

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES
NOTICE OF PUBLIC HEARING

December 18, 2019
10:00 a.m. Central Time
Nebraska State Office Building – Lower Level B
301 Centennial Mall South, Lincoln, Nebraska

The purpose of this hearing is to receive comments on proposed changes to Title 180, Chapter 23 of the Nebraska Administrative Code (NAC) – *Fluoroscopic Education and Training for Certified Registered Nurse Anesthetists*. The chapter establishes the minimum education and training requirements for certified registered nurse anesthetists performing fluoroscopy. The proposed changes remove any duplicative statutory language and unnecessary language from the regulations and update formatting.

Authority for these regulations is found in Neb. Rev. Stat. § 81-3117(7).

Interested persons may attend the hearing and provide verbal or written comments or mail, fax or email written comments, no later than the day of the hearing to: DHHS Legal Services, PO Box 95026, Lincoln, NE 68509-5026, (402) 742-2382 or dhhs.regulations@nebraska.gov, respectively.

A copy of the proposed changes is available online at <http://www.sos.ne.gov>, or by contacting DHHS at the mailing address or email above, or by phone at (402) 471-8417. The fiscal impact statement for these proposed changes may be obtained at the office of the Secretary of State, Regulations Division, 1201 N Street, Suite 120, Lincoln, NE 68508, or by calling (402) 471-2385.

Auxiliary aids or reasonable accommodations needed to participate in a hearing can be requested by calling (402) 471-8417. Individuals with hearing impairments may call DHHS at (402) 471-9570 (voice and TDD) or the Nebraska Relay System at 711 or (800) 833-7352 TDD at least 2 weeks prior to the hearing.

FISCAL IMPACT STATEMENT

Agency: Department of Health and Human Services	
Title: 180	Prepared by: Julia Schmitt
Chapter: 23	Date prepared: 05/21/2019
Subject: Fluoroscopic Education and Training for Certified Registered Nurse Anesthetists	Telephone: 402/471-0528

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>)
Increased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Costs	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Increased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Decreased Revenue	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)
Indeterminable	(<input type="checkbox"/>)	(<input type="checkbox"/>)	(<input type="checkbox"/>)

Provide an Estimated Cost & Description of Impact:

State Agency:

Political Subdivision:

Regulated Public:

If indeterminable, explain why:

TITLE 180 CONTROL OF RADIATION

CHAPTER 23 FLUOROSCOPIC EDUCATION AND TRAINING FOR CERTIFIED
REGISTERED NURSE ANESTHETISTS

001. SCOPE AND AUTHORITY. This chapter establishes the minimum education and training requirements for certified registered nurse anesthetists performing fluoroscopy. The regulations are authorized by and implement the Radiation Control Act, Nebraska Revised Statute (Neb. Rev. Stat.) § 71-3508 and the Certified Registered Nurse Anesthetist Practice Act, Neb. Rev. Stat. § 38-711. Upon successful completion of the approved education and training the certified registered nurse anesthetist may use fluoroscopy in conjunction with a licensed medical radiographer to perform authorized duties and functions.

002. DEFINITIONS. The following definitions apply to this chapter:

002.01 APPROVED EDUCATION PROGRAM. The University of Nebraska Medical Center's "Fluoroscopy Radiation Safety Training for UNMC/The Nebraska Medical Center" or equivalent course as approved jointly by the Department and the Advanced Practice Registered Nursing Board is an approved educational program.

002.02 FLUOROSCOPY. An imaging technique used to obtain real-time moving images of the internal structures of a patient through the use of a fluoroscope is fluoroscopy.

003. GENERAL REQUIREMENTS. Documentation of completion of required education and training must be maintained at each facility where a Certified Registered Nurse Anesthetist performs fluoroscopy.

004. ADMINISTRATIVE CONTROLS. Prior to the use of fluoroscopic equipment by a certified registered nurse anesthetist the registrant must ensure that:

- (A) The certified registered nurse anesthetist has successfully completed an approved educational program in fluoroscopy and received hands-on training in the use of a fluoroscope by completing at least three fluoroscopic procedures under the direct supervision of and in the physical presence of a physician or a person meeting the requirements of 180 NAC 23; and
- (B) The requirements of Neb. Rev. Stat. § 38-711 (3) are met.

EFFECTIVE DATE _____ NEBRASKA DEPARTMENT OF
JUNE 21, 2009 _____ HEALTH AND HUMAN SERVICES _____ 180 NAC 23

TITLE 180 _____ CONTROL OF RADIATION

CHAPTER 23 _____ FLUOROSCOPIC EDUCATION AND TRAINING FOR CERTIFIED
REGISTERED NURSE ANESTHETISTS

23-001 Scope and Authority.....	1
23-002 Defintions.....	1
23-001 General Requirements.....	1
23-001 Administrative Controls.....	1

Removed Table of Contents.

EFFECTIVE DATE _____ NEBRASKA DEPARTMENT OF
JUNE 21, 2009 _____ HEALTH AND HUMAN SERVICES _____ 180 NAC 23

EFFECTIVE DATE _____ NEBRASKA DEPARTMENT OF
JUNE 21, 2009 _____ HEALTH AND HUMAN SERVICES _____ 180 NAC 23

TITLE 180 _____ CONTROL OF RADIATION

CHAPTER 23 _____ FLUOROSCOPIC EDUCATION AND TRAINING FOR CERTIFIED
REGISTERED NURSE ANESTHETISTS

23-001 SCOPE AND AUTHORITY

23-001.01 180 NAC 23 establishes the minimum education and training requirements for certified registered nurse anesthetists performing fluoroscopy. The regulations are authorized by and implement the Nebraska Radiation Control Act, Neb. Rev. Stat. § 71-3508 and the Certified Registered Nurse Anesthetist Practice Act, Neb. Rev. Stat. § 38-711.

23-001.02 Upon successful completion of the approved education and training the Certified Registered Nurse Anesthetist will be able to use fluoroscopy in conjunction with a licensed medical radiographer to perform authorized duties and functions.

23-002 DEFINITIONS

Approved Education Program means the University of Nebraska Medical Center's "Fluoroscopy Radiation Safety Training for UNMC/The Nebraska Medical Center" or equivalent course as approved jointly by the Department and the Advanced Practice Registered Nursing Board.

Certified registered nurse anesthetist means a licensed registered nurse certified by a board-approved certifying body and licensed under the Advanced Practice Registered Nurse Practice Act (Neb. Rev. Stat. §§38-201 to 38-212) to practice as a certified registered nurse anesthetist in the State of Nebraska. **Removed.**

Fluoroscopy means an imaging technique used to obtain real-time moving images of the internal structures of a patient through the use of a fluoroscope.

23-003 GENERAL REQUIREMENTS

— 23-003.01 Documentation of completion of required education and training must be maintained at each facility where a Certified Registered Nurse Anesthetist performs fluoroscopy.

23-004 ADMINISTRATIVE CONTROLS

23-004.01 Prior to the use of fluoroscopic equipment by a Certified Registered Nurse Anesthetist the registrant must ensure that the Certified Registered Nurse Anesthetist has successfully completed an approved educational program in fluoroscopy and received hands-on training in the use of a fluoroscope by completing at least three fluoroscopic procedures under the direct supervision of and in the physical presence of a physician or a person meeting the requirements of this Chapter.

EFFECTIVE DATE _____ NEBRASKA DEPARTMENT OF
JUNE 21, 2009 _____ HEALTH AND HUMAN SERVICES _____ 180 NAC 23

~~23-004.02~~ The registrant must ensure that the requirements of Neb. Rev. Stat. § 38-711
~~(3)~~ are met.