

STATE OF NEW YORK

9630

IN SENATE

May 16, 2024

Introduced by Sen. MARTINEZ -- 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 limited-scope radiographers

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

1 Section 1. Subdivision 1, paragraph (c) of subdivision 2 and subdivi-
2 sion 4 of section 3502 of the public health law, as added by chapter 175
3 of the laws of 2006, are amended to read as follows:

4 1. The department shall issue separate licenses in the areas of radi-
5 ography, radiation therapy and nuclear medicine technology to individ-
6 uals who qualify under section thirty-five hundred five of this title.
7 The department shall issue limited-scope radiographer licenses to indi-
8 viduals who qualify under sections thirty-five hundred three and thir-
9 ty-five hundred five of this title.

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

16 4. No radiologic technologist shall administer or inject intravenous
17 contrast media unless (a) the individual is certified by the department
18 to perform such function in accordance with the commissioner's rules and
19 regulations (b) such administration or injection has been approved by a
20 physician, physician's assistant, nurse practitioner or registered
21 professional nurse within twenty-four hours prior to the administration
22 or injection (c) a physician, physician's assistant, nurse practitioner
23 or registered professional nurse performs an evaluation of the patient
24 on the day of the procedure. Administration or injection of contrast
25 media means and is limited to the placement or insertion of a needle or
26 a catheter, not exceeding three inches in length and not above the level
27 of the axilla into a person's upper extremity and the administration or
28 injection of the intravenous contrast media, manually or by mechanical

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

LBD15544-02-4

1 injector, but does not mean the determination of the type or volume of
2 media to be administered or injected. Limited-scope radiographers shall
3 not be authorized under this article to inject intravenous contrast
4 media.

5 § 2. Subdivision 17 of section 3501 of the public health law, as added
6 by chapter 175 of the laws of 2006, is amended to read as follows:

7 17. "Supervision" means the oversight of a licensed radiologic tech-
8 nologist or a limited-scope radiographer, as applicable, by a licensed
9 practitioner acting within the limits specified in the law under which
10 the practitioner is licensed.

11 § 3. Section 3501 of the public health law is amended by adding two
12 new subdivisions 4-a and 13 to read as follows:

13 4-a. "Limited-scope radiographer" shall mean a person licensed pursu-
14 ant to section thirty-five hundred three of this article to practice
15 radiography limited to chest, extremities, skull/sinus, and spine/sacrum
16 at urgent care centers. The limited-scope radiographer shall not utilize
17 fluoroscopy.

18 13. "Urgent care center" shall mean any medical practice location that
19 provides immediate and on-site evaluation, diagnosis, and treatment of
20 non-emergent, acute illnesses or injuries during posted hours of opera-
21 tion, primarily or exclusively on a walk-in or after-hours basis.

22 § 4. The public health law is amended by adding a new section 3503 to
23 read as follows:

24 § 3503. Limited-scope radiographers. 1. A license to practice as a
25 limited-scope radiographer shall authorize a holder of such license to
26 practice radiography at urgent care centers under the supervision of a
27 licensed practitioner or licensed registered radiologic technologist.

28 2. The commissioner shall establish standards that educational
29 programs in limited radiography must meet to be approved as a limited
30 radiography education program in New York state. Courses shall include,
31 at a minimum, a total of eighty hours of didactic content that must
32 address radiographic anatomy, procedures, and pathology, digital image
33 acquisition and display, fundamentals, ethics, and laws of healthcare,
34 human anatomy and physiology, image production and analysis, imaging
35 equipment and radiation production, medical terminology, and patient
36 care. A minimum of two hundred forty hours of clinical training must
37 also be incorporated that includes a minimum of five clinical competen-
38 cies, in each anatomical area that the limited-scope radiographer will
39 image, performed under direct supervision of a radiologic technologist.
40 Upon completion of the course, successful completion of a standardized
41 accreditation examination that assesses the knowledge and cognitive
42 skills underlying the intelligent performance of the tasks typically
43 required of a limited-scope radiographer is required. Any such course
44 or accrediting examination shall be approved by the commissioner and no
45 person, institution or agency shall offer a course of study in limited-
46 scope radiography unless such course of study is registered by the
47 department or by the department of education and meets such standards of
48 quality, character and competence of sponsors and officials, financial
49 resources, public need, and other pertinent matters as may be prescribed
50 by the commissioner or by the commissioner of education in appropriate
51 rules and regulations.

52 3. The commissioner shall establish a registration process by which
53 individuals may submit an application to the commissioner to be licensed
54 as a limited-scope radiographer pursuant to this section. Such registra-
55 tion process and application shall be consistent with the provisions of
56 section thirty-five hundred seven of this title and shall include:

1 (a) an attestation that the applicant has completed an approved course
2 and accrediting examination pursuant to subdivision two of this section,
3 and received a passing score on such accrediting examination as deter-
4 mined by the commissioner; and

5 (b) any other information as may be required by the commissioner.

6 4. The commissioner shall be authorized to promulgate any rules and/or
7 regulations necessary for the effective implementation of this section.

8 § 5. The opening paragraph and paragraphs (d), (f) and (p) of subdivi-
9 sion 1 of section 3510 of the public health law, the opening paragraph
10 as amended and paragraph (p) as added by section 97 of part E of chapter
11 56 of the laws of 2013, and paragraphs (d) and (f) as added by chapter
12 175 of the laws of 2006, are amended to read as follows:

13 The license, registration or intravenous contrast administration
14 certificate of a radiologic technologist, or license to practice as a
15 limited-scope radiographer, may be suspended for a fixed period, revoked
16 or annulled, or such licensee censured, reprimanded, subject to a civil
17 penalty not to exceed two thousand dollars for every such violation, or
18 otherwise disciplined, in accordance with the provisions and procedures
19 defined in this article, provided that no civil penalty shall be
20 assessed for any crime or misconduct that occurred outside the jurisdic-
21 tion of New York state upon decision after due hearing that the individ-
22 ual is guilty of the following misconduct:

23 (d) aiding and abetting in the practice of radiologic technology a
24 person who is not a registered radiologic technologist or limited-scope
25 radiographer or who is practicing a form of radiologic technology which
26 is beyond the scope of the individual's license;

27 (f) falsely impersonating a duly registered radiologic technologist or
28 limited-scope radiographer or former duly registered radiologic technol-
29 ogist or limited-scope radiographer, or is practicing radiologic tech-
30 nology under an assumed name;

31 (p) having [~~his or her~~] such person's license to practice as a radio-
32 logic technologist or limited-scope radiographer revoked, suspended or
33 having other disciplinary action taken, or having [~~his or her~~] such
34 person's application for a license refused, revoked or suspended or
35 having voluntarily or otherwise surrendered [~~his or her~~] such person's
36 license after a disciplinary action was instituted by a duly authorized
37 professional disciplinary agency of another state, where the conduct
38 resulting in the revocation, suspension or other disciplinary action
39 involving the license or refusal, revocation or suspension of an appli-
40 cation for a license or the surrender of the license would, if committed
41 in New York state, constitute professional misconduct under the laws of
42 New York state. A radiologic technologist or limited-scope radiographer
43 licensed in New York state who is also licensed or seeking licensure in
44 another state must immediately report to the department any revocation,
45 suspension or other disciplinary action involving the out-of-state
46 license or refusal, revocation or suspension of an application for an
47 out-of-state license or the surrender of the out-of-state license.

48 § 6. This act shall take effect immediately.