STATE OF NEW YORK

2126

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sens. RIVERA, GALLIVAN -- 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 the use of fluoroscopy by physician assistants

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

Section 1. Section 3501 of the public health law is amended by adding a new subdivision 20 to read as follows:

20. "Fluoroscopy" means an x-ray based technique that allows continuous real-time imaging of an instrument, dye, or body part during a diagnostic or treatment procedure so that location and movement of such instrument, dye, or body part can be detected and evaluated.

§ 2. Paragraphs (c) and (d) of subdivision 2 of section 3502 of the public health law, as added by chapter 175 of the laws of 2006, are amended, and a new paragraph (e) is added to read as follows:

(c) only persons licensed under this article shall practice radiography, radiation therapy or nuclear medicine technology or use the title "radiographer," "radiologic technologist," "radiation therapist" or "nuclear medicine technologist" or use the abbreviations LRT, RTT, LRTT, NMT, or LNMT with his or her name; [~~and~~]

(d) notwithstanding paragraph (c) of this subdivision, quality control tests and radiation therapy treatment planning may also be performed by individuals not licensed by this article[~~.~~]**; and**

(e) a licensed physician assistant may engage in the use of fluoroscopy for guidance of diagnostic and therapeutic procedures; provided that the physician assistant has successfully completed an educational program consisting of at least forty hours of didactic and forty hours of clinical training with successful completion of a competency exam, as approved by the department.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

LBD01804-01-3