

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

**LCB File No. R184-08**

September 2, 2008

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

AUTHORITY: §§1-4, NRS 457.065.

A REGULATION relating to mammography; prescribing the grounds for the denial of renewal or the suspension or withdrawal of a certificate of authorization for the operation of a radiation machine for mammography or for a certificate of authorization for a radiation machine for mammography; revising the duties of mammographers and the physicians who supervise the operation of a machine at a facility for mammography; and providing other matters properly relating thereto.

**Section 1.** Chapter 457 of NAC is hereby amended by adding thereto a new section to read as follows:

*In addition to the grounds for disciplinary action set forth in chapter 457 of NRS, the Health Division may deny an application for renewal of a certificate or withdraw or suspend a certificate if the holder of the certificate, owner, lessee or other responsible person:*

- 1. Violates the provisions of this chapter, chapter 457 of NRS, or any other applicable state or federal laws or regulations;*
- 2. Permits an employee, who is under the supervision of the holder of the certificate, owner, lessee or other responsible person, to violate the provisions of this chapter, chapter 457 of NRS, or any other applicable state or federal laws or regulations;*
- 3. Fails or refuses to cooperate with the Health Division during an investigation or inspection;*

- 4. Fails or refuses to comply with a written request from the Health Division, the United States Food and Drug Administration or any applicable local or national accreditation body for records, reports or other materials;*
- 5. Provides false or misleading or otherwise inaccurate information on an application for a certificate or for renewal of a certificate;*
- 6. Has been disciplined by any applicable federal agency, local or national accreditation body or has otherwise been found by the Health Division to have committed unprofessional conduct, including, without limitation, a violation of the code of ethics or professional code of conduct of the federal agency or accreditation body; or*
- 7. Held a certificate issued by the Health Division or by the appropriate agency in another jurisdiction and the certificate was withdrawn, revoked, terminated or suspended.*

**Sec. 2.** NAC 457.200 is hereby amended to read as follows:

457.200 As used in NAC 457.200 to 457.445, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 457.205 to 457.280, inclusive, have the meanings ascribed to them in those sections.

**Sec. 3.** NAC 457.340 is hereby amended to read as follows:

457.340 The physician who supervises the operation of a machine at a facility for mammography shall:

1. Prepare a manual of procedures for the operation of the machine.
2. Review and update the manual as required, or at least every 12 months. A record of the review and update must be:
  - (a) Prepared and kept at the facility.
  - (b) Signed and dated by the physician.

*3. 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.*

*4. Notify the Health Division of any violation of this chapter or chapter 459 of NAC within 30 days after the date on which he discovers the violation.*

**Sec. 4.** NAC 457.360 is hereby amended to read as follows:

457.360 A mammographer shall:

1. Perform each of his assigned duties correctly and conscientiously.
2. Stand behind a protective barrier whenever X rays are being produced during mammography.
3. Wear on his torso the monitoring device assigned to him 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 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 mammographer's certificate where it can be seen by patients.

13. Record his full name on the record of each patient.
14. Ensure that his name or initials are included in the information which appears on the edge of each film as it is exposed.
15. Sign or initial the patients' log to indicate each patient upon whom he performed mammography.
16. Indicate, in the space located after his signature or initials in the patients' log, the number of films 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 Health Division of any violation of this chapter or chapter 459 of NAC within 30 days after the date on which he discovers the violation.*