

**PROPOSED REGULATION OF THE  
STATE BOARD OF HEALTH**

**LCB FILE NO. R074-19I**

**The following document is the initial draft regulation proposed  
by the agency submitted on 09/16/2019**

## **SB 130 – Draft Regulations**

**Section 1.** As used in Section x to x, inclusive, unless the context otherwise requires, the words and terms defined in X to X, inclusive have the meanings ascribed to them in those sections.

**Section 2.** “Division” means the Division of Public and Behavioral Health of the Department of Health and Human Services.

**Section 3.** “License” has the meaning ascribed to it in Section 26 of Senate Bill 130 (2019)

**Section 4.** “Limited license” has the meaning ascribed to it in Section 27 of Senate Bill 130 (2019).

**Section 5.** “Radiation therapy” has the meaning ascribed to in Section 29 of Senate Bill 130 (2019)

**Section 6.** “Radiological imaging” has the meaning ascribed to it in Section 30 of Senate Bill 130 (2019).

**Section 7.** “Radiologist assistant: has the meaning ascribed to it in Section 31 of Senate Bill 130 (2019).

**Section 8.** In addition to the accrediting organizations described in Section 36 of Senate Bill 130 (2019), the Division may issue a license to a person who has successfully completed an education program accredited by one or more of the following as well as any successor organization:

1. Regional Institutional Accrediting Agencies;
2. Conjoint Secretariat of the Canadian Medical Association; or
3. Australian Institute of Radiography

### **Section 9**

1. A holder of a license, limited license or an applicant for a license who has reason to believe that an action taken by the Division pursuant to Section X to X inclusive, is incorrect or based on inadequate knowledge may, within 10 business days after receiving notice of the action, request an informal discussion with the employee responsible for the action and the immediate supervisor of the employee.

2. If the informal discussion does not resolve the problem, the aggrieved person may, within 10 business days after the date scheduled for the informal discussion, submit a written request to the Division for an informal conference. The informal conference must be scheduled for a date, place and time mutually agreed upon by the aggrieved person and the Division, except that the informal conference must be held no later than 60 days after the date on which the Division received the request.

3. Except as otherwise provided in subsection 4, the determination of the Division resulting from the informal conference cannot be appealed and is the final remedy available to the aggrieved person.

4. An applicant for or holder of a license or limited license who is aggrieved by an action of the Division relating to the denial of an application for or renewal of such a certificate, the withdrawal, suspension or revocation of such a certificate or the assessment of an administrative fine may appeal that action in accordance with NAC 439.300 to 439.395, inclusive, after exhausting the informal procedures set forth in this section, except that the Bureau may waive the informal procedures, or any portion thereof, by giving written notice to the aggrieved person.

## **Section 1. Definitions**

1. “Accrediting organization approved by the Division” means a formal education program in the respective discipline of radiography, nuclear medicine technology or radiation therapy that is accredited by one or more of the following:
  - (a) Joint Review Committee on Education in Radiologic Technology,
  - (b) Joint Review Committee on Educational Programs in Nuclear Medicine Technology;
  - (c) Regional Institutional Accrediting Agencies;
  - (d) Conjoint Secretariat of the Canadian Medical Association;
  - (e) Australian Institute of Radiography
2. “ARRT” means the American Registry of Radiologic Technologists, 1255 Northland Drive, St. Paul, MN 55120, Phone (651)687-0048, web site: [www.arrt.org](http://www.arrt.org).
3. “Continuing education” or “CE credit” means a unit of measurement for a continuing education activity. One continuing education credit is awarded for one contact hour (50 minutes). Activities longer than one hour are assigned whole or partial credits based on the 50-minute hour. Activities less than 30 minutes receive no credit.
4. “Continuing education activity” means a learning activity that is planned, organized and administered to enhance the professional knowledge and skills underlying professional performance that a technologist uses to provide services for patients, the public or the medical profession. In order to qualify as continuing education, the activity must be planned, be organized and provide sufficient depth and scope of a subject area.
5. “Endorsement” is reciprocal recognition of a license or limited license issued by another state or recognized jurisdiction.
6. “Interim Authorization Letter” means a letter issued to a person for the interim between applying for licensure and being issued or denied a license by the Division.

7. A “licensed practitioner” is a person licensed or authorized by law to practice medicine, pursuant to NRS 430 through 440.
8. “NMTCB” means the Nuclear Medicine Technology Certification Board, 3558 Habersham at Northlake, Bldg. I, Tucker, GA 30084-4009, Phone (404) 315-1739, web site: [www.nmtcb.org](http://www.nmtcb.org).
9. “Nuclear Medicine Technology” means the science and art of in vivo and in vitro detection and measurement of radioactivity and the administration of radiopharmaceuticals to human beings for diagnostic and therapeutic purposes.
10. “Radiation Therapy Technology” means the science and art of applying ionizing radiation emitted from x-ray machines, particle accelerators and sealed radioactive sources to human beings for therapeutic purposes.

**Section 2. The Division shall issue and recognize the following types of licensure:**

- (a) Active Status License or Limited License - for persons who have passed an examination as indicated.
- (b) Temporary License or Limited License - for persons who have completed an approved program in medical radiography, nuclear medicine technology or radiation therapy technology and are eligible for awaiting the offering of a specified examination shall convey the same rights as Active Status Accreditation.
- (c) Conditional (grandfathered) License or Limited License - for persons who were employed in and performing radiation therapy or radiologic imaging prior to January 1, 2020, and who otherwise did not meet the qualifications of accreditation. Issuance shall be contingent upon submission of a written Attestation that the person is competent to apply ionizing radiation to human beings. An Attestation submitted to the Division in accordance with this Section shall specify the nature of the equipment and procedures the individual is competent to utilize. The Attestation shall be provided by a licensed practitioner under whose general supervision the individual is employed or has been employed. A Conditional License issued pursuant to this Section shall be specific to the procedures and equipment indicated in the Attestation. The Division shall not process applications for a Conditional License as provided for in this Section received after January 1, 2020. However, Conditional Accreditation issued on or before January 1, 2020, is renewable in accordance with TBD.
- (d) Temporary Student License for a person who is enrolled in a program to qualify for any certification that is required to obtain a license or limited license or, 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 section 34 of this act if:

- (1) Necessary to qualify for certification by a national accrediting organization in that area; and
- (2) The licensee registers with the Division before engaging in such activity.

(e) Limited Diagnostic Radiography License - for persons who have passed examinations as indicated.

### **Section 3.**

**1. Examination Requirements.** Persons who seek active or limited accreditation in medical radiation technology shall pass the appropriate examination as specified below:

- (a) Medical Radiography. The American Registry of Radiologic Technologists (ARRT).
- (b) Nuclear Medicine Technology.
  - (1) The American Registry of Radiologic Technologists (ARRT) (N).
  - (2) The Nuclear Medicine Technology Certification Board (NMTCB).
  - (3) The American Society of Clinical Pathologists (NM) (ASCP).
- (c) Radiation Therapy Technology. The American Registry of Radiologic Technologists (ARRT) (T).
- (d) Radiologist Assistant.
  - (1) The American Registry of Radiologic Technologists (ARRT) (RRA).
  - (2) Certification Board for Radiology Practitioner Assistants (RPA) (CBRPA).
- (e) Nuclear Medicine Advance Associate. The Nuclear Medicine Technology Certification Board (NMAA) (NMTCB).
- (f) Limited Diagnostic Radiography. The American Registry of Radiologic Technologists (ARRT) Examination for the Limited Scope of Practice in Radiography.
  - (1) The exam will cover general radiography topics and, depending on the type of limited radiography sought, specific questions related to radiography of the chest, extremities, skull/sinus, spine, or podiatric applications.
  - (2) All exams will be scheduled through the Division.
- (g) The passing score shall be 70 percent for any combination of sections of the exam.

#### **Section 4.**

1. Any person applying to the Division for initial licensure or renewal of licensure in medical radiation technology shall:
  - (a) Submit a complete and legible application form;
  - (b) Pay the appropriate fee in accordance with Section 5.(1); and
  - (c) Provide evidence that he/she has met the requirements for licensure as required by the Division.
2. Postponement of expiration of a license to engage in radiation therapy and radiologic imaging or a limited license to engage in radiologic imaging pursuant to this section.
  - (a) If an application to renew a license or limited license accompanied by the appropriate fee is submitted to the Division at least 30 days before the expiration of the license, the license will not expire until the Division determines the status of the application.
3. A person who does not hold a license or limited license may take X-ray photographs under the supervision of a physician or physician assistant if issued a Rural Authorization by the Division to take X-ray photographs as part of his or her employment or service as an independent contractor in a rural health clinic or federally-qualified health center. A person may apply to the Division for a rural authorization as prescribed below:
  - (a) Submit to the Division a completed application form for a rural authorization, pay the appropriate fee and provide any additional information requested by the Division.
  - (b) Submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.
  - (c) Attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.
  - (d) Submit to the Division proof that he or she has completed training in Radiation Safety and X-Ray Imaging procedures provided by the holder of a license.
  - (e) Only work in a rural health clinic or federally-qualified health center that is in a county whose population is less than 55,000; and has established a quality assurance program for X-ray photographs that meets the requirements prescribed by *NAC 459.552*.
4. A person performing radiation therapy or radiologic imaging as part of his or her employment on or before January 1, 2020; who wishes to obtain or renew a license or limited license to engage in radiation therapy and radiologic imaging may apply to the Division. The Division shall issue a license or a limited license, as applicable, to the scope of practice of the applicant. A person may apply to the Division for a license or limited license as prescribed below:

- (a) Submit to the Division a completed application form for a license or limited license, pay the appropriate fee and provide any additional information requested by the Division.
- (b) Submit to the Division a signed attestation of employment in radiation therapy or radiologic imaging on or before January 1, 2020, including scope of practice.
- (c) Submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.
- (d) Attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.
- (e) Submit to the Division proof that he or she has completed training in Radiation Safety and X-Ray Imaging procedures provided by the holder of a license.
- (f) Submit to the Division evidence supporting the continuing education requirement prescribed by NAC TBD.000

## **Section 5.**

Fees for the application and issuance or renewal of a license or limited license for persons who engage in radiologic imaging and radiation therapy; Fees for licensure or authorization, charge of late fee; refund of portion of fees paid in error. Expiration of license.

1. A rural authorization expires 2 years after the date of issuance. The applicant for licensure or renewal must pay the fee set forth below. Except as otherwise provided in subsection 2, the Division shall charge and collect the following nonrefundable fees:
  - (a) For the issuance or renewal of a license or limited license, \$200.
  - (b) For the issuance or renewal of a license or limited license issued by endorsement from the Division: \$200.
  - (c) For the issuance of a temporary or temporary student license to a person who does not hold a license or limited license, \$25.
  - (d) For the issuance of a duplicate license or duplicate limited license, \$25.
  - (e) For the issuance or renewal of a “rural authorization” to a person who does not hold a license or limited license, \$50.
  - (f) For the issuance or renewal of a license or limited license to a person who performed computed tomography or fluoroscopy prior to January 1, 2020, \$200.
2. If a payment was made in error, the Division will refund the fee collected pursuant to subsection 1, after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.
3. A license or limited license must be renewed on or before the expiration date or a late fee of \$100 will apply for renewal.

4. A rural authorization shall be issued to provide documentation of the registration of a person who does not hold a license or limited license and may take x-ray photographs under the supervision of a physician or physician assistant as part of his or her employment or service as an independent contractor in a rural health clinic or federally qualified health center as described in SB 130 Section 43 and meets the requirements of Section 43 (1)(b)(c).

## **Section 6.**

1. Scope of Practice for a Radiology Assistant is a person who is a medical radiographer with advanced-level training and certification, performs a variety of activities under the direct, general or personal supervision of a radiologist, certified by the American Board of Radiology or the American Osteopathic Board of Radiology, in the areas of patient care, patient management, clinical imaging and interventional procedures. The radiologist assistant May provide initial observations concerning the images of a patient to a supervising physician who specializes in radiography. The radiologist assistant may not interpret images, make diagnoses or prescribe medication or therapies. The holder of a license may practice as a Radiology Assistant if the holder is:
  - (a) Credentialed by the American Registry of Radiologic Technologists (ARRT) (RRA) or
  - (b) Credentialed by the Certification Board of Radiology Practitioner Assistants (RPA) (CBRPA)
  
2. Scope of Practice, for Radiation Therapist is a person who performs procedures and applies ionizing radiation emitted from x-ray machines, particle accelerators, or sealed radioactive sources to human beings for therapeutic purposes while under the general supervision of a licensed practitioner who is licensed, as required, to possess and use radioactive materials. A Radiation Therapist may perform simulation, treatment planning procedures, treatment delivery and dosimetric calculations as prescribed by a radiation oncologist. A Radiation Therapist may participate in brachytherapy procedures.
  - (a) The holder of a license may practice as a Radiation Therapy Technologist if the holder is:



- (1) Credentialed by the American Registry of Radiologic Technologists (ARRT)(T).
  - (2) The holder of a valid and unrestricted license, certificate or other credential to engage in radiation therapy issued in any state of the United States, the District of Colombia, the Commonwealth of Puerto Rico or any other territory or possession of the United States.
  
3. Scope of Practice, for a Radiology Technologist is a person who performs medical radiation procedures involving the application of ionizing radiation to human beings for diagnostic purposes who, while under the general supervision of a licensed practitioner, applies x-radiation to any part of the human body and who, in conjunction with radiation studies, may administer contrast agents and related drugs for diagnostic purposes. A Radiologic Technologist may perform diagnostic radiographic and noninterpretive fluoroscopic procedures as prescribed by a licensed practitioner and may assist the licensed practitioner with fluoroscopic and specialized radiologic procedures.
  - (a) The holder of a license may practice as a Radiologic Technologist if the holder is:
    - (1) Credentialed by the American Registry of Radiologic Technologists (ARRT)(R).
  
4. Scope of Practice, for Nuclear Medicine Technologist is a person, other than a licensed practitioner, who administers radiopharmaceuticals and related drugs to human beings for diagnostic purposes, performs in vivo and vitro detection and measurement of radioactivity and administers radiopharmaceuticals to human beings for therapeutic purposes. A nuclear medicine technologist may perform such procedures only while under the general supervision of a licensed practitioner who is licensed to possess and use the radiopharmaceuticals involved. In addition, a Nuclear Medicine Technologist may:
  - (a) Perform hybrid imaging including PET/CT and SPECT/CT for emission, transmission, and attenuation correction, anatomical location and for use in radiation therapy treatment planning when performed within hybrid imaging as prescribed by a licensed practitioner and under the supervision of an authorized user of radiopharmaceuticals.

- (b) May identify, prepare and/or administer ionizing radiation (radioactive material and computed tomography) as prescribed by a licensed practitioner and under the supervision of an authorized user of radiopharmaceuticals.
  - (c) The holder of a license may practice as a Nuclear Medicine Technologist if the holder is:
    - (1) Credentialed by the American Registry of Radiologic Technologists (ARRT) (N) or,
    - (2) Credentialed by the Nuclear Medicine Technology Certification Board (NMTCB), (NMTCB)(CT) or,
    - (3) Credentialed by the American Society of Clinical Pathologists (ASCP) (NM).
5. Scope of Practice, for Limited License in diagnostic radiography is a person who while under the general supervision of a licensed practitioner, applies x-radiation for limited diagnostic purposes. Radiographic procedures are limited to one or more of the following anatomical regions: chest, extremities, skull/sinus, spine, foot/ankle or bone densitometry. Specific radiographic examinations appropriate to each type of limited radiography accreditation may be found in Appendix A of this Part.
- (a) A Limited Licensee may:
    - (1) Perform diagnostic radiographic procedures prescribed by a licensed practitioner of a specific area of anatomical interest based on limited education, training and licensure/certification within the scope of their practice.
    - (2) Assist a licensed practitioner or radiographer during static radiographic procedures.
    - (3) Only perform radiographic exams specific to limits of the individual limited license.
  - (b) The holder of a limited license may practice as a limited x-ray machine operator if the holder:
    - (1) Passes a limited scope of practice in radiography exam administered by the American Registry of Radiologic Technologists (ARRT), with specified accreditation.

## **Section 7.**

1. Each licensee must maintain and furnish to the Division, for renewal, evidence that he or she has completed not less than the required amount of “Continuing education credits” or CE credits that are prescribed and recognized by their appropriate credentialing agency or approved by the Division, including, without limitation, the American Registry for Radiologic Technologists (ARRT) or the Nuclear Medicine Technology Certification Board (NMTCB) and as specified below:
2. The holder of a license, limited license, or rural authorization must furnish to the Division the CE Credit Certificate or List from ARRT or NMTCB record keeping mechanism, during the current CE compliance cycle, that includes:
  - (a) Name of Participant
  - (b) Date(s) of Attendance
  - (c) Title and Content of Activity
  - (d) Number of Credit Hours Earned
  - (e) Name of Sponsor Organization
3. The holder of a License shall maintain CE Credits as specified or as approved by the Division:
  - (a) Medical Radiography - 24 CE credits
  - (b) Nuclear Medicine Technology - 24 CE credits
  - (c) Radiation Therapy Technology - 24 CE credits
  - (d) Radiologist Assistant - 50 CE credits
  - (e) Nuclear Medicine Advanced Associate - 48 CE credits
4. The holder of a Limited License shall maintain CE Credits:
  - (a) 20 CE Credits: Category A or A+ that are approved by the Division or national or regional organization approved by the Division, including, without limitation, the American Society for Radiologic Technologists and are relevant to Radiologic Sciences.
5. A person who does not hold a license or limited license may take x-ray photographs pursuant to Section 43 of SB 130, shall register for a Rural Authorization and maintain CE Credits:
  - (a) 20 CE Credits: Category A or A+ that are approved by the Division or national or regional organization approved by the Division, including, without limitation, the American Society for Radiologic Technologists and are relevant to Radiologic Sciences.

6. All continuing education activities must be approved by a "Recognized Continuing Education Evaluation Mechanism" or "RCEEM", which is a mechanism for evaluating the content, quality and integrity of an educational activity. The evaluation shall include a review of education objectives, content selection, faculty qualifications, and educational methods and materials. Among the requirements for qualification as a RCEEM, an organization shall be national in scope, non-profit, radiology based and willing to evaluate CE activity developed by any technologist within a given discipline. Organizations with current RCEEM status include:

- (a) American College of Radiology
- (b) American Healthcare Radiology Administrators
- (c) American Institute of Ultrasound in Medicine
- (d) American Roentgen Ray Society
- (e) American Society of Nuclear Cardiology
- (f) American Society of Radiologic Technologists
- (g) Association of Vascular and Interventional Radiographers
- (h) Canadian Association of Medical Radiation Technologists
- (i) Medical Dosimetrist Certification Board
- (j) Radiological Society of North America
- (k) Society of Diagnostic Medical Sonography
- (l) Section for Magnetic Resonance Technologist of the International Society for Magnetic Resonance in Medicine
- (m) Society of Nuclear Medicine Technologist Section
- (n) Society of Vascular Ultrasound.

### **Section 8.**

1. The holder of a limited license may perform the appropriate radiographic examinations as specified by their limited license while under the direct supervision of a licensed practitioner. This supervision includes the responsibility for and control of, quality, radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic and/or therapeutic purposes. For the purposes of this Part, supervision shall consist of the following:
  - (a) Direct Supervision requires that the supervising individual must be present in at least an adjacent area and immediately available to furnish assistance and direction throughout the procedure.

### **Section 9.**

1. The Division shall not renew an individual's license or limited license if he/she fails to present satisfactory evidence that he/she possesses the necessary qualifications for

Licensure, and that he/she has successfully completed continuing education in accordance with the requirements of the Division.

2. If the Division does not find satisfactory evidence that the individual meets these requirements, the Division shall, within 90 days after receipt of the application for renewal of the license or the expiration date of the current license or limited license, whichever is later, send the individual a Notice of Intent Not to Renew Licensure. This notice shall include the areas of deficiency and the individual's rights as set forth.
3. The individual, at any time while an application is pending, may submit additional information to the Division in order to establish that the identified areas of deficiency have been met or corrected. If the applicant does not provide additional information to the Division within the time frame specified in the Notice of Intent Not to Renew Licensure, the Division shall issue a Notice of Licensure Denied.
4. An individual's current credential shall be invalid as of the date of his/her receipt of a Notice of Licensure Denied. After the Division has sent the Notice of Licensure Denied, the individual may request a hearing by submitting a request by the 20th working day after receipt of this notice to Administrator, DPBH, 4150 Technology Way, Suite 300, Carson City, Nevada, 89706 or fax your written appeal to (775) 684-4211. The individual shall have the burden of proof.
5. If an individual's licensure is not renewed, he/she shall have the right at any time to submit an application for renewal of the license or limited license. The application shall be reviewed and processed in accordance with the requirements of this Section, except that an individual may not legally apply ionizing radiation to human beings until and unless the Division has acted to grant the renewal of the license or limited license.

#### **Section 10.**

1. All persons who have received licensure from the Division shall promptly notify the Division of any change in their designated mailing address and of any change in name due to marriage or any other reason. Notification to the Division shall be made in writing or through the Divisions online portal.
2. Failure to forward such information to the Division shall not be considered a valid cause for delaying any subsequent administrative proceedings involving the individual or excuse the individual from complying with any other rules or regulations administered by the Division.

#### **Section 11.**

1. At time of inspection of a radiation producing machine, a representative of the Division may request as applicable:
  - (a) Pursuant to NAC CHAPTER 631 - DENTISTRY AND DENTAL HYGIENE, **NAC 631.260**. To review the attestation that each person other than a dental hygienist, employed to assist in radiographic procedures has received adequate instruction concerning radiographic procedures and is qualified to operate radiographic equipment.
  - (b) Pursuant to NAC CHAPTER 635 – PODIATRY, **NAC 635.TBD**. To review the documentation showing completion of the training approved by the Board of Podiatry for a podiatry hygienist or a person training to be a podiatry hygienist.
  - (c) Pursuant to NRS CHAPTER 634 - CHIROPRACTIC PHYSICIANS AND CHIROPRACTORS' ASSISTANTS, **NRS 634.1375**. To review the certificate of a chiropractor's assistant or application to the Board to participate in the preceptor program established by the Board.
  - (d) Pursuant to CHAPTER 459 - HAZARDOUS MATERIALS, **NAC 459.321**. To review any documentation showing proof that a person has completed training in Radiation Safety procedures.

## Section 12.

1. A “Crime involving moral turpitude” is considered a crime committed by a licensee which resulted in harm to a vulnerable population or a crime of dishonesty that might impair their ability to perform their duties. Examples of a crime involving moral turpitude include, but are not limited to:
  - (a) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the immediately preceding 7 years;
  - (b) Abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, including, without limitation, a violation of any provision of NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that prohibits the same or similar conduct;
  - (c) A violation of any provision of NRS 422.450 to 422.590, inclusive.
2. The description of “unprofessional conduct” by the American Registry of Radiologic Technologists (ARRT) Standards of Ethics is adopted as a failure to conform to Minimal Acceptable Standards.

(a) Engaging in unprofessional conduct includes, but is not limited to:

- (1) A departure from or failure to conform to applicable federal, state, or local governmental rules regarding radiologic technology practice or scope of practice; or, if no such rule exists, to the minimal standards of acceptable and prevailing radiologic technology practice;
- (2) Any radiologic technology practice that may create unnecessary danger to a patient's life, health, or safety. Actual injury to a patient or the public need not be established under this clause.

## APPENDIX A

### LIMITED DIAGNOSTIC PROCEDURES BY TYPE OF LIMITED ACCREDITATION

a. Limited Diagnostic - Chest

PA Upright	Lateral Upright	AP Lordotic
AP Supine	Lateral Decubitus	Obliques

b. Limited Diagnostic Radiography - Extremities

Fingers	Hand	Wrist
Forearm	Elbow	Humerus
Shoulder	Clavicle	Scapula
Toes	Foot	Ankle
Tibia / Fibula	Knee	Patella
Femur		

c. Limited Diagnostic Radiography - Spine

Cervical Spine	Thoracic Spine	Lumbar Spine
Sacroiliac Joints	Sacrum	Coccyx

d. Limited Diagnostic Radiography - Skull and Sinuses

Skull	Paranasal Sinuses	Mandible
Facial Bones		

e. Limited Diagnostic Radiography - Podiatric

Foot	Ankle
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EXPLANATION – Matter in *Blue italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

**Proposed Change to NAC 459.1232 (1) (c)**

**NAC 459.1232 Adoption by reference and revision of certain provisions of federal regulation regarding physical protection of certain quantities of radioactive material. (NRS 459.201)**

1. The provisions of 10 C.F.R. Part 37 are hereby adopted by reference, subject to the following:

(a) The exclusion of the following definitions from 10 C.F.R. § 37.5:

- (1) “Act”;
- (2) “Commission”;
- (3) “Government agency”; and
- (4) “License.”

(b) Any reference in 10 C.F.R. Part 37 to:

- (1) “Byproduct material” shall be deemed a reference to “radioactive material.”
- (2) “Commission” or “NRC” shall be deemed a reference to “Division.”
- (3) “Commission or an Agreement State” shall be deemed a reference to “Division, Nuclear Regulatory Commission or an agreement state.”
- (4) “Commission’s regulations,” “federal regulations” or “NRC regulations” shall be deemed a reference to “NAC 459.010 to 459.950, inclusive.”
- (5) “NRC license” shall be deemed a reference to “license issued by the Division pursuant to NAC 459.010 to 459.950, inclusive.”
- (6) “NRC Operations Center,” “NRC Regional Office listed in § 30.6(a)(2)” or “Director, Office of Nuclear Material Safety and Safeguards” shall be deemed a reference to “the provisions of NAC 459.134 and the contact information described in the State of Nevada Radiological Emergency Response Plan.”

(c) The following sections of 10 C.F.R. Part 37 are not adopted by reference:

- (1) Section 37.1;
- (2) Section 37.3;
- (3) Section 37.7;

- (4) Section 37.9;
- (5) Section 37.11(b);
- (6) Section 37.13;

~~[(7) Section 37.77(f);]~~

- (8) Section 37.107; and
- (9) Section 37.109.

2. A copy of the publication that contains 10 C.F.R. Part 37 may be obtained by mail from the Superintendent of Documents, United States Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by toll-free telephone at (866) 512-1800, at the price of \$67, or free of charge at the Internet address <http://www.gpoaccess.gov/cfr/index.html>.

(Added to NAC by Bd. of Health by R144-13, eff. 10-13-2016)

#### **Proposed Change to NAC 459.212 (5)**

5. ~~[(Except as otherwise provided in this subsection,)]~~ No person may initially transfer or distribute source material to persons generally licensed under paragraph (a) of subsection 1, or equivalent regulations of the Nuclear Regulatory Commission or an agreement state, unless authorized by a specific license issued in accordance with ~~[NAC 459.180 to 459.3154, inclusive, and sections 7 to 27, inclusive, of this regulation,]~~ *NAC 459.241*, or equivalent provisions of the Nuclear Regulatory Commission or an agreement state. This prohibition does not apply to analytical laboratories returning processed samples to the client who initially provided the sample. Initial distribution of source material to persons generally licensed by paragraph (a) of subsection 1 before August 27, 2013, without specific authorization may continue through August 27, 2014. Distribution may also be continued until the Division takes final action on a pending application for a license or license amendment to specifically authorize distribution submitted on or before August 27, 2014.