

**MINUTES OF THE
SENATE COMMITTEE ON COMMERCE AND LABOR**

**Eighty-first Session
May 24, 2021**

The Senate Committee on Commerce and Labor was called to order by Chair Pat Spearman at 9:06 a.m. on Monday, May 24, 2021, Online and in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Pat Spearman, Chair
Senator Dina Neal, Vice Chair
Senator Melanie Scheible
Senator Roberta Lange
Senator Joseph P. Hardy
Senator James A. Settelmeyer
Senator Keith F. Pickard

GUEST LEGISLATORS PRESENT:

Senator Nicole J. Cannizzaro, Senatorial District No. 6

STAFF MEMBERS PRESENT:

Cesar Melgarejo, Policy Analyst
Wil Keane, Counsel
Kim Cadra-Nixon, Committee Secretary

OTHERS PRESENT:

Chad Hensley, Nevada Society of Radiologic Technologists
Jeanette Belz, Nevada Society of Radiologic Technologists
Margot Chappel, Deputy Administrator, Regulatory and Planning Services,
Division of Public and Behavioral Health, Department of Health and
Human Services
James Wadhams, Nevada Hospital Association
Joan Hall, Nevada Rural Hospital Partners Foundation

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CHAIR SPEARMAN:

We open the hearing with Senate Bill (S.B.) 455.

SENATE BILL 455: Revises the qualifications to perform computed tomography and fluoroscopy. (BDR 54-1167)

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

I present for your consideration S.B. 455, which revises the qualifications to perform computed tomography and fluoroscopy. Legislators worked diligently with the radiological technologists and their legislative advocates to pass S.B. No. 130 of the 80th Session, which was passed unanimously by the Senate and the Assembly. That measure addressed issues regarding the training and licensing of medical technicians. Unfortunately, when promulgating the regulations, we found that wording in the bill restricted radiological technologists from receiving the license needed to practice fluoroscopy. Senate Bill 455 will rectify this situation.

With your permission, Chair Spearman, I would like to turn the presentation over to Chad Hensley for his testimony. He is an expert on this measure and the profession of radiological technology.

CHAD HENSLEY (Nevada Society of Radiologic Technologists):

I represent the Nevada Society of Radiologic Technologists, and on behalf of all radiologic technologists in Nevada, I appreciate you hearing this emergency legislation today. I have submitted written testimony ([Exhibit B](#)).

SENATOR SETTELMAYER:

Why was the practice of radiation therapy deleted in S.B. 455, section 1, subsection 2, paragraph (a)?

JEANETTE BELZ (Nevada Society of Radiologic Technologists):

The Radiation Control Program, Division of Public and Behavioral Health will provide written confirmation about the deletion in section 1. Their interpretation of the deletion of the term "radiation therapy" from section 1, subsection 2, paragraph (a) is not concerning because radiation therapists are included in section 1, subsection 2, paragraph (c).

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SENATOR SETTELMAYER:

Because there was an error in S.B. No. 130 of the 80th Session, we should ensure S.B. 455 is correct by keeping radiation therapy in the language.

SENATOR HARDY:

Is there a disadvantage to taking out "or radiation therapy; or" in section 1, subsection 2, paragraph (a)?

MR. HENSLEY:

I do not see a negative impact in including radiation therapists in this legislation. However, I will refer this question to the Radiation Control Program.

MARGOT CHAPPEL (Deputy Administrator, Regulatory and Planning Services, Division of Public and Behavioral Health, Department of Health and Human Services):

On behalf of the Radiation Control Program, our interpretation is that there is no issue in keeping in the language "or radiation therapy; or" in section 1, subsection 2, paragraph (a).

SENATOR HARDY:

The American Registry of Radiologic Technologists (ARRT) refers to radiation therapists, is that correct?

MR. HENSLEY:

No. There are two similar abbreviations. An ARRT(R) refers to those certified as Radiologic Technologists. An ARRT(T) is a Radiation Therapy Technologist.

SENATOR HARDY:

The ARRT refers to radiation therapy and does not need to be deleted in section 1 because it is included in section 1, subsection 2, paragraph (c). Is this correct?

MR. HENSLEY:

I will defer to the Radiation Control Program for confirmation of your question.

MS. CHAPPEL:

I do not know the answer to your question, Senator Hardy. I will reach out to the Radiation Control Board for a response.

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SENATOR HARDY:

At one time, physicians might have a fluoroscopy unit in their office. Does this preclude a physician from performing fluoroscopy?

MS. CHAPPEL:

No, this bill will not prevent physicians from performing fluoroscopy.

SENATOR HARDY:

This bill only affects *Nevada Revised Statutes* (NRS) 653 and will not affect other NRS chapters or medical boards. Is that correct?

MS. CHAPPEL:

Yes, you are correct.

JAMES WADHAMS (Nevada Hospital Association):

I represent the Nevada Hospital Association. Radiologic Technologists are critical in the delivery of health care. Unfortunately, the fluoroscopy requirements ([Exhibit C](#)) and the computed tomography requirements ([Exhibit D](#)) from the Department of Health and Human Services would eliminate part of the workforce. We originally registered in opposition to S.B. 455; however, we support the resolution of this measure to ensure radiologic technologists and radiologic therapy technologists are eligible to work.

JOAN HALL (Nevada Rural Hospital Partners Foundation):

I represent Nevada Rural Hospital Partners Foundation and support S.B. 455. We want to ensure the clarifying language does not negatively affect the rural hospitals. We spoke with Ms. Chappel and Mr. Hensley to ensure this protection.

SENATOR HARDY:

If we do not affect the grandfather clause, undelete "or radiation therapy; or" in section 1, subsection 2, paragraph (a) and ensure all "or" clauses are properly placed in S.B. 455, all those trained in this profession will meet the criteria for tomography and fluoroscopy in both rural and urban locations. Ms. Chappel, will you confirm if my understanding is correct?

MS. CHAPPEL:

I believe you are accurate. However, I am waiting for confirmation from the Bureau Chief of the Division of Public and Behavioral Health.

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SENATOR CANNIZZARO:

I am comfortable keeping the deleted language, "or radiation therapy; or" in section 1, subsection 2, paragraph (a) if this will provide more clarity in this measure.

SENATOR SETTELMAYER MOVED TO AMEND AND DO PASS AS AMENDED S.B. 455.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

CHAIR SPEARMAN:

We adjourn the hearing at 9:26 a.m.

RESPECTFULLY SUBMITTED:

Kim Cadra-Nixon,
Committee Secretary

APPROVED BY:

Senator Pat Spearman, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 455	B	1	Chad Hensley / Nevada Society of Radiologic Technologists	Support Testimony
S.B. 455	C	1	James Wadhams / Nevada Hospital Association	Department of Health and Human Services: Licensure Requirements for Fluoroscopy
S.B. 455	D	1	James Wadhams / Nevada Hospital Association	Department of Health and Human Services: Licensure Requirements for Computed Tomography