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DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

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Informational Notice

Date: May 7, 2021
Topic: Licensure Requirements needed to engage in Fluoroscopy.
Contact: John Follette, Manager, Radiation Control Program
To: All Persons engaged in or applying to engage in Fluoroscopy in the State of Nevada

Background: This Technical Bulletin identifies the NRS Chapter 653 licensure and registration requirements for persons engaging in Fluoroscopy in the State of Nevada. Specifically addressed are the credentials the Division of Public and Behavioral Health ("Division") will accept to issue licensure or registration. Any individual not meeting the requirements below will not be issued a license or registration and are prohibited from engaging in Fluoroscopy. Below describes the varying forms of licensure or registration that the Division may issue.

- Individuals that hold recognized credentials in Therapy (ARRT "T") are eligible for a "License" to engage in Fluoroscopy.

  Individuals that hold only the "Radiology" (ARRT "R") credential are not eligible for a "License" to engage in Fluoroscopy, pursuant to NRS 653.640(2)(a).

- The holder of a license or limited license that registers with the Division to perform Fluoroscopy to qualify for certification may apply for a "Registration Certificate" displaying Fluoroscopy as the scope of practice.

- Individuals engaged in Fluoroscopy prior to 1/1/2020 without credentials are eligible to register with the Division under the grandfathering provision. Applicants may be issued a "Registration Certificate" displaying Fluoroscopy "G" as the scope of practice, with the "G" standing for grandfathered.

- Individuals engaged in Fluoroscopy in the Armed Forces or in another State may submit documentation to the Division for licensure by endorsement in Nevada. Endorsement is defined in this section to mean the reciprocal recognition of a license, certificate, or other credential by the State of Nevada. The Division has reciprocal authority and may grant reciprocity upon application review to issue a "License" or "Limited License" to engage in Fluoroscopy.

EXHIBIT C Senate Committee on Commerce and Labor
Date: 5-24-2021 Total pages: 4
Exhibit begins with: C1 thru: C4

Licensing requirements to engage in Fluoroscopy.

NRS 653.640 Fluoroscopy: Requirements; penalty. [Effective January 1, 2020.]

1. A person shall not perform fluoroscopy except as authorized in this section and NRS 653.620.

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2. A holder of a license may perform fluoroscopy:

(a) If he or she is certified by the American Registry of Radiologic Technologists, or its successor organization, to practice in the area of radiation therapy;

(b) Only within the scope of his or her practice; and

(c) Only to the extent authorized by the regulations adopted pursuant to NRS 653.460.

3. A person who performs fluoroscopy in violation of this section is guilty of a misdemeanor.

(Added to NRS by 2019, 2730, effective January 1, 2020)

The holder of a license or limited license may also register with the Division to perform Fluoroscopy to qualify for certification.

NRS 653.610 Engaging in radiation therapy or radiologic imaging without license or compensation under supervision; registration of holder of license or limited license to practice outside scope of practice in certain circumstances; temporary student license. [Effective January 1, 2020.]

1. A person who does not meet the requirements of NRS 653.500 may, without compensation, engage in radiation therapy or radiologic imaging under the direct supervision of a physician, dentist, chiropractor or podiatrist or a person who holds a license for the purpose of qualifying for any certification required to obtain a license or a limited license.

2. A holder of a license or limited license may engage in radiation therapy or radiologic imaging outside the scope of practice authorized for his or her license or limited license by the regulations adopted pursuant to NRS 653.460 if:

(a) Necessary to qualify for certification by a national accrediting organization in that area; and

(b) The licensee registers with the Division before engaging in such activity.

3. The Division may issue a temporary student license to a person who is enrolled in a program to qualify for any certification required to obtain a license or limited license. A holder of a temporary student license may engage in any activity described in subsection 1 for compensation.

4. A temporary student license may not be renewed and expires on the earlier of:

(a) The date on which the holder of the temporary student license is issued a license or limited license by the Division;

(b) The date on which the application of the holder of the temporary student license for a license or limited license is denied by the Division; or

(c) One year after the date on which the holder of the temporary student license is initially employed to engage in radiation therapy or radiologic imaging.

(Added to NRS by 2019, 2729, effective January 1, 2020)

Registration requirements to engage in Fluoroscopy, for individuals employed prior to and on 1/1/2020.

NRS 653.620(3) (in part). Taking X-ray photographs: Requirements; registration. [Effective January 1, 2020.]

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3. A person who performs computed tomography or fluoroscopy as part of his or her employment on January 1, 2020, may continue to perform any such activity on and after that date without complying with the requirements of NRS 653.630 or 653.640, as applicable, if he or she:

(a) Registers with the Division in the form prescribed by the Division;

(b) Provides any information requested by the Division; and

(c) Does not expand the scope of his or her duties relating to computed tomography or fluoroscopy, as applicable.

Reciprocity: Licensure requirements to engage in Fluoroscopy under endorsement. A person that engages in Fluoroscopy in the Armed Forces or another State may submit documentation for licensure by endorsement in Nevada.

NRS 653.530, (in part).

NRS 653.530 Expedited license or limited license by endorsement: Requirements; procedure for issuance. [Effective January 1, 2020.]

1. The Division may issue a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging in accordance with the provisions of this section to an applicant who meets the requirements set forth in this section.

2. An applicant for a license by endorsement or a limited license by endorsement pursuant to this section must submit to the Division an application in the form prescribed by the Division and:

(a) Proof satisfactory to the Division that the applicant:

(1) If applying for a license to engage in radiation therapy and radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiation therapy and radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;

(2) If applying for a limited license to engage in radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;

(3) Has not been disciplined or investigated by a regulatory authority of the state or territory in which the applicant holds or has held a license; and

(4) Has not ever been held civilly or criminally liable for malpractice related to his or her license;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Division.

NRS 653.540, (in part).

NRS 653.540 Expedited license or limited license by endorsement for active member of Armed Forces, member's spouse, veteran or veteran's surviving spouse: Requirements; procedure for issuance; provisional license pending action on application. [Effective January 1, 2020.]

1. The Division may issue a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging in accordance with the provisions of this section to an applicant who meets the requirements set forth in this section.

2. An applicant for a license by endorsement pursuant to this section must submit to the Division with his or her application:

(a) Proof satisfactory to the Division that the applicant:

(1) If applying for a license to engage in radiation therapy and radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiation therapy and radiologic imaging issued

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in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;

(2) If applying for a limited license to engage in radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;

(3) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran;

(4) Has not been disciplined or investigated by a regulatory authority of the state or territory in which the applicant holds or has held a license; and

(5) Has not ever been held civilly or criminally liable for malpractice related to his or her license;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Division.

All persons applying for licensure or registration must submit a completed application form, all supporting documentation, and non-refundable fee as applicable to the Radiation Control Program. The RCP website and forms are linked here: http://dpbh.nv.gov/Reg/Mammo/dta/Forms/Mammography_-_Forms/

For More Information: Please contact DPBH / RCP, M-F 8:00 AM to 5:00 PM at (775) 687-7550.
Questions can be emailed to radiationcontrolprogram@health.nv.gov

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