PROPOSED REGULATION OF THE

STATE BOARD OF HEALTH

LCB File No. R027-26

April 7, 2026

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §§ 1-6, 8-18 and 35, NRS 457.065; § 7, NRS 439.150, 457.065, 457.183 and 457.184; §§ 19-21, 23 and 26, NRS 439.150 and 459.201; §§ 22, 24, 25 and 27, NRS 459.201; §§ 28-30, NRS 653.460; §§ 31-33, NRS 439.150 and 653.460; § 34, NRS 653.460 and 653.630.

A REGULATION relating to radiation; revising provisions relating to the use, maintenance, testing and evaluation of certain equipment and facilities for mammography; revising the list of publications adopted by reference by the State Board of Health; removing and revising references to certain governmental agencies; revising certain fees; imposing certain requirements relating to the protection of personnel from radiation; revising the scope of practice for certain persons licensed to engage in radiation therapy and radiologic imaging; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing federal regulations require a facility that conducts mammography to, at least annually, undergo a survey to evaluate the results of certain quality assurance tests. (21 C.F.R. § 900.12(e)(9)) Existing federal regulations additionally require evaluations of mammography units or image processors to be conducted whenever a new unit or processor is installed, a unit or processor is disassembled and reassembled at the same or a new location or major components of a mammography unit or processor equipment are changed or repaired to determine whether the unit or processor meets certain standards. (21 C.F.R. § 900.12(e)(10)) **Section 3** of this regulation requires the report of such a survey or evaluation to include certain information in addition to the information required by federal regulations.

Section 5 of this regulation removes from a list of publications and federal regulations adopted by reference by the State Board of Health certain publications that are not discussed in existing regulations. (NAC 457.285)

Sections 6, 13, 22 and 27 of this regulation: (1) remove references to the Radiological Health Section of the Bureau of Health Protection Services of the Division of Public and Behavioral Health of the Department of Human Services; and (2) revise the name of the Bureau to the Bureau of Health Protection and Preparedness to reflect the current name of that agency. (NAC 457.293, 457.350, 459.307, 459.7741) **Sections 13, 22 and 27** additionally transfer certain duties of the former Radiological Health Section to the Division.

Existing law authorizes the Board to prescribe reasonable fees for certificates issued by the Division, including a certificate for the operator of a radiation machine for mammography, a certificate of authorization for such a machine and a certificate for a person who provides training to mammographers. (NRS 439.150, 457.183, 457.184; NAC 457.357) **Section 7** of this regulation increases fees for the issuance and renewal of such certificates. (NAC 457.295)

Existing regulations require an operator of a radiation machine for mammography to prepare and maintain a list which includes the name of each mammographer who is authorized to operate any machine which is under the operator's control. (NAC 457.300) **Section 8** of this regulation prescribes the length of time that such a list must be maintained. **Section 8** additionally requires an operator to prepare and maintain for a similar period of time: (1) a list which includes the name of each physician who is employed or retained by the facility to interpret mammograms; and (2) a list which includes each review workstation system used to interpret mammograms. **Section 2** of this regulation defines "review workstation system" and **section 4** of this regulation establishes the applicability of that definition.

Existing regulations set forth various requirements relating to the handling, use and processing of film in facilities for mammography and the use and maintenance of darkrooms. (NAC 457.300, 457.305, 457.310, 457.330, 457.360, 457.390, 457.395, 457.420) **Sections 8-10, 12, 15 and 17** of this regulation update references to "film" with references to "images" to reflect changes in the technology subject to such requirements. **Sections 11 and 35** of this regulation remove certain requirements relating to the use and maintenance of obsolete equipment. (NAC 457.325, 457.390, 457.395)

Section 12 revises certain requirements relating to the documentation of tests for quality assurance performed on equipment used to provide mammography in compliance with federal regulations. (21 C.F.R. § 900.12)

Existing federal regulations require a radiologic technologist to complete certain training specific to mammography under the supervision of a qualified instructor. (21 C.F.R. § 900.12(a)(2)(ii)) Existing law prohibits a person from operating a radiation machine for mammography unless the person has a certificate of authorization to operate a radiation machine for mammography or holds certain professional licenses issued by the Board of Medical Examiners or the State Board of Osteopathic Medicine. (NRS 457.183) **Section 14** of this regulation removes a requirement for a program of instruction in mammography that is undertaken to meet the requirements for the issuance of such a certificate to include instruction in certain topics and instead requires such a program to meet the federal requirements for training specific to mammography.

Existing regulations require each person who seeks to engage in the business of installing radiation machines, furnishing services or repairing radiation machines in this State to be registered with the Division. (NAC 459.154) Existing regulations require tests for quality assurance of a radiation machine for mammography to be performed by a person who meets certain qualifications established by federal law. (NAC 457.410) **Section 16** of this regulation requires a person conducting such a test to have additionally obtained a registration certificate from the Division. **Section 19** of this regulation increases the fee for an application for registration by a person to install, service or repair radiation machines from $140 to $210.

Existing regulations require the operator of a facility for mammography to ensure that an analysis of all rejected mammograms is performed pursuant to certain federal quality standards. (NAC 457.435) **Section 18** of this regulation additionally requires the operator of such a facility to ensure the performance of such an analysis of all repeated mammograms.

Existing regulations: (1) provide for the registration of radiation machines; and (2) require an application for the registration of a radiation machine to be accompanied by a nonrefundable fee for each X-ray tube, electron source or source of ionizing radiation which is installed in the radiation machine. (NAC 459.150, 459.161) **Section 20** of this regulation revises such fees and establishes fees for: (1) X-ray security screening systems; (2) computed tomography equipment and systems for remote use; and (3) temporary use of a radiation machine for less than 180 days for training or demonstration.

Existing law requires the Board to adopt regulations for general or specific licensing of persons to receive, possess or transfer radioactive materials or devices or equipment utilizing such materials. (NRS 459.201) Existing regulations establish the following types of licenses for radioactive materials: (1) general licenses, which grant authority to persons for certain activities involving radioactive materials and, with certain exceptions, are effective without the filing of an application or the issuance of a license; and (2) specific licenses, which are issued by the Division to a named person who files an application for such a license. (NAC 459.194) Existing regulations additionally prescribe fees for the issuance and renewal of specific licenses. (NAC 459.310) **Section 23** of this regulation revises such fees and prescribes fees for additional types of specific licenses. **Section 21** of this regulation reduces the amount of a fee for the late renewal of a specific license. (NAC 459.203)

Section 24 of this regulation requires each registrant for a radiation machine, unless granted an exemption by the Division, to monitor occupational exposure to radiation and supply and require the use of personnel monitoring equipment: (1) when a person is required by the registrant to wear protective clothing or devices to reduce radiation exposure; and (2) for persons who operate a fluoroscopic X-ray system or a mobile, portable or transportable X-ray system.

Existing regulations prohibit the deliberate exposure of a person to certain radiation generated by an X-ray system for the purpose of a healing arts screening where a person has not been previously examined by a licensed practitioner without the prior written approval of the Division. (NAC 459.554) **Section 25** of this regulation prohibits the Division from providing such approval for the exposure of a person for the purpose of performing mammography unless the person is asymptomatic and meets certain criteria established by the American College of Radiology.

Section 26 of this regulation reduces certain fees associated with the issuance or renewal of registration of an electronic brachytherapy device. (NAC 459.5931)

Existing regulations authorize the holder of a license to engage in radiation therapy and radiologic imaging or the holder of a limited license to engage in radiologic imaging to perform certain tasks only under the supervision of certain other professionals which may include a licensed practitioner, depending on the task. (NAC 653.400, 653.425) **Sections 28 and 30** of this regulation define "supervision" and revise the definition of "licensed practitioner," respectively, for those purposes. **Section 29** of this regulation further establishes the applicability of the definition of "supervision" in **section 28**.

Section 33 of this regulation revises the fees for the issuance or renewal of a license to engage in radiation therapy and radiologic imaging, a limited license to engage in radiologic imaging and a registration to perform computed tomography or fluoroscopy. (NAC 653.200) **Sections 31 and 32** of this regulation make conforming changes to clarify the applicability of the fees revised in **section 33**. **Section 31** also updates the name of an agency whose name was changed during the 2025 Legislative Session. (Section 32 of Senate Bill No. 494, chapter 514, Statutes of Nevada 2025, at page 3594)

Existing law prescribes the conditions under which a person who is licensed to engage in radiation therapy and radiologic imaging may perform computed tomography. (NRS 653.620, 653.630) **Section 34** of this regulation authorizes a person who is licensed to engage in radiologic imaging and radiation therapy but is not authorized to perform computed tomography to assist with computed tomography if he or she receives training approved by the Division. **Section 34** also prohibits a person who is licensed to engage in radiologic imaging from performing any duties that are outside the scope of his or her education and training.

Section 1. Chapter 457 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. ***"Review workstation system" means a device used for the interpretation of images derived from mammography which consists, at a minimum, of a monitor, central processing unit and picture archiving and communication system.***

Sec. 3. ***In addition to the information required by 21 C.F.R. § 900.12(e)(9) for annual surveys and 21 C.F.R. § 900.12(e)(10) for mammography equipment evaluations, the operator of a facility shall ensure that each survey report or documentation of a mammography equipment evaluation contains the following information:***

1. The name of the facility for mammography or, if the machine is operated remotely, the name of the interpreting physician at the location of the review workstation system associated with the machine;

2. For any review workstation system that is surveyed or evaluated:

(a) The date on which the survey or evaluation was performed;

(b) The address where the review workstation system is located; and

(c) The manufacturer, model and serial number of each monitor of the review workstation system;

3. A statement verifying that the monitors for the review workstation system comply with the requirements set forth in NAC 457.373;

4. Identification of the quality control manual used for the survey or evaluation;

5. A description of any violations or deficiencies identified during the survey or evaluation and any corrective actions recommended as a result of the survey or evaluation;

6. The name, date and signature of the medical physicist who performed the survey or evaluation; and

7. If the survey or evaluation was performed entirely or in part by a person, other than a medical physicist, under the direct supervision of a medical physicist:

(a) The name of the person; and

(b) Identification of the part of the survey or evaluation that the person performed.

Sec. 4. NAC 457.200 is hereby amended to read as follows:

457.200 As used in NAC 457.200 to 457.445, inclusive, ***and sections 2 and 3 of this regulation,*** unless the context otherwise requires, the words and terms defined in NAC 457.205 to 457.280, inclusive, ***and section 2 of this regulation,*** have the meanings ascribed to them in those sections.

Sec. 5. NAC 457.285 is hereby amended to read as follows:

457.285 1. The State Board of Health hereby adopts by reference the provisions of ~~[~~:

~~(a) The Mammography Quality Control Manual, American College of Radiology, Committee on Quality Assurance in Mammography, in the form most recently published, unless the Board gives notice that the most recent revision is not suitable for this State pursuant to subsection 2. A copy of this publication may be obtained at a cost of $57.50 from the American College of Radiology, P.O. Box 533, Annapolis Junction, Maryland 20701, at the Internet address or by telephone at (800) 227-7762.~~

~~(b) Report No. 149, A Guide to Mammography and Other Breast Imaging Procedures, National Council on Radiation Protection. A copy of this publication may be obtained at a cost of $110 from NCRP Publications, 7910 Woodmont Avenue, Suite 400, Bethesda, Maryland 20814, at the Internet address or by telephone at (800) 229-2652 (extension 25).~~

~~(c)~~**]** 21 C.F.R. Part 900, adopted pursuant to the Mammography Quality Standards Act, in the form most recently published, unless the Board gives notice that the most recent revision is not suitable for this State pursuant to subsection 2. A copy of this publication **[**~~may be obtained by mail from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 979050, St. Louis, Missouri 63197-9000, or by toll-free telephone at (866) 512-1800, for the price of $13. This publication~~**]** is **[**~~also~~**]** available, free of charge, from the **[**~~Government Printing~~**]** Office ***of the Federal Register of the National Archives and Records Administration*** at the Internet address **[**~~https://www.gpoaccess.gov/cfr/index.html.~~**]** ***https://www.archives.gov/federal-register/cfr or, if that Internet website ceases to exist, from the Division.***

2. The State Board of Health will review each revision of the **[**~~publications~~**]** ***publication*** adopted by reference pursuant to subsection 1 to ensure its suitability for the State. If the Board determines that the revision is not suitable for this State, it will hold a public hearing to review its determination and give notice of that hearing within 6 months after the date of the publication of the revision. If, after the hearing, the Board does not revise its determination, the Board will give notice that the revision is not suitable for this State within 30 days after the hearing. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 1.

Sec. 6. NAC 457.293 is hereby amended to read as follows:

457.293 1. A holder of a certificate or an applicant for a certificate who has reason to believe that an action taken by the Division pursuant to NAC 457.200 to 457.445, 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 Bureau 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 Bureau, except that the informal conference must be held no later than 60 days after the date on which the Bureau received the request.

3. Except as otherwise provided in subsection 4, the determination of the Bureau 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 certificate issued pursuant to NAC 457.200 to 457.445, inclusive, 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.

5. As used in this section, "Bureau" means the Bureau of Health Protection ~~[Services]~~ ***and Preparedness*** of the Division or its successor.

Sec. 7. NAC 457.295 is hereby amended to read as follows:

457.295 1. Except as otherwise provided in subsection 3, the Division shall charge and collect the following nonrefundable fees:

(a) For the issuance or renewal of a certificate for a machine, ~~[$551.]~~ ***$635.***

(b) For the issuance or renewal of a mammographer's certificate, ~~[$200.]~~ ***$240.***

(c) For the issuance of a duplicate mammographer's certificate for posting at multiple facilities for mammography pursuant to NAC 457.360, $25.

(d) For the issuance or renewal of a certificate to provide training to mammographers pursuant to NAC 457.357, ~~[$100.]~~ ***$170.***

2. Upon the issuance or renewal of a certificate for a machine, the holder of the certificate shall pay to the Division a fee equal to 6 percent of the renewal fee set forth in subsection 1. Except as otherwise provided in subsection 3, such a fee is nonrefundable. The Division shall use the fees collected pursuant to this subsection during the immediately following fiscal year to support the system for the reporting of information on cancer and other neoplasms.

3. If a payment was made in error, the Division will refund the fee collected pursuant to subsection 1 or 2 after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.

4. A mammographer's certificate expires 3 years after the date on which it was issued unless it is renewed before that date. If the fee for renewal of a mammographer's certificate that is charged pursuant to subsection 1 is not received before the date on which the mammographer's certificate expires, the person whose mammographer's certificate expired shall:

(a) Stop operating the radiation machine for mammography on the date his or her mammographer's certificate expires; or

(b) Submit to the Division not later than 5 days after his or her mammographer's certificate expires:

(1) An application for a renewal of his or her mammographer's certificate;

(2) The fee for renewal of a mammographer's certificate that is charged pursuant to subsection 1; and

(3) A fee for late payment of $100 per mammographer's certificate.

5. The renewal fee for a machine must be postmarked or electronically received by the Division not later than the date on which the certificate expires. If the fee is not postmarked or electronically received by that date, the registrant shall:

(a) Submit to the Division within 5 days after the registration expires:

(1) An application for renewal of the registration;

(2) A fee in an amount that is equal to the appropriate fee set forth in subsection 1; and

(3) A fee for late payment of $56 per registration; and

(b) Stop operating the machine to which the certificate applies until the fees required by paragraph (a) and subsection 2 are paid.

Sec. 8. NAC 457.300 is hereby amended to read as follows:

457.300 The operator of a facility shall:

1. Establish and maintain a program of quality assurance in accordance with the provisions of 21 C.F.R. § 900.12 for each machine and all other equipment at the facility used for mammography.

2. Ensure that:

(a) The performance of the equipment is monitored;

(b) The results of monitoring are analyzed to determine if there are any problems requiring correction;

(c) The necessary corrective action is taken whenever the results of a test for quality assurance indicate that such action is required; and

(d) If necessary corrective action is taken, the action is taken before any mammography is performed on the patient.

3. Prepare and maintain ~~[a]~~ ***the following lists:***

(a) A list which includes the name of each mammographer who is authorized to operate any machine which is under the operator's control. ***The operator shall maintain the list until at least 3 years after the later of:***

(1) The last date on which a machine to which the list pertains is under the operator's control; or

(2) The last date on which a mammographer included on the list ceases operating machines under the operator's control.

(b) A list which includes the name of each physician who is employed or retained by the facility to interpret mammograms. The operator shall maintain the list until at least 3 years after the last date on which a physician included on the list interprets mammograms for the operator.

(c) A list which includes each review workstation system used to interpret mammograms that includes, without limitation, the make, model and location of each review workstation system and any serial number associated with the system. The operator shall maintain the list until at least 3 years after the last date on which a review workstation system included on the list is used by the operator to interpret mammograms.

4. Except as otherwise provided in NAC 457.355, not allow a person who does not hold a mammographer's certificate to operate a machine under the operator's control.

5. If the facility for mammography has more than one machine, ensure that a unique machine identifier is included in the information ~~[which appears on]~~ ***associated with*** the ~~[edge of the film as it is exposed.]~~ ***image.***

6. Ensure that all quality assurance and quality control records are kept until:

(a) The next annual inspection has been completed and the Division has determined that the facility is compliant; or

(b) The tests for quality assurance have been performed two additional times at the required frequency and are within the applicable control limits,

➥ whichever is longer.

Sec. 9. NAC 457.305 is hereby amended to read as follows:

457.305 1. The operator of a facility shall prepare or cause to be prepared a manual for quality assurance for the facility. The manual must include:

(a) The name, position and a statement of the qualifications and duties of each person at the facility who is responsible for:

(1) Supervising the performance of mammography;

(2) Performing tests for quality assurance; or

(3) Repairing or maintaining machines.

➥ This information may be included in an attachment to the manual.

(b) Detailed provisions for a program of quality assurance for the ~~[image receptor and]~~ image processing systems of any system that is not a screen-film system at the facility. This program must be:

(1) Substantially the same as recommended by the manufacturer.

(2) Approved by the Division before it is put into effect.

(c) Detailed provisions for a program of quality assurance for the image receptor ~~[and film processing]~~ systems of any machine at the facility **.** ~~[that uses a screen-film image receptor.]~~ These provisions must:

(1) Specify the tests for quality assurance that are required to be performed at the facility.

(2) Establish the frequency with which each such test is to be performed and the range of acceptable results for each test.

(3) Specify the procedure to be followed if the result of any test is not within the acceptable range.

~~[➥ The program established pursuant to this paragraph must provide]~~

(4) If the system is not a screen-film system, be:

(I) Substantially the same as recommended by the manufacturer; and

(II) Approved by the Division before it is put into effect.

(5) Provide for the performance of tests for quality assurance in accordance with the requirements of NAC 457.420 to 457.445, inclusive.

(d) A copy of any form required to be used in connection with a test for quality assurance.

(e) Information concerning the cleaner recommended by the manufacturer of any ~~[screen]~~ ***imaging device*** used with a machine in the facility.

2. The operator of a facility shall ensure that adequate time is allocated for the performance of quality assurance duties.

3. For the purposes of this section, "imaging device" means a digital processing device that captures X-rays and converts captured X-rays into images.

Sec. 10. NAC 457.310 is hereby amended to read as follows:

457.310 1. The operator of a facility shall ensure that records are maintained in the manner provided by NAC 457.200 to 457.445, inclusive. The records must be kept at the facility and must be reasonably accessible to any representative of the Division.

2. Each record of a test for quality assurance must set forth the date on which the test was performed and the name or initials of the person who performed the test.

3. A signature or initial card must be kept with the records maintained pursuant to subsection 1 to assist in identifying each person who signs or initials those records. The card must contain the full name in type or print of each person who signs or initials the records maintained at the facility and:

(a) If it is a signature card, the legal signature of each person who signs the records maintained at the facility; or

(b) If it is an initial card, the initials of each person who initials the records maintained at the facility.

4. The operator of a facility shall ensure that the number of ~~[films]~~ ***images*** or projections used for each patient is recorded on the patients' log.

5. Each record of a test for quality assurance must be made and evaluated immediately upon completion of the test. If the results are not within the control limits, corrective action must be completed, verified and documented in accordance with the provisions of 21 C.F.R. § 900.12.

Sec. 11. NAC 457.325 is hereby amended to read as follows:

457.325 The operator of a facility shall document all maintenance, quality assurance and quality control of the imaging processing system of each machine used at the facility for

mammography ~~[and the printing equipment used at the facility for mammography]~~ in accordance with the provisions of 21 C.F.R. § 900.12.

Sec. 12. NAC 457.330 is hereby amended to read as follows:

457.330 1. The following information must be ~~[~~plotted and~~]~~ evaluated ~~[~~on a control chart~~]~~ ***and documented*** in accordance with the provisions of 21 C.F.R. § 900.12:

(a) ~~[~~The values obtained from the daily exposure and processing of sensitometric strips. ~~(b)]~~ The exposure time or mAs and the number of objects visible in the image of the breast phantom in each test of image quality.

~~[(c)]~~ ***(b)*** A description of any change in operating conditions made as the result of a test for quality assurance.

~~[(d)]~~ ***(c)*** The operating levels and control limits for each test for quality assurance performed.

2. If the information obtained pursuant to subsection 1 is not within the applicable control limits, corrective action must be completed and verified before any patients are examined or ~~[films]~~ ***images*** are processed.

Sec. 13. NAC 457.350 is hereby amended to read as follows:

457.350 1. A person who desires to work as a mammographer in Nevada must be certified in general radiography by the American Registry of Radiologic Technologists, or by another organization approved by the Division, and must hold a valid mammographer's certificate.

2. A person who desires to work as a mammographer in Nevada may obtain a mammographer's certificate by applying to ~~[~~the Radiological Health Section of the Bureau of Health Protection Services of~~]~~ the Division. An applicant must:

(a) Satisfy the requirements of NRS 457.183; and

(b) Provide documentation satisfactory to the Division that the applicant meets the requirements of 21 C.F.R. § 900.12(a)(2).

Sec. 14. NAC 457.355 is hereby amended to read as follows:

457.355 1. A program of instruction in mammography that is undertaken to meet the requirements for issuance of a mammographer's certificate must be approved by the Division and comply with the provisions of ~~[this section.]~~ ***21 C.F.R. § 900.12(a)(2)(ii).***

2. ~~[The program must include instruction in:~~

~~(a) The anatomy and physiology of the female breast, with instruction in the following topics:~~

~~(1) Mammary glands.~~

~~(2) External anatomy.~~

~~(3) Subdivision for localization.~~

~~(4) Retromammary space.~~

~~(5) Central portion.~~

~~(6) Cooper's ligament.~~

~~(7) Vessels, nerves and lymphatics.~~

~~(8) Breast tissue.~~

~~(b) The classification of breast tissue.~~

~~(c) The epidemiology of the breast, methods of detecting breast cancer and sources of information relating to epidemiology of the breast.~~

~~(d) The effects of adjustments relating to the setting of the exposure timer, current and voltage.~~

~~(e) The positioning of the breast for mammography, with instruction in:~~

~~(1) The following positions:~~

~~(I) Craniocaudal.~~

~~(II) Medial lateral oblique.~~

~~(III) Axillary.~~

~~(IV) Lateral.~~

~~(V) Mediolateral.~~

~~(VI) Lateromedial.~~

~~(VII) Exaggerated angled craniocaudal.~~

~~(VIII) Craniocaudal without compression.~~

~~(IX) "Cleopatra" or 30 degrees oblique.~~

~~(X) Coned or spot compression.~~

~~(XI) Lateral oblique.~~

~~(XII) "Coathanger" or displaced.~~

~~(XIII) Modified craniocaudal.~~

~~(XIV) Modified mediolateral oblique.~~

~~(XV) Other positions as required.~~

~~(2) Magnification.~~

~~(3) Errors in positioning.~~

~~(4) Special techniques for mammography of the postoperative breast and the augmented breast.~~

~~(5) Special radiographic techniques for breast localization and specimen radiography.~~

~~(f) The evaluation and critique of mammograms, with instruction in the following topics:~~

~~(1) Criteria for determining the quality of images.~~

~~(2) The scanning of images.~~

~~(3) The detection of pathology.~~

~~(4) Benign and malignant lesions.~~

~~(5) Mass lesion borders.~~

~~(6) Calcifications.~~

~~(g) The biological effects of radiation and protection from radiation.~~

~~(h) The techniques and methods of quality assurance.~~

~~(i) The methods of breast imaging other than mammography.~~

~~3. A program of instruction in mammography must provide to each person who is enrolled in the program at least 40 contact hours of training specific to mammography.~~

~~4.]~~ A person who is enrolled in a program of instruction in mammography pursuant to this section shall not operate a machine for mammography unless a mammographer is present while that person operates the machine and is able to stop the procedure for performing the mammogram at any time.

Sec. 15. NAC 457.360 is hereby amended to read as follows:

457.360 A mammographer shall:

1. Perform each of the mammographer's assigned duties correctly and conscientiously.

2. Stand behind a protective barrier whenever X-rays are being produced during mammography.

3. Wear on his or her torso the monitoring device assigned to him or her during all working hours.

4. Use optimum techniques of exposure.

5. Use optimum techniques for the processing of images.

6. Follow the standing orders and policies for repeated exposures established for the facility at which he or she is employed.

7. Correctly determine what views are required, based on a written protocol, and position patients properly.

8. Limit the size of the X-ray field to the area of clinical interest.

9. Instruct each patient clearly to avoid movement by the patient.

10. Use appropriate compression with due consideration to the particular circumstances of each case.

11. Handle ~~[films, cassettes for holding film and other]~~ image receptors for mammography carefully to eliminate artifacts.

12. Post his or her mammographer's certificate where it can be seen by patients.

13. Record his or her full name on the record of each patient.

14. Ensure that his or her name or initials are included in the information ~~[which appears on the edge of]~~ ***associated with*** each ~~[film as it is exposed.]~~ ***image.***

15. Sign or initial the patients' log to indicate each patient upon whom the mammographer performed mammography.

16. Indicate, in the space located after his or her signature or initials in the patients' log, the number of ~~[films]~~ ***images*** used for each patient.

17. Comply with the standards for protection against radiation set forth in NAC 459.320 to 459.664, inclusive, and the requirements of NAC 459.780 to 459.794, inclusive.

18. Notify the Division of any violation of this chapter or chapter 459 of NAC within 30 days after the date on which the mammographer discovers the violation.

Sec. 16. NAC 457.410 is hereby amended to read as follows:

457.410 Tests for quality assurance must be performed by a person who meets the qualifications set forth in 21 C.F.R. § 900.12(a) ~~[.]~~ ***and is registered with the Division pursuant to NAC 459.150 to 459.179, inclusive, to perform service on radiation machines.***

Sec. 17. NAC 457.420 is hereby amended to read as follows:

457.420 1. A test of ~~[film processing]~~ ***imaging*** equipment used for mammography must be performed pursuant to 21 C.F.R. § 900.12 for each day that the equipment is in operation and before any clinical ~~[films]~~ ***images*** are processed.

2. The results of the tests performed pursuant to subsection 1 must be recorded, ~~[plotted on a control chart,]~~ evaluated and acted upon immediately after the test is completed and before any clinical ~~[films]~~ ***images*** are processed. If the results are not within the applicable control limits, corrective action must be completed and verified as successful before any clinical ~~[films]~~ ***images*** are processed.

Sec. 18. NAC 457.435 is hereby amended to read as follows:

457.435 The operator of a facility shall ensure that an analysis of all rejected ***and repeated*** mammograms is performed pursuant to the provisions of 21 C.F.R. § 900.12.

Sec. 19. NAC 459.154 is hereby amended to read as follows:

459.154 1. Except as otherwise provided in subsection 2, each person who controls an unregistered, operational radiation machine, regardless of whether the radiation machine is in actual service as intended, shall apply to the Division for registration of the machine within 30 days after installing the machine.

2. A person who brings a portable machine into this State for a temporary use of 180 days or less in any calendar year:

(a) Must apply to the Division for registration of the machine for a temporary use at least 3 working days before using it in this State;

(b) Shall comply with all other applicable provisions of NAC 459.010 to 459.950, inclusive;

(c) Shall furnish the Division with any other information it may reasonably request; and

(d) Shall not use the machine in this State more than 180 days per calendar year.

3. The application must be made on the Division's Registration Application for Radiation ***Producing*** Machine Installation. A copy of the form may be obtained from the Division. A separate application and registration are required for each control console or any other assembly approved by the Division of a radiation machine.

4. Each application for registration of a radiation machine must contain a list of the numbers of the X-ray tubes associated with a control panel.

5. Each person who controls a radiation machine must designate on the application form a person where the machine is located who is responsible for protection against radiation.

6. Each person who seeks to engage in the business of installing radiation machines, furnishing services or repairing radiation machines in this State must apply for registration with the Division and receive a certificate of registration before furnishing any services.

7. A radiation machine may only be installed by a person who has obtained a registration certificate pursuant to NAC 459.156 which specifies that the person is authorized to install radiation machines. Within 10 days after installing a radiation machine, the person who installed the machine shall report the fact of the installation to the Division.

8. Except as otherwise provided in this subsection, each application for registration by a person to install, service or repair radiation machines must be accompanied by a nonrefundable annual fee of ~~[$140,]~~ ***$210*** or the application must not be acted upon by the Division. If a

payment was made in error, the Division will refund the fee collected pursuant to this subsection, after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.

Sec. 20. NAC 459.161 is hereby amended to read as follows:

459.161 1. Except as otherwise provided in subsection 7, an application for the registration of a radiation machine submitted pursuant to NAC 459.154 must be accompanied by a nonrefundable fee for each X-ray tube, electron source or source of ionizing radiation which is installed in the radiation machine, as follows:

(a) ~~[Medical]~~ ***Unless otherwise provided in this section, medical*** use, other than mammography, ~~[$500.]~~ ***$570.***

(b) Veterinary use, ~~[$150.]~~ ***$220.***

(c) Dental use, ~~[$140.]~~ ***$210.***

(d) Industrial use, ~~[$200.]~~ ***$270.***

(e) ~~[Academic]~~ ***Unless otherwise provided in this section, academic*** use, ~~[$150.]~~ ***$220.***

(f) Accelerator, ~~[$550.]~~ ***$620.***

(g) X-ray security screening systems, $270.

(h) Computed tomography equipment and systems for remote use, $570.

(i) Temporary use less than 180 days for training or demonstration, $100.

2. Except as otherwise provided in subsections 4 and 7, if the Division issues a registration certificate pursuant to NAC 459.156, the registrant must, for each year the certificate is valid, submit to the Division a nonrefundable renewal fee in an amount equal to the appropriate fee set forth in subsection 1.

3. Upon the issuance or renewal of a registration for a radiation machine, the registrant shall pay to the Division a nonrefundable fee equal to 6 percent of the registration fee or renewal fee, as applicable, set forth in subsection 1. The Division shall use the fees collected pursuant to this subsection during the immediately following fiscal year to support the system for the reporting of information on cancer and other neoplasms established pursuant to NRS 457.230.

4. The renewal fee must be electronically received by the Division not later than the date on which the registration expires unless, before that date, the registrant electronically submits to the Division pursuant to NAC 459.162 a notice that the registrant has transferred ownership of the radiation machine, placed the radiation machine in storage or disposed of the radiation machine. If the fee or notice is not electronically received by that date, the registrant must electronically submit to the Division in the form prescribed by the Division:

(a) An application for renewal of the registration;

(b) A fee in an amount that is equal to the appropriate fee set forth in subsection 1; and

(c) A fee for late payment of $56 per registration.

5. Except as otherwise provided in subsection 7, an application for the issuance of a duplicate registration certificate for a radiation machine or for the person installing, servicing or repairing radiation machines must be accompanied by a nonrefundable fee of $25.

6. Any application for registration or renewal of registration which is not accompanied by the appropriate fees will not be acted upon by the Division until such fees are paid.

7. If a payment was made in error, the Division will refund the fee collected pursuant to this section, after deducting an amount calculated to cover the administrative costs directly related to issuing the refund.

Sec. 21. NAC 459.203 is hereby amended to read as follows:

459.203 1. Except as otherwise provided in subsection 2, if the Division issues a specific license pursuant to NAC 459.196, the licensee must, for each year his or her specific license is valid, submit to the Division the appropriate fee set forth in NAC 459.310.

2. The fee must be received each year by the Division not later than the last day of the same month that is set forth as the date of expiration on the license. If the fee is not received by that date, the licensee must:

(a) Stop all operations involving radioactive materials and place all sources of radiation in storage until they can be transferred to persons authorized to receive them; or

(b) Submit to the Division within 5 days after the license expires an application for renewal of the license accompanied by a fee that is equal to ~~[twice]~~ ***one and one-fourth*** the amount of the appropriate fee set forth in NAC 459.310.

Sec. 22. NAC 459.307 is hereby amended to read as follows:

459.307 1. Any licensee who possesses sealed sources shall have each sealed source containing radioactive material tested for leakage at intervals not to exceed 6 months, unless a longer interval is authorized by the Division, the Nuclear Regulatory Commission or an agreement state in the Sealed Source and Device Registry maintained by the Nuclear Regulatory Commission. In the absence of a certificate from a transferor indicating that a test has been made within 6 months before the transfer, the sealed sources should not be used until tested, but no leak tests are required when:

(a) The source contains only radioactive material with a half-life of less than 30 days;

(b) The source contains only radioactive material as a gas;

(c) The source contains 100 microcuries (3.7 megabecquerels) or less of beta- or gamma-emitting material or 10 microcuries (370 kilobecquerels) or less of alpha-emitting material;

(d) The sealed source is stored and is not being used. The sources must be tested for leakage before any use or transfer unless they have been leak tested within 6 months before the date of use or transfer; or

(e) The source is seeds of iridium-192 encased in nylon ribbon.

2. The leak test must be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. The test sample must be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored on which contamination might be expected to accumulate. Records of leak test results must be maintained for 3 years for inspection by the Division and, for persons licensed pursuant to the provisions of this chapter for the medical use of radioactive material, must include, without limitation:

(a) The model number and serial number, if one has been assigned, of each sealed source tested;

(b) The identity of each source by radionuclide and its estimated activity;

(c) The results of the test of each sealed source;

(d) The date of the test of each sealed source; and

(e) The name of the person who performed each test.

3. If the leak test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, or 0.001 microcurie (37 becquerels) of radon 222 in a 24-hour period if the sealed source is a brachytherapy source manufactured to contain radium, the licensee shall immediately inform the ~~[Radiological Health Section of the]~~ Division by telephone, withdraw the sealed source, or the device in which it is permanently mounted, from use and cause it to be

placed in locked storage. A written report must be filed with the Division within 5 days after the test and must include, without limitation:

(a) A description of the equipment involved;

(b) The model number and serial number, if assigned, of the leaking source;

(c) The radionuclide of the leaking source and its estimated activity;

(d) The test results;

(e) The date of the test; and

(f) A description of the action taken.

Sec. 23. NAC 459.310 is hereby amended to read as follows:

459.310 Except as otherwise provided in NAC 459.203, the Division will not issue a new specific license or a renewed specific license to a person until the appropriate nonrefundable fee ***for each address where the materials will be used or stored*** has been paid to the Division, as prescribed in the following table:

Material and use	Fee
1. Special nuclear material:	
(a) As sealed source	~~[~~$2,000~~]~~ ***$2,070***
(b) In unsealed form	~~[~~2,000~~]~~ ***$2,070***
2. ~~[~~Source~~]~~ ***Except as otherwise provided in this section, source*** materials for other than milling operations	~~[~~$2,200~~]~~ ***$2,270***
3. Naturally occurring radioactive material, discrete or diffuse	~~[~~$1,000~~]~~ ***$1,070***
4. By-product material, artificially produced radioactive material	

Material and use Fee

and radium:

(a) Manufacturing or distribution, or both ..... ~~[$2,200]~~ ***$2,270***

(b) Nuclear pharmacy..... ~~[6,600]~~ ***$6,670***

(c) Industrial radiography..... ~~[5,500]~~ ***$5,570***

(d) Category 1 (self-shielded) irradiator ..... ~~[1,650]~~ ***$1,720***

(e) Irradiator, other than a category 1 irradiator..... ~~[1,650]~~ ***$1,720***

(f) Academic, broad scope ..... ~~[8,800]~~ ***$8,870***

(g) Academic, other research and development..... ~~[1,320]~~ ***$1,390***

(h) Service or laboratory ..... ~~[1,760]~~ ***$1,830***

(i) Fixed gauge ..... ~~[1,100]~~ ***$1,170***

(j) Gas chromatograph..... ~~[496]~~ ***$566***

(k) In vitro ..... ~~[105]~~ ***$175***

(l) Portable gauge or X-ray fluorescence analyzer..... ~~[1,320]~~ ***$1,390***

(m) Therapeutic or diagnostic veterinary use..... ~~[1,760]~~ ***$1,830***

(n) Linear accelerators ~~[(with operational energies capable]~~ ***(capable***

of exceeding 9 MeV) possession license for incidentally activated

products ~~[..... 1,000]~~ ***:***

(1) Medical use $620

(2) General use other than medical use.....$1070

(o) Cyclotron used to manufacture PET radiochemicals ..... ~~[2,200]~~ ***$2,270***

(p) All other uses of radioactive material except those set forth in

Material and use Fee

subsections 5 to ~~[9,]~~ ***12,*** inclusive ..... ~~[1,000]~~ ***$1,070***

5. Well logging ..... ~~[$3,300]~~ ***$3,370***

6. Medical use of radioactive material:

(a) Medical use ..... ~~[$4,400]~~ ***$4,470***

(b) General license for in vitro use ..... ~~[125]~~ ***$195***

7. Civil defense ***, including emergency response training*** ..... ~~[$276]~~ ***$346***

8. Registration of devices generally licensed pursuant to paragraph (a) of subsection 13 of NAC 459.218 ..... ~~[$250]~~ ***$320***

9. Removal by a water district of uranium from drinking water $346

10. Review of a decommissioning plan for which the Division is required to seek public comment pursuant to this chapter $1,000

11. Uranium for the production of yellow cake that is derived from an operation for which the primary purpose was not the recovery or extraction of uranium $8,870

~~[9.]~~ ***12.*** Any use of radioactive material by a person who holds a specific license issued by the Nuclear Regulatory Commission or any agreement state ..... See appropriate fee category above

Sec. 24. NAC 459.339 is hereby amended to read as follows:

459.339 Each licensee and registrant shall monitor exposures from sources of radiation at levels sufficient to demonstrate compliance with the limits for occupational doses specified in NAC 459.010 to 459.950, inclusive. As a minimum:

1. Each licensee and registrant shall monitor occupational exposure to radiation from licensed and unlicensed sources under the control of the licensee or registrant and shall supply and require the use of personnel monitoring equipment by:

(a) Adults who are likely to receive in 1 year, from sources of radiation external to the body, a dose in excess of 10 percent of the limits specified in NAC 459.325;

(b) Minors who are likely to receive in 1 year, from sources of radiation external to the body, a deep-dose equivalent in excess of 0.1 rem (1 millisievert), a lens dose equivalent in excess of 0.15 rem (1.5 millisieverts), or a shallow-dose equivalent to the skin or extremities in excess of 0.5 rem (5 millisieverts);

(c) Women who have declared their pregnancy and are likely to receive, during the entire pregnancy, from sources of radiation external to the body, a deep-dose equivalent in excess of 0.1 rem (1 millisievert); and

(d) Any person entering a high or very high radiation area.

2. Each licensee shall monitor, to determine compliance with NAC 459.3275, the occupational intake of radioactive material by and assess the committed effective dose equivalent to:

(a) Adults who are likely to receive, in 1 year, an intake in excess of 10 percent of the applicable annual limit on intake in columns 1 and 2 of table I of appendix B;

(b) Minors who are likely to receive, in 1 year, a committed effective dose equivalent in excess of 0.1 rem (1 millisievert); and

(c) Women who have declared their pregnancy and are likely to receive, during the entire pregnancy, a committed effective dose equivalent in excess of 0.1 rem (1 millisievert).

3. Unless otherwise approved by the Division pursuant to subsection 4, a registrant shall monitor occupational exposure to radiation and supply and require the use of personnel monitoring equipment:

(a) When a person employed or retained by the registrant is required by the registrant to wear protective clothing or devices to reduce radiation exposure; and

(b) For persons who operate a fluoroscopic X-ray system, mobile X-ray system, portable X-ray system or transportable X-ray system.

4. A registrant may submit to the Division a request for an exemption from the provisions of subsection 3. The Division may approve such a request if it determines that the exemption will not compromise the health and safety of persons employed or retained by the registrant.

5. As used in this section:

(a) "Mobile X-ray system" has the meaning ascribed to "mobile equipment" in NAC 459.470.

(b) "Portable X-ray system" has the meaning ascribed to "portable equipment" in NAC 459.476.

(c) "Transportable X-ray system" has the meaning ascribed to "transportable equipment" in NAC 459.520.

(d) "X-ray system" has the meaning ascribed to it in NAC 459.542.

Sec. 25. NAC 459.554 is hereby amended to read as follows:

459.554 1. Except for patients who cannot be moved out of the room, only the staff and ancillary personnel required for the medical procedure or training may be in the room during the radiographic exposure. Other than the patient being examined:

(a) All persons must be positioned so that no part of the body which is not protected by 0.5 mm lead equivalent will be struck by the useful beam.

(b) Staff and ancillary personnel must be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 mm lead equivalent.

(c) A patient who cannot be removed from the room must be protected from the direct scatter radiation by a whole body protective barrier of 0.25 mm lead equivalent or be so positioned that the nearest portion of the body is at least 2 meters from both the tube head and the nearest edge of the image receptor.

(d) When a portion of the body of any member of the staff or ancillary personnel is potentially subjected to stray radiation which could result in his or her receiving 10 percent of the maximum permissible dose, as defined in NAC 459.320 to 459.374, inclusive, additional protective devices must be employed.

2. Persons must not be exposed to the useful beam except for the purposes of the healing arts where each exposure has been authorized by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure for the following purposes:

(a) Exposure of a person for training, demonstration or other purposes unless there are also healing arts requirements and proper prescription has been provided.

(b) Exposure of a person for the purpose of healing arts screening without prior written approval of the Division. Screening means an exposure of a person without a prior examination by a licensed practitioner.

3. When a patient or film must be provided with auxiliary support during a radiation exposure:

(a) Mechanical holding devices must be used when the technique permits. The safety rules, required by NAC 459.552 to 459.558, inclusive, must include individual protections where holding devices cannot be utilized;

(b) Written safety procedures required by subsection 6 of NAC 459.552 must indicate the requirements for selecting a holder and include the procedure the holder must follow;

(c) The human holder must be protected as required by subsection 1;

(d) No person may be used routinely to hold film or patients;

(e) In those cases where the patient must hold the film, except during intraoral examinations, any portion of the body other than the area of clinical interest struck by the useful beam must be protected by not less than 0.5 mm lead equivalent material; and

(f) Such holding is permitted only in very unusual and rare situations.

4. ***The Division shall not provide written approval pursuant to subsection 2 for the screening of a person using mammography unless the person is asymptomatic and the procedure is considered appropriate under the relevant appropriateness criteria established by the American College of Radiology, which are hereby adopted by reference. Copies of the appropriateness criteria are available, free of charge, from the American College of Radiology at the Internet address https://acsearch.acr.org/list.***

5. The State Board of Health will review each revision of the criteria adopted by reference pursuant to subsection 4 to ensure its availability for the State. If the Board determines that the revision is not suitable for this State, it will hold a public hearing to review its determination and give notice of that hearing within 6 months after the date of the publication

of the revision. If, after the hearing, the Board does not revise its determination, the Board will give notice that the revision is not suitable for this State within 30 days after the hearing. If the Board does not give such notice, the revision becomes part of the publication adopted by reference pursuant to subsection 4.

6. As used in this section, "licensed practitioner of the healing arts" means a physician, homeopathic physician, osteopathic physician, licensed veterinarian, dentist, chiropractic physician, practitioner of Oriental medicine, naprapath or podiatric physician, as those terms are defined or used, respectively, in NRS 630.014, 630A.050, 633.091 or 638.007 or chapter 631, 634, 634A, 634B or 635 of NRS.

Sec. 26. NAC 459.5931 is hereby amended to read as follows:

459.5931 1. A registrant shall pay an annual fee for the registration and inspection of an electronic brachytherapy device in the ~~[amount of $4,400.]~~ ***following amounts:***

(a) For noninvasive use in which radiation is applied outside the body, $620.

(b) For invasive use in which radiation is applied under the skin or inside the body, $2,270.

2. The registration fee is due within 30 days after the acquisition of the electronic brachytherapy system.

3. An annual renewal fee must be paid not later than the date on which the registration expires. If the fee is not received by that date, the registrant shall:

(a) Cease operating the radiation machine on that date; and

(b) Within 5 days after the registration expires, submit to the Division:

(1) An application for a renewal of the registration;

(2) The ***applicable*** fee set forth in subsection 1; and

(3) A fee for late payment that is equal to ~~[twice]~~ ***one and one-fourth*** the amount of the registration fee.

Sec. 27. NAC 459.7741 is hereby amended to read as follows:

459.7741 1. A licensee shall immediately notify the ~~[Radiological Health Section of the]~~ Division by telephone and subsequently, within 30 days, by confirmatory letter if the licensee knows, or has reason to believe, that a sealed source has been ruptured. The letter must:

(a) Designate the well or other location;

(b) Describe the magnitude and extent of the escape of radioactive materials;

(c) Assess the consequences of the rupture; and

(d) Explain efforts planned or being taken to mitigate the consequences of the rupture.

2. A licensee or registrant shall notify the ~~[Radiological Health Section]~~ ***Division*** by telephone of:

(a) The theft or loss of a source of radiation;

(b) Overexposures to radiation;

(c) Excessive levels and concentrations of radiation; and

(d) Accidents, as required by NAC 459.369, 459.3695 and 459.371;

3. When a sealed source becomes lodged in a well and it becomes apparent that efforts to recover the sealed source will not be successful, a licensee shall:

(a) Notify the ~~[radiological health section]~~ ***Division*** by telephone of the circumstances that resulted in the inability to retrieve the source and obtain approval to carry out abandonment procedures;

(b) Advise the well owner or operator of the abandonment procedures set forth in NAC 459.7645;

(c) Ensure that abandonment procedures are completed within 30 days after the sealed source has been classified irretrievable or request an extension of time from the Division to permit completion of the abandonment procedures; and

(d) Make a report in writing to the Division within 30 days after a sealed source has been classified irretrievable. The licensee must send a copy of the report to each state or federal agency that issued permits or otherwise approved of the well drilling operation. The report must contain the following information:

(1) The date of occurrence;

(2) A description of the irretrievable well logging source involved, including the radionuclide and its quantity and chemical and physical form;

(3) The surface location and identification of the well;

(4) The results of efforts to immobilize and seal the source in place;

(5) A brief description of the attempted recovery effort;

(6) The depth of the source;

(7) The depth of the top of the cement plug;

(8) The depth of the well;

(9) Any other information required by the Division, such as a warning statement contained on the permanent identification plaque; and

(10) The names of the state and federal agencies receiving a copy of the report.

Sec. 28. Chapter 653 of NAC is hereby amended by adding thereto a new section to read as follows:

"Supervision" means direction and guidance provided in person or remotely by a licensed practitioner or radiologist, as appropriate, who exerts control over the technical aspects of any

procedures involving the use of ionizing radiation on persons for diagnostic or therapeutic purposes.

Sec. 29. NAC 653.010 is hereby amended to read as follows:

653.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 653.020 to 653.065, inclusive, ***and section 28 of this regulation,*** have the meanings ascribed to them in those sections.

Sec. 30. NAC 653.042 is hereby amended to read as follows:

653.042 "Licensed practitioner" ~~[means a person who is licensed or authorized pursuant]~~ ***has the meaning ascribed*** to ~~[chapters 630 to 640, inclusive, of NRS.]~~ ***"licensed practitioner of the healing arts" in NAC 459.554.***

Sec. 31. NAC 653.105 is hereby amended to read as follows:

653.105 1. Pursuant to section 75 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2744, the Division shall issue a license or a limited license to a person who:

(a) Is performing radiation therapy or radiologic imaging as part of his or her employment on or before January 1, 2020;

(b) Registers with the Division; and

(c) Provides the information set forth in subsection 2 to the Division.

2. A person seeking to obtain a license or limited license pursuant to subsection 1 must:

(a) Submit to the Division a completed application form for a license or limited license;

(b) Pay the fee for the issuance of a ***new*** license or ***a new*** limited license, as applicable, set forth in NAC 653.200;

(c) Submit to the Division a signed attestation of employment in radiation therapy or radiologic imaging on or before January 1, 2020, including, without limitation, a description of his or her scope of practice;

(d) Submit to the Division a completed and signed statement prescribed by the Division of ~~[Welfare and Supportive]~~ ***Social*** Services of the Department of ~~[Health and]~~ Human Services pursuant to NRS 425.520; and

(e) Provide any additional information that the Division requests.

Sec. 32. NAC 653.110 is hereby amended to read as follows:

653.110 1. The Division shall not renew a license or limited license unless the applicant for renewal of the license or limited license provides to the Division evidence that he or she has:

(a) Satisfied:

(1) The qualifications for the renewal of a license or limited license set forth in this chapter and in NRS 653.310 to 653.910, inclusive; and

(2) The continuing education requirements set forth in NAC 653.300; and

(b) Paid the ***applicable*** fee for the renewal of a license or limited license ~~[, as applicable,]~~ set forth in NAC 653.200.

2. If the Division receives an application to renew a license or limited license 90 days before the expiration of the license or limited license, the Division shall determine if the applicant for the renewal of the license or limited license has satisfied the requirements set forth in subsection 1. If the Division determines that an applicant for the renewal of the license or limited license has not satisfied the requirements set forth in subsection 1, the Division shall send a notice to the applicant explaining any deficiency which prevents the renewal of the license or limited license.

Such notice must set forth a date by which the applicant must correct such a deficiency. Such notice must be sent to the applicant:

(a) Within 90 days of the receipt of the application for the renewal of the license or limited license by the Division; or

(b) Thirty days before the expiration date of the license or limited license,

➥ whichever occurs earlier.

3. An applicant for renewal of a license or limited license may, at any time while his or her application is pending, including, without limitation, before receiving the notice pursuant to subsection 2 or after receiving the notice pursuant to subsection 2, submit additional information to the Division to satisfy the requirements set forth in subsection 1 or to correct a deficiency that would result in receiving a notice pursuant to subsection 2. If the applicant fails to provide additional information to the Division by the date set forth in the notice received pursuant to subsection 2, the Division shall issue a notice to the applicant that explains that the Division has denied his or her application to renew the license or limited license.

4. An applicant who has received a notice of denial to renew the license or limited license issued pursuant to subsection 3 may request a hearing before the Administrator of the Division within 10 business days after the receipt of the notice. The applicant has the burden of proof in such a hearing. The applicant may appeal the determination of the Administrator for judicial review in the manner set forth in NRS 233B.121 to 233B.150, inclusive.

5. If the license or limited license of an applicant is not renewed and the applicant does not succeed in his or her appeal pursuant to subsection 4, the applicant may submit a new application for the issuance of a license or limited license. The applicant shall not engage in radiologic

imaging or radiation therapy unless he or she has been issued a license or limited license from the Division.

Sec. 33. NAC 653.200 is hereby amended to read as follows:

653.200 1. Except as otherwise provided in subsection 3:

(a) A person who is applying to the Division for the issuance or renewal of a license or a limited license pursuant to NRS 653.310 to 653.910, inclusive, a rural authorization or a registration to perform computed tomography or fluoroscopy pursuant to subsection 3 of NRS 653.620 shall pay the applicable fee for the issuance or renewal of a license, limited license, rural authorization or registration which is set forth in this section.

(b) Before issuing or renewing a license, limited license, rural authorization or registration to perform computed tomography or fluoroscopy, the Division shall charge and collect the issuance or renewal fee which is set forth in this section.

2. The Division shall charge and collect the following fees:

(a) For ~~[the issuance or renewal of]~~ a license or a limited license ***issued or renewed*** pursuant to NRS 653.510 or 653.520 ~~[..... $200]~~ ***:***

(1) For the issuance of a new license or limited license or renewal of an expired license or expired limited license.....$200

(2) For the renewal of an unexpired license or unexpired limited license 160

(b) For ~~[the issuance or renewal of]~~ a license or a limited license ***issued or renewed*** pursuant to NRS 653.530 or 653.540 ~~[..... 200]~~ ***:***

(1) For the issuance of a new license or limited license or renewal of an expired license or expired limited license.....200

(2) For the renewal of an unexpired license or unexpired limited license 160

(c) For issuance of a provisional license 25

(d) For issuance of a temporary student license pursuant to subsection 3 of NRS 653.610.....25

(e) For issuance of a duplicate license or a duplicate limited license 25

(f) For the issuance or renewal of a rural authorization 50

(g) For ~~[the issuance or renewal of]~~ a registration to perform computed tomography or fluoroscopy if the person performed computed tomography or fluoroscopy as part of his or her employment on January 1, 2020, as provided in subsection 3 of NRS 653.620 ~~[.....200]~~ ***:***

(1) For the issuance of a new registration or renewal of an expired registration 200

(2) For the renewal of an unexpired registration 160

3. An applicant for the issuance of a license or limited license is not required to pay a fee pursuant to this section if the applicant holds a certificate to operate a radiation machine for mammography pursuant to NRS 457.183.

4. If the payment of an applicable fee was made in error, the Division shall refund the fee collected pursuant to subsection 2. The Division may deduct from this refund amount an amount that is calculated to cover the administrative costs related to the issuance of the refund.

Sec. 34. NAC 653.400 is hereby amended to read as follows:

653.400 1. For the purpose of defining the scope of practice pursuant to paragraph (b) of subsection 1 of NRS 653.460:

(a) A radiologist assistant who is authorized to practice pursuant to NRS 653.600:

(1) May perform any duties relating to the care and management of patients, including, without limitation, radiologic imaging and interventional procedures guided by radiologic imaging, under the supervision of a radiologist who is certified by the American Board of Radiology, or its successor organization, or the American Osteopathic Board of Radiology, or its successor organization, in the areas of patient care, patient management, clinical imaging and interventional procedures.

(2) May provide initial observations concerning the images of a patient to a supervising physician who specializes in radiology.

(3) Shall not interpret images, make diagnoses, prescribe medication or therapies or otherwise engage in the practice of medicine, as defined in NRS 630.020.

(4) Shall perform his or her duties in accordance with the *Standards of Ethics* adopted by reference in subsection 2 of NAC 653.090.

(b) A person who holds a license to engage in radiation therapy issued pursuant to NRS 653.310 to 653.910, inclusive:

(1) May administer ionizing radiation emitted from X-ray machines, particle accelerators or sealed radioactive sources to human beings for therapeutic purposes.

(2) May perform simulation, procedures related to treatment planning, treatment delivery and dosimetric calculations as prescribed by a physician who is certified in radiation oncology by the American Board of Radiology, or its successor organization, or the American Osteopathic Board of Radiology, or its successor organization.

(3) May participate in procedures involving brachytherapy.

(4) Shall perform his or her duties in accordance with the *Standards of Ethics* adopted by reference in subsection 2 of NAC 653.090.

(c) A person who holds a license to engage in radiologic imaging issued pursuant to NRS 653.310 to 653.910, inclusive:

(1) May, while under the supervision of a licensed practitioner, if applicable, use ionizing radiation for diagnostic purposes or to visualize a medical condition by applying the ionizing radiation emitted from X-ray machines to any part of the human body.

(2) May, in conjunction with the study of radiation, administer contrast agents and related drugs for diagnostic purposes.

(3) 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.

(4) ***Shall not perform any duties that are outside the scope of his or her education and training, including, without limitation, the practice area of his or her certification from the American Registry of Radiologic Technologists, or its successor organization.***

(5) Shall perform his or her duties in accordance with the *Standards of Ethics* adopted by reference in subsection 2 of NAC 653.090.

(d) ***A person who holds a license to engage in radiation therapy and radiologic imaging issued pursuant to chapter 653 of NRS but is not authorized to perform computed tomography pursuant to NRS 653.620 or 653.630 may assist a person who is authorized to perform computed tomography under the provisions of NRS 653.430, 653.620 or 653.630 with the performance of computed tomography, including, without limitation, remote computed tomography, if the person who is not authorized to perform computed tomography has***

received training which is approved by the Division to be sufficient to enable the person to properly perform duties relating to the computed tomography.

(e) A person who holds a limited license to engage in radiologic imaging issued pursuant to NRS 653.520, 653.530 or 653.540, as applicable:

(1) May perform diagnostic radiographic procedures that are prescribed by a licensed practitioner on the specific areas of interest that are within the scope of practice of such a person.

(2) May assist a licensed practitioner or radiographer during static radiographic procedures.

(3) May perform radiographic examinations within the scope of practice of such a person.

(4) Shall perform his or her duties in accordance with the *Standards of Ethics* adopted by reference in subsection 2 of NAC 653.090.

2. A person who holds a rural authorization or any registration issued pursuant to this chapter and chapter 653 of NRS shall perform his or her duties in accordance with the *Standards of Ethics* adopted by reference in subsection 2 of NAC 653.090.

3. As used in this section, "remote computed tomography" means computed tomography where the patient receiving computed tomography services is in a different location than the person operating the X-ray system used for the computed tomography.

Sec. 35. NAC 457.390 and 457.395 are hereby repealed.

TEXT OF REPEALED SECTIONS

457.390 Required equipment, intensifying screens and film. (NRS 457.065)

1. The operator of a facility shall ensure that the following equipment is maintained at the facility and is properly calibrated and in good working order:

(a) A breast phantom capable of depicting:

(1) A mass having a width of 0.5 millimeter or less;

(2) A calcification having a diameter of 0.24 millimeter or less; and

(3) Fibers of nylon or similar material having a width of 0.75 millimeter or less.

(b) For a facility using screen-film imaging:

(1) A wire mesh contact tool designed for use in mammography with a 40 mesh copper screen.

(2) A thermometer accurate to ± 0.5°F. A thermometer containing mercury must not be used.

(3) A sensitometer that generates blue or green light, as appropriate to the type of film used at the facility, with a reproducibility of ± 0.04 log exposure.

(4) A densitometer accurate to ± 0.02 optical density and having a range of 0.00 to 3.5 optical density.

2. A facility for mammography must use intensifying screens that have been designated by the screen manufacturer as appropriate for mammography and must use film that is matched to the spectral output of the screen as specified by the manufacturer.

457.395 Darkroom: Prohibited activities; cleanliness; safelight. (NRS 457.065)

1. A person shall not smoke or eat in the darkroom of a facility for mammography.

2. The darkroom must be kept reasonably free of dust.

3. Countertops and the feed tray of any film processing equipment must be cleaned daily before any film is handled or processed.

4. Hands must be clean and dry when touching a film.

5. A darkroom safelight must be equipped with an appropriate combination of filter and bulb. Information concerning the required combination must be prominently posted in the darkroom or the area surrounding the darkroom.