

AN ACT relating to advanced practice registered nurses.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 311.271 is amended to read as follows:

- (1) No person shall be eligible for licensure to practice any healing art in this state unless and until he furnishes satisfactory evidence to the appropriate licensing agency, that prior to being licensed by the respective state agency that he was credited with not less than sixty (60) transferable units of study by a college or university accredited by the Southern Association of Colleges and Schools or an accrediting agency recognized by the Southern Association of Colleges and Schools or any successor to the powers of either; provided, however, that the transferability of credits from colleges and universities located outside the United States and Canada shall be determined by the appropriate licensing agency.
- (2) (a) The term "healing art," as used herein, includes the practices of medicine, osteopathy, advanced practice registered nursing, dentistry, chiropody (podiatry), optometry, and chiropractic, but does not include the practices of Christian Science or midwifery.
- (b) The term "transferable units of study" means semester hour (or equivalent) credits and may include advance placement credits.
- (3) This section shall not apply to any student who is enrolled in any school of medicine, osteopathy, dentistry, chiropody (podiatry), optometry, or chiropractic on June 13, 1968, nor shall it affect the right of any person who is presently licensed to practice a healing art in this state, to have his license renewed upon compliance with all other requirements of law.

➔Section 2. KRS 311B.020 is amended to read as follows:

As used in this chapter, unless the context clearly requires otherwise:

- (1) "Accredited educational program" means a program that is approved by a national organization acceptable to the board to provide education in medical imaging or

- radiation therapy;
- (2) "Actively employed" means an individual who is appropriately credentialed and currently employed as an advanced imaging professional, medical imaging technologist, radiation therapist, an educator or administrator in any of these disciplines, or a limited X-ray machine operator;
 - (3) "Advanced imaging professional" means an individual who is credentialed by a nationally recognized certification organization that is recognized by the board;
 - (4) "Authorized user" means a physician, dentist, or podiatrist identified on a radioactive materials license that authorizes the medical use of radioactive materials if the license was issued by:
 - (a) The Cabinet for Health and Family Services;
 - (b) The United States Nuclear Regulatory Commission; or
 - (c) Another United States Nuclear Regulatory Commission agreement state;
 - (5) "Board" means the Kentucky Board of Medical Imaging and Radiation Therapy;
 - (6) "Credentialed" means someone who is certified and registered by an appropriate national organization that is recognized by the board;
 - (7) "Continuing education" means a learning activity that is planned, organized, and administered to enhance the professional knowledge and skills of a licensed individual of medical imaging or radiation therapy to provide services for patients, the public, or the medical profession;
 - (8) "Licensed practitioner" or "licensed practitioner of the healing arts" means a person licensed in Kentucky to practice medicine, osteopathy, *advanced practice registered nursing*, dentistry, chiropractic, podiatry, or veterinary medicine;
 - (9) "Limited X-ray machine operator" means an individual who performs limited radiographic procedures in facilities where contrast studies, fluoroscopic, nuclear medicine, or radiation therapy procedures are not performed;
 - (10) "Medical imaging technologist" means an individual who has completed an

accredited educational program in radiography, nuclear medicine, or other imaging modality recognized by the board and who is licensed and granted privileges under this chapter. Only an individual licensed as a medical imaging technologist shall be employed to perform medical imaging at a facility where contrast studies, fluoroscopic, nuclear medicine, or radiation therapy procedures are performed;

(11) "National organization" means:

- (a) The American Society of Radiologic Technologists;
- (b) The Nuclear Medicine Technology Certification Board;
- (c) The American Registry of Radiologic Technologists;
- (d) The Society of Nuclear Medicine Technologist Section;
- (e) The Joint Review Committee on Education in Radiologic Technology;
- (f) The Joint Review Committee on Educational Programs in Nuclear Medicine Technology;
- (g) The American College of Radiology; or
- (h) Another national organization recognized by the board;

(12) "Nuclear medicine technologist" means an individual who is authorized to prepare and administer radiopharmaceuticals, pharmaceuticals, and radionuclides under the direction of an authorized user to perform nuclear medicine procedures for diagnostic and therapeutic purposes;

(13) "Post-primary certification" means an individual who has primary certification and has been awarded post-primary certification by a national organization that has been recognized by the board;

(14) "Primary certification" means an individual who has successfully completed a formal educational program and certification in radiography, nuclear medicine, radiation therapy, or other modality recognized by the board;

(15) "Radiation therapist" means an individual who:

- (a) Has completed an accredited educational program in radiation therapy;

- (b) Is licensed by the board; and
 - (c) Is authorized to utilize ionizing radiation-generating equipment and sources of radiation for the planning, localization, and delivery of therapeutic procedures on human beings; and
- (16) "Radiographer" means an individual who is authorized to use ionizing radiation-generating equipment to perform a comprehensive scope of diagnostic imaging procedures and is responsible for the operation of radiation-generating equipment, protecting the patient and staff from unnecessary radiation, and selecting the appropriate exposure to produce diagnostic images with the lowest reasonable exposure.

➔Section 3. KRS 438.065 is amended to read as follows:

- (1) No person licensed to practice medicine, *advanced practice registered nursing*, dentistry, osteopathy, podiatry, optometry, or chiropractic, or any other healing art in this state shall solicit persons to become patients, or advertise by mail, card, newspaper, pamphlet, radio, television, or any other medium, or permit his services to be advertised; provided, however, that such person may publish a brief announcement of the opening of an office or of any change of office location or change of office hours, and may cause to be listed in the telephone directory and classified advertising sections thereof his name, address, type of practice and office hours. Modest signs on the doors, windows, and walls of the licensee's office or on the building in which he maintains an office setting out his name, professional title in accordance with KRS 311.375, office hours and address shall not be considered as violations of this subsection.
- (2) Each violation of subsection (1) of this section shall be punishable by a fine of not less than two hundred and fifty dollars (\$250) nor more than one thousand dollars (\$1,000) or by imprisonment for not less than one (1) month nor more than twelve (12) months or both.

- (3) Nothing contained herein prohibits the circulation of educational materials, which are not laudatory of the author or any person with whom he is associated in the practice of his profession, and which contain no solicitation of patients for the author or any such associate of the author, which has been approved as to content by the appropriate licensing agency.