

# 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 fluoro-  
scopy by physician assistants

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

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

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

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

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

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

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

24 § 3. This act shall take effect on the one hundred eightieth day after  
25 it shall have become a law. Effective immediately, the addition, amend-  
26 ment and/or repeal of any rule or regulation necessary for the implemen-  
27 tation of this act on its effective date are authorized to be made and  
28 completed on or before such effective date.

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

LBD01804-01-3