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HOUSE BILL 498

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Jeff Steinborn

AN ACT

RELATING TO HEALTH CARE; CHARGING THE NEW MEXICO MEDICAL BOARD
WITH PROMULGATING RULES FOR THE PROVISION OF TECHNICAL SERVICES
FOR MEDICAL IMAGING EXAMINATIONS AND RADIATION THERAPY
TREATMENTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. MEDICAL IMAGING AND RADIATION THERAPY

~~RULEMAKING--TASK FORCE--MEMBERSHIP--DUTIES.--~~

A. By November 1, 2009, the board shall convene a
task force made up of at least three experts in the technical
provision of imaging and radiation therapy services, and in
collaboration with the experts, promulgate rules establishing
standards to ensure the safety and accuracy of medical imaging
studies and radiation therapy service treatments. These rules
shall:

.175634.1

underscoring material = new
~~[bracketed material] = delete~~

underscoring material = new
[bracketed material] = delete

1 (1) apply to the persons who perform, plan,
2 evaluate or verify patient doses for medical imaging studies
3 and radiation therapy procedures and not to the equipment used;

4 (2) ensure that individuals demonstrate
5 compliance with the standards established pursuant to this
6 subsection through successful completion of certification by a
7 professional organization, completion of an examination,
8 pertinent course work or degree program or verified pertinent
9 experience, or through other ways the board deems appropriate;
10 and

11 (3) provide a method of recognizing
12 individuals whose training or experience is determined to be
13 equal to, or in excess of, those of a graduate of an accredited
14 educational program in a specialized area of medical imaging or
15 radiation therapy, or of an individual who is regularly
16 eligible to take the licensure of certification examination for
17 that discipline.

18 B. The standards established pursuant to Subsection
19 A of this section shall not apply to physicians, nurse
20 practitioners or physician assistants.

21 C. After consulting with the task force formed
22 pursuant to Subsection A of this section, representatives from
23 the board shall make recommendations to the interim legislative
24 health and human services committee regarding the creation,
25 membership and selection of a body of experts charged with

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1 designing a certification system for individuals who meet the
2 standards established for certification pursuant to Subsection
3 A of this section.

4 D. As used in this section:

5 (1) "board" means the New Mexico medical
6 board;

7 (2) "expert" means a person who by reason of
8 specialized education or substantial relevant experience in
9 medical imaging or radiation therapy has knowledge regarding
10 current standards, practices and guidelines;

11 (3) "nurse practitioner" means a registered
12 nurse who is licensed by the board of nursing for advanced
13 practice as a certified nurse practitioner and whose name and
14 pertinent information are entered on the list of certified
15 nurse practitioners maintained by the board of nursing;

16 (4) "physician" means a medical doctor,
17 osteopathic physician, dentist, podiatrist, chiropractic
18 physician or psychologist licensed or certified to practice in
19 New Mexico; and

20 (5) "physician assistant" means a health
21 professional who is licensed by the board to practice as a
22 physician assistant and who provides services to patients under
23 the supervision and direction of a physician.