STATE OF NEW YORK

7548

IN SENATE

January 23, 2018

Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to establishing a certificate authorizing cardiovascular technologists to introduce contrast material during a cardiovascular procedure while under the personal supervision of a physician

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new article 35-B to read as follows:

ARTICLE 35-B
CERTIFICATION IN THE INTRODUCTION OF CONTRAST MATERIAL

Section 3570. Declaration of policy and statement of purpose.
3571. Definitions.
3572. Certification required.
3573. Training program.
3574. Period of certification validity; recertification.

§ 3570. Declaration of policy and statement of purpose. Cardiovascular technologists provide valuable support to physicians and nurses in connection with cardiovascular procedures. With appropriate training and certification, a cardiovascular technologist, acting under the personal supervision of a physician during a cardiovascular procedure, can safely and effectively introduce contrast material into an arterial line that has already been placed into the patient by an appropriately licensed health care professional. By performing this task, a certified cardiovascular technologist can enable physicians and nurses in the procedure room to devote their efforts to tasks that demand their higher level of training and skills. Establishing a certificate to introduce contrast material during a cardiovascular procedure will promote both quality and cost-effectiveness in the delivery of cardiovascular services.

§ 3571. Definitions. As used in this article:

1. "Cardiovascular procedure" means a diagnostic examination or therapeutic intervention of the heart and blood vessels performed in a hospi-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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tal, including invasive cardiology-cardiac catheterization, non-invasive cardiology, non-invasive peripheral vascular study and cardiac electrophysiology.

2. "Cardiovascular technologist" means a person who is authorized by a hospital to provide technical support services, excluding services within the scope of practice of a health care professional, in connection with a cardiovascular procedure. A hospital may use a different title (excluding a professional title) for the person whom it authorizes to perform such services.

3. "Certification in the introduction of contrast material" or "certification" means a certification issued pursuant to this article authorizing a cardiovascular technologist to introduce contrast material into an arterial line that has already been placed into the patient by an appropriately licensed health care professional, during a cardiovascular procedure under the personal supervision of a physician.

4. "Personal supervision" means the physician must be in attendance in the room during the performance of the procedure.

§ 3572. Certification required. 1. Except as otherwise authorized by law, only appropriately licensed health care professionals and persons certified pursuant to this article shall be authorized to introduce contrast material during a cardiovascular procedure.

2. A person certified pursuant to this article shall be authorized to introduce contrast material during a cardiovascular procedure only while under the personal supervision of a physician.

3. The department shall issue a certificate to introduce contrast material during a cardiovascular procedure to an individual who is approved by the department. Such individual shall:

(a) demonstrate the satisfactory completion of a training program described in section thirty-five hundred seventy-three of this article, or meet the alternative standard provided in such section;

(b) demonstrate competency by the examination described in section thirty-five hundred seventy-three of this article;

(c) successfully complete basic life support training;

(d) pay a biennial certification fee of twenty dollars; and

(e) meet such other criteria as may be established by the commissioner in regulation.

§ 3573. Training program. 1. A training program on the introduction of contrast materials into an arterial line during a cardiovascular procedure may be offered by a hospital or by an educational institution approved by the education department or other recognized accrediting body.

2. Such training program shall:

(a) have a training program coordinator who is assigned the administrative responsibility and accountability for the training program. The program coordinator shall be a physician, nurse, physician assistant or nurse practitioner with at least two years of experience that routinely included the introduction of contrast materials during cardiovascular procedures;

(b) provide training by one or more instructors each of whom is a physician, nurse, physician assistant or nurse practitioner with at least two years of routine experience in the introduction of contrast materials during cardiovascular procedures;

(c) establish curriculum and course requirements, including required hours of classroom or on-line instruction and required hours of clinical training, approved by the department;

(d) be approved by:

(i) the department, in the case of a training program operated by a hospital;

(ii) the education department in the case of a training program operated by an educational institution approved by the education department; or

(iii) the accrediting body of another state or federal authorities, including the military, in the case of a training program operated by an educational institution or federal agency, including the military; and

(e) notify the department of any substantive change in the nature of the approved program or its curriculum and course requirements.

3. The department or the education department, whichever shall be the approving authority for the program, may inspect a training program at any time.

4. The department or the education department, whichever shall be the approving authority for the program, may withdraw its approval of a training program for up to two years each time the hospital or educational institution:

(a) fails to permit unannounced visits;

(b) fails to meet all of the requirements of this section;

(c) is subjected to an extended or partial extended survey;

(d) is assessed a civil monetary penalty of five thousand dollars or more;

(e) has a temporary manager, receiver or caretaker appointed; or

(f) is subjected to a ban on admissions or a denial of payment under either the title XVIII or title XIX programs.

5. (a) The department shall develop competency examinations in the introduction of contrast materials, and shall appoint one or more examiners to administer such examinations.

(b) An examiner shall be a physician, nurse, physician assistant or nurse practitioner with at least two years of routine experience in the introduction of contrast materials during a cardiovascular procedure, and shall not be a training program coordinator or instructor.

(c) Eligibility to take the competency examination is limited to a person who:

(i) has completed the training program described in this section, provided such person takes the competency examination within one year of completing such program; or

(ii) was employed by a hospital as a cardiovascular technologist for at least two years prior to the effective date of this article, provided such person takes the competency examination within one year of the effective date of this article.

(d) The department, or any entity with which the department contracts, may charge a fee for administering the examination. Such fee shall be set by the department, and shall be reasonably related to recovering the department's costs, and be adjusted from time to time.

6. A certification pursuant to this article may be suspended for a fixed period, revoked or annulled, or the certificate holder censured, reprimanded, subject to a civil penalty not to exceed two thousand dollars for every such violation, or otherwise disciplined, in accordance with the provisions and procedures set forth in section thirty-five hundred ten of this chapter.

§ 3574. Period of certification validity; recertification. A certification pursuant to this article shall be valid for two years. To obtain recertification an individual shall either (1) demonstrate in the form indicated by the department that he or she has worked at least one thousand hours for compensation as a cardiovascular technologist during the

previous two year period, and that such work routinely included the introduction of contrast material during a cardiovascular procedure; or (2) demonstrate competency as provided in section thirty-five hundred seventy-three of this article.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law. Provided that, effective immediately, any actions necessary to implement the provisions of this act on its effective date are authorized and directed to be completed on or before such date.