

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB796**

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**Hearing Date:** January 24, 2008

**Committee On:** Health and Human Services

**Introducer(s):** (Johnson)

**Title:** Change medical radiography and radiation control provisions

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**Roll Call Vote - Final Committee Action:**

Placed on General File with Amendments

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**Vote Results:**

7 Yes                      Senators Johnson, Erdman, Gay, Hansen, Howard,  
Pankonin, Stuthman

0 No

0 Absent

0 Present, not voting

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**Proponents:**

Marcia Hess Smith

Thomas Brennan

Dr. Joann Schaefer

**Representing:**

Self

Self

Nebraska Department of Health and Human  
Services

**Opponents:**

Brad Sher

David O'Doherty

**Representing:**

Bryan LGH Medical Center

Nebraska Dental Association

**Neutral:****Representing:**

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**Summary of purpose and/or change:**

LB 796 changes provisions of the Radiation Control Act. The bill creates a new restricted category of medical radiography licensure called "medical radiographer-computed tomography." Applicants must be certified by the Nuclear Medicine Technology Certification Board (NMTCB) or the American Registry of Radiologic Technologists (ARRT) in Nuclear Medicine Technology, and also certified by the American Registry of Radiologic Technologists in Computed Tomography.

The bill deletes references to radon measurement technician and radon mitigation technician licenses but retains licensure for radon measurement specialists and radon mitigation specialists. Recent changes to the Radon Program rules and regulations have made the technician and specialist licenses indistinguishable. The bill provides that a person licensed as a radon measurement technician will be deemed to be licensed as a measurement specialist until the next licensure renewal.

The bill allows an application for registration under the act to be either in writing or by electronic means.

The bill changes fees for registration and inspection of radiation generating equipment used to diagnose conditions in humans or animals. Fee cap would be increased to \$250 for the least complex types of x-ray machines such as dental intraoral and veterinary systems. The fee cap for moderately complex types of x-ray machines would be increased to \$500. The fee cap for the most complex types of x-ray machines such as computed tomography and angiographic systems would be increased to \$750. The current annual fee for registration and inspection fee cap is \$70.

The bill requires the department to adopt and promulgate rules and regulations for fingerprinting and a federal criminal background check of persons with unescorted access to "radionuclides of concern." The rule and regulation mandate becomes operative with the emergency clause and terminates on December 1, 2008. All other sections of the bill become operative three months after adjournment of the legislative session.

**Explanation of amendments, if any:**

The committee amendment (AM 1925) makes technical and other changes to the bill. The amendment creates a new licensure category of "limited computed tomography radiographer."

It permits licensed medical radiographers to utilize computed tomography. It provides for the licensure of limited computed tomography radiographers. An applicant for such licensure must (a) Complete an application in accordance with the Uniform Credentialing Act; (b) Be certified by (i) the Nuclear Medicine Technology Certification

Board or (ii) the American Registry of Radiologic Technologists in nuclear medicine technology; and (c) Be certified by the American Registry of Radiologic Technologists in computed tomography.

The amendment permits a nuclear medicine technologist who meets the requirements for training and experience for nuclear medical technology under the Radiation Control Act to perform computed tomography without being licensed under the Medical Radiography Practice Act if their practice is limited to X-rays produced by a combination nuclear medicine-computed tomography system and administered as an integral part of a nuclear medicine procedure that uses a computed tomography protocol for purposes of attenuation correction and anatomical localization only and if the nuclear medicine technologist has received documented device-specific training on the combination nuclear medicine-computed tomography system as prescribed by rules and regulations adopted and promulgated by the department.

The amendment permits students enrolled and participating in an educational program in nuclear medicine technology who, as part of the educational program, to apply X-rays to humans using a computed tomography system while under the supervision of the licensed practitioners, medical radiographers, or limited computed tomography radiographers associated with the educational program.

The amendment provides for the issuance of temporary limited computed tomography radiographer license to persons registered by the Nuclear Medicine Technology Certification Board or the American Registry of Radiologic Technologists. Temporary limited computed tomography radiographer licenses expire twenty-four months after issuance and may not be renewed. Persons licensed as temporary limited computed tomography radiographers are permitted to perform medical radiography restricted to computed tomography while under the direct supervision and in the physical presence of licensed practitioners, medical radiographers, or limited computed tomography radiographers.

The amendment changes fees for registration and inspection of radiation generating equipment used to diagnose conditions in humans or animals from \$70 to \$400. The department is restricted in setting the fee to the recovery of its actual costs.

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Senator Joel Johnson, Chairperson