides
28 sufficient education for radiologist assistant certification, and is one
29 of only a few regular producers of professionals in this field,
30 radiologist assistants are currently unable to practice in this State,
31 because the BME has failed to appropriately define the parameters
32 of this particular practice specialty.

33 Although the practice of radiologic technologists and radiologist
34 assistants in New Jersey is primarily regulated by the Radiologic
35 Technology Board of Examiners, in the Department of Environmental
36 Protection, (hereafter referenced as the “DEP Radiologic Board”), the
37 regulations adopted by the DEP Radiologic Board, in this respect,
38 require certain additional regulatory actions to be undertaken by the
39 BME before radiologist assistants will be authorized to practice in
40 New Jersey. In particular, the Radiologic Board’s regulations specify
41 that an ARRT-certified radiologist assistant in New Jersey will be
42 authorized to perform procedures identified by the ARRT, but only if
43 those procedures have been approved by the BME, and only if the
44 radiologist assistant performs those procedures “under the level of
45 radiologist supervision specified by the BME.” It does not appear,
46 however, that the BME has taken appropriate regulatory action to
47 adopt a list of approved procedures that may be undertaken by a
48 radiologic assistant in accordance with the Radiologic Board’s

1 authorizations, or to identify the level of radiologist supervision that is
2 necessary for a radiologic assistant to perform such approved
3 procedures. Without these BME regulations, the authorizations
4 specified in the DEP Radiologic Board's regulations are insufficient to
5 allow a certified and registered radiologist assistant to practice in the
6 State. Accordingly, in order to allow radiologist assistants to become
7 incorporated into diagnostic imaging environments in New Jersey, and
8 prevent properly educated radiologist assistants from being forced to
9 seek employment in other states, it is necessary for the BME to adopt
10 appropriate regulations in this area.