

**PROPOSED REGULATION OF THE
STATE BOARD OF PODIATRY**

LCB File No. R025-19

July 17, 2019

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

AUTHORITY: §1, NRS 635.030 and section 62 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2735.

A REGULATION relating to podiatry hygienists; requiring an application for a license as a podiatry hygienist to include certain information; prescribing requirements governing the training of a podiatry hygienist; authorizing a podiatry hygienist to take and develop X-rays under certain conditions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) prohibits a person from practicing as a podiatry hygienist without a license issued by the State Board of Podiatry; and (2) establishes certain requirements to obtain such a license. Those requirements include completing a course for podiatry hygienists approved by the Board or 6 months or more of training in a podiatric physician’s office. (NRS 635.093, 635.167, 635.180) This regulation prescribes the requirements for such a course and for such training.

Existing law authorizes a podiatry hygienist to take and develop X-rays. (NRS 635.098) Beginning on January 1, 2020, Senate Bill No. 130 of the 2019 Legislative Session generally prohibits a person from engaging in radiation therapy or radiologic imaging unless the person obtains a license to engage in such activity from the Division of Public and Behavioral Health of the Department of Health and Human Services. (Section 35 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at page 2724) However, Senate Bill No. 130 authorizes a podiatry hygienist to take and develop X-rays within the practice of podiatry and under the direction of a podiatric physician if the podiatry hygienist: (1) has completed training prescribed by the Board; or (2) is working under the direct supervision of a podiatric physician. (Sections 62 and 72.6 of Senate Bill No. 130, chapter 435, Statutes of Nevada 2019, at pages 2735 and 2741) This regulation prescribes the conditions under which a podiatry hygienist or person training to be a podiatry hygienist may take and develop X-rays.

Section 1. Chapter 635 of NAC is hereby amended by adding thereto a new section to read as follows:

1. A person who wishes to obtain a license as a podiatry hygienist must apply to the Board in the form prescribed by the Board. The application must include, without limitation, proof that the applicant meets the requirements set forth in NRS 635.093, including, if applicable, the certification described in subsection 3.

2. The Board will post on its Internet website a list of courses for podiatry hygienists that may be taken to satisfy the course requirement set forth in paragraph (c) of subsection 1 of NRS 635.093.

3. To satisfy the requirement for training in a podiatric physician's office set forth in paragraph (c) of subsection 1 of NRS 635.093, a person must complete at least 960 hours of supervised training that includes, without limitation, training concerning the performance of each task described in NRS 635.098. Performance of any such task by a trainee must be at the direction and under the supervision of the supervising podiatric physician. Training concerning taking and developing X-rays must include, without limitation, training concerning the manner in which to minimize exposure to radiation to a dose that is as low as reasonably achievable. Upon completion of the training described in this subsection, the supervising podiatric physician must certify completion of the training and that the trainee is competent to perform each task described in NRS 635.098.

4. A podiatry hygienist or person receiving training described in subsection 3 may take and develop X-rays only upon the request of a supervising podiatric physician after the podiatric physician has determined that the X-rays are appropriate for the patient. The podiatry hygienist or person receiving training, as applicable, shall take any necessary action to minimize exposure to radiation to himself or herself, the patient and any other person to a dose that is as low as reasonably achievable.