

This is an amendment to 20.3.20 NMAC, Sections 7, 101, 300, 301, 320, 322, and 330, effective 04/19/2022.

**20.3.20.7 DEFINITIONS:** As used in this part (20.3.20 NMAC).

**A.** “**Act**” means the Medical Imaging and Radiation Therapy Health and Safety Act, Sections 61-14E-1 to 61-14E-12 NMSA 1978.

**B.** “**Advisory council**” means the medical imaging and radiation therapy advisory council (MIRTAC).

**C.** “**Applying ionizing radiation**” means to use ionizing radiation for diagnostic or therapeutic purposes, including tasks having direct impact on the radiation burden of the patient, such as, but not limited to:

(1) positioning the patient, image receptor, and beam;

(2) selection of exposure factors or treatment parameters;

(3) preparation, calibration, and injection of pharmaceuticals and radiopharmaceuticals in accordance with a licensee’s scope of practice; and

(4) actuating the production of radiation.

**D.** “**Approved program**” means a medical imaging or radiation therapy educational program that meets the requirements of 20.3.20.200 NMAC.

**E.** “**Biennial licensure fee**” means the licensure fee for an initial, renewal, and limited radiography license, excluding the temporary license, for a period up to 24 months, and is only applied once per continuing medical education biennium period regardless of the number of licenses granted to that registrant. This fee will be assessed each time a registrant submits an application packet to the department. Upon written request to the department, the registrant may reduce their NM biennium period to match their national continuing medical education biennium period.

**F.** “**Board**” means the environmental improvement board.

**G.** “**Cardiac sonography**” or “**echocardiography**” means an examination using ultrasound to generate an image of the heart or major blood vessels.

**H.** “**Category A**” means a continuing education activity approved for category A credit by an organization recognized by the American registry of radiologic technologists as a recognized continuing education evaluation mechanism.

**I.** “**Certificate of licensure**” means a document issued by the department that lists the type or types of license granted to an individual.

**J.** “**Certificate of limited practice**” or “**limited practice of radiography license**” means a limited license granted by the department to an individual other than a licensed practitioner or radiographer who performs restricted diagnostic radiography procedures under the direct supervision of a licensed practitioner or radiographer on designated anatomical sites or limited anatomical areas.

**K.** “**Certified nurse practitioner**” means a person licensed pursuant to Section 61-3-23.2 NMSA 1978.

**L.** “**Chest and thorax**” or “**viscera of the thorax**” means radiographic examinations of the ribs and lungs, including anteroposterior, posterior-anterior, lateral, and apical lordotic views, but does not include mammography.

**M.** “**Clinical instruction**” means hands-on educational experience in a health care setting such as a hospital, clinic, or physician’s office, under the supervision requirements consistent with the standards of the program’s accrediting agencies.

**N.** “**Continuing education**” (CE) or “**continuing medical education**” (CME) means a learning activity that is planned, organized, and administered to enhance the professional knowledge and skill of the licensee.

**O.** “**Credential**” or “**certification**” means the recognition awarded to an individual who meets the initial and ongoing requirements of a credentialing or certification organization.

**P.** “**Credentialing organization**” or “**certification organization**” means an organization accredited by the national commission for certifying agencies or the American national standards institute and recognized by the board that issues credentials through testing or evaluation and determines that an individual has met defined standards for training and competence in a medical imaging or radiation therapy modality and subspecialty.

**Q.** “**Department**” means the New Mexico environment department.

**R.** “**Diagnostic medical sonographer**” means a person, including a vascular technologist or echocardiographer, other than a licensed practitioner, who provides patient care services using ultrasound;

**S. “Diagnostic medical sonography” or “sonogram”** means the use of ultrasound and sonographic equipment to create medical images for interpretation by a licensed practitioner or other qualified health care practitioner that provide diagnostic information about a patient’s medical condition and includes obstetrical ultrasound. Obstetrical ultrasound means an ultrasound exam performed for the purpose of fetal biometry beyond the first trimester, fetal number, anatomic survey, or follow-up examination for a known or suspected anomaly or growth disturbance. It does not mean a procedure using ultrasound on a focused imaging target to assess specific and limited information about a patient’s immediate medical condition or to provide real-time visual guidance for another procedure.

**T. “Didactic instruction”** means academic instruction.

**U. “Duplicate certificate of licensure”** means an additional original certificate of licensure issued by the department.

**V. “Extremities”** means the fingers, hand, wrist, radius/ulna, elbow, humerus, pectoral girdle (shoulder joint and clavicle), toes, foot, ankle, calcaneus, tibia/fibula, patella, knee, or distal femur, but does not include the skull, spine, hip, or pelvis.

**W. “Facility”** means a hospital, clinic, medical office, mobile lab, or other location where medical imaging or radiation therapy is provided.

**X. “Focused imaging target”** means a discrete anatomical target, to which ultrasound is applied to create an image for assessment of specific and limited information about a patient’s immediate medical condition, or to provide visual guidance for another procedure. An ultrasound procedure on a focused imaging target does not supplant a diagnostic ultrasound examination.

**Y. “General sonography”** means an examination using ultrasound to create an image of the abdomen, chest, pelvis, pregnant uterus, small parts, or superficial structures.

**Z. “Interventional”** means to diagnose or treat patients using medical imaging devices. Interventional procedures may include, but are not limited to: radiation therapy, organ biopsy, angiography, angioplasty, and catheter delivered stents. Interventional does not mean needle or catheter placement for vascular access or delivery of medicine or anesthesia, or the use of non-ionizing energy for non-imaging therapeutic or treatment purposes.

**AA. “Ionizing radiation”** means gamma rays and x-rays, alpha and beta particles, high speed electrons, neutrons, protons, and other nuclear particles; but not ultrasound, sound, or radio waves, nor visible, infrared or ultraviolet light.

**AB. “License”** means a grant of authority issued by the department for an individual to perform medical imaging or radiation therapy procedures.

**AC. “License term”** means a length of licensure as indicated on the certificate of licensure issued by the department.

**AD. “Licensed practitioner”** means an individual licensed to practice medicine, dentistry, podiatry, chiropractic or osteopathy in this state.

**AE. “Licensee”** means an individual who has met and continues to meet all requirements of the act and this part.

**AF. “Licensure”** means the grant of authority by the department for an individual to perform medical imaging or radiation therapy procedures.

**AG. “Limited practice radiography technologist”** means an individual who has been granted a limited practice in radiography license by the department to perform restricted diagnostic radiography procedures under the direct supervision of a licensed practitioner or radiographer.

**AH. “Lower leg”** means the knee and ankle and portions of the leg between the knee and ankle.

**AI. “Magnetic resonance imaging”** means an examination using magnetic fields and radio frequency signals to generate an image.

**AJ. “Magnetic resonance technologist”** means an individual other than a licensed practitioner who performs magnetic resonance imaging procedures under the supervision of a licensed practitioner using magnetic fields and radio frequency signals.

**AK. “Medical imaging”** means the use of substances or equipment emitting ionizing or non-ionizing radiation on humans for diagnostic or interventional purposes.

**AL. “Medical imaging professional”** means an individual who has been granted a license by the department pursuant to the act in at least one medical imaging modality.

**AM. “Modality”** means the following medical imaging procedures or technologies:

(1) computed tomography and all of its subspecialties;

~~(4)~~ (2) diagnostic medical sonography and all of its subspecialties;

- [~~(2)~~] **(3)** magnetic resonance imaging and all of its subspecialties;
- [~~(3)~~] **(4)** nuclear medicine technology and all of its subspecialties;
- [~~(4)~~] **(5)** radiation therapy and all of its subspecialties; and
- [~~(5)~~] **(6)** radiography and all of its subspecialties.

**AN.** “**Musculoskeletal sonography**” or “**musculoskeletal ultrasound**” means an examination using ultrasound to generate an image of a superficial muscle, tendon, ligament, or joint.

**AO.** “**Non-ionizing radiation**” means the static and time-varying electric and magnetic fields and radio frequency, including microwave radiation and ultrasound.

**AP.** “**Nuclear medicine technologist**” means an individual, other than a licensed practitioner, who performs nuclear medicine procedures, venipuncture, and compounds, calibrates, dispenses, and administers pharmaceuticals, radiopharmaceuticals, and radionuclides under the supervision of a licensed practitioner.

**AQ.** “**Personal identification**” means an applicant’s or licensee’s full legal name, permanent and mailing address, social security number, date of birth, home phone number, cellular telephone number, work telephone number, electronic mail address, department registration number, and other related information.

**AR.** “**Phlebology**” means ultrasound examination of superficial veins in the lower extremities for the identification and treatment of venous disease.

**AS.** “**Physician assistant**” means a person licensed and operating within their scope of practice pursuant to Section 61-6-7 or 61-10A-4 NMSA 1978.

**AT.** “**Place of employment**” means a location with its own physical address or separated by building structure regardless of ownership, company, nonprofit organization, or business name.

**AU.** “**Podiatric**” means radiographic examination of the toes, foot, ankle, calcaneus, distal tibia/fibula, but does not include the knee joint.

**AV.** “**Programmatic accreditation**” means a specialized accreditation process that examines the medical imaging or radiation therapy program within an educational institution.

**AW.** “**Radiation therapy**” means the use of high-energy particles or waves to destroy or damage cells.

**AX.** “**Radiation therapy technologist**” or “**radiation therapist**” means an individual, other than a licensed practitioner, who utilizes ionizing radiation for the planning and delivery of therapeutic procedures to humans under the supervision of a licensed practitioner.

**AY.** “**Radiographer**” means an individual, other than a licensed practitioner, who applies radiation to humans for diagnostic purposes under the supervision of a licensed practitioner.

**AZ.** “**Radiography**” means the application of radiation to humans for diagnostic purposes, including adjustment or manipulation of x-ray systems and accessories, including image receptors, positioning of patients, processing of films and any other action that materially affects the radiation dose to patients.

**BA.** “**Radiologic technologist**” or “**radiation therapy technologist**” means a medical imaging or radiation therapy professional licensed by the department in one or more of the imaging modalities.

**BB.** “**Radiologist**” means a licensed practitioner certified by the American board of radiology, the British royal college of radiology, the American osteopathic board of radiology or the American chiropractic board of radiology.

**BC.** “**Radiologist assistant**” means an individual licensed as a radiographer who holds additional certification as a registered radiologist assistant by the American registry of radiologic technologists and who works under the supervision of a radiologist; provided that a radiologist assistant shall not interpret images, render diagnoses or prescribe medications or therapies.

**BD.** “**Recognized continuing education evaluation mechanism (RCEEM)**” means a recognition mechanism of the ARRT for evaluating the content, quality, and integrity of a continuing education activity.

**BE.** “**Registration number**” means a number that is generated by the department to be used as a unique identification number in place of that individual’s social security number. This number will remain the same number throughout the individual’s lifetime.

**BF.** “**Remedial education**” or “**remedial training**” means additional education or training required for an individual to re-qualify to take a state-administered examination for the limited practice of radiography.

**BG.** “**Scope of practice**” means nationally recognized practice standards as applicable to each medical imaging modality and subspecialty, unless this part is superseded by the act.

**BH.** “**Small parts**” means superficial structures or anatomy including, but not limited to: axilla, chest or abdominal wall, penis, scrotum or testicles, thyroid, parathyroid, and other non-vascular structures of the neck or extremities.

**BI.** “**Sonographer**” or “**echocardiographer**” or “**vascular technologist**” means an individual other than a licensed practitioner who applies ultrasound to humans for diagnostic and interventional purposes under the

supervision of a licensed practitioner.

**BJ.** “**Sonography**” or “**ultrasound**” means the use of high frequency sound waves (above 20,000 cycles per second) with specialized equipment to direct the sound waves into an area of the human body to generate an image.

**BK.** “**Sonography subspecialty**” means an area of specialization recognized by the board, including:

- (1) abdominal sonography;
- (2) breast sonography;
- (3) cardiac sonography;
- (4) musculoskeletal sonography;
- (5) obstetric/gynecology sonography;
- (6) phlebology sonography; and
- (7) vascular sonography.

**BL.** “**Student**” means an individual enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, an approved program in medical imaging or radiation therapy, or an approved limited radiography program.

**BM.** “**Subspecialty**” means an area of specialization approved by the board within a medical imaging or radiation therapy modality.

**BN.** “**Supervision**” means responsibility for and control of quality, radiation safety, and protection and technical aspects of the application of ionizing and non-ionizing radiation to human beings for diagnostic or therapeutic purposes.

(1) “**direct supervision**” means the medical imaging or radiation therapy procedure is provided under the direction and control of a person authorized to provide supervision and the person’s physical presence must be present in the office suite or building and immediately available to furnish assistance and direction throughout the performance of the procedure. It does not mean that the supervisor must be present in the room when the procedure is performed.

(2) “**indirect supervision**” or “**general supervision**” means the medical imaging or radiation therapy procedure is provided under the direction and control of a person authorized to provide supervision, but the person’s presence is not required during the performance of the procedure. The training of the non-physician personnel and the maintenance of the necessary equipment and supplies are the continuing responsibility of the person authorized to provide supervision.

(3) student supervision requirements must be consistent with the medical imaging and radiation therapy standards of the programmatic accreditation agencies.

**BO.** “**Temporary license**” means a grant of authority by the department for an individual to perform medical imaging or radiation therapy procedures pursuant to the term and requirements of section 20.3.20.321 NMAC.

**BP.** “**Vascular sonography**” means an examination using ultrasound to generate an image of the peripheral or neck blood vessels.

**BQ.** “**Viscera of the thorax**” means radiographic examination of the lungs and mediastinum. [20.3.20.7 NMAC - Rp, 20.3.20.7 NMAC, 9/25/2018; A, 04/19/2022]

### **20.3.20.101 SCOPE OF PRACTICE:**

**A.** General provisions.

(1) A licensee's scope of practice is determined based upon the licensee's education, certification, and state and federal law.

(2) The following are the different scopes of practice for a licensee that will be recognized by the department:

(a) Radiography - the current version of the American society of radiologic technologists radiography practice standards;

(b) Radiation therapy - the current version of the American society of radiologic technologists radiation therapy practice standards;

(c) Nuclear medicine technology - the current version of the American society of radiologic technologists nuclear medicine practice standards or society of nuclear medicine and molecular imaging scope of practice for nuclear medicine technologist;

(d) Magnetic resonance technology - the current version of the American society of radiologic technologists magnetic resonance practice standards;

(e) Radiologist assistant - the current version of the American society of radiologic

technologists radiologist assistant practice standards;

(f) Sonography - the current version of the American society of radiologic technologists sonography practice standards or the society of diagnostic medical sonography scope of practice and clinical standards for the diagnostic medical sonographer; [Ø]

(g) Limited practice of radiography license or certificate of limited practice - the current version of the American society of radiologic technologists limited x-ray machine operator practice standards; or

(h) Computed tomography-the current version of the American society of radiologic technologists computer tomography practice standards and the society of nuclear medicine and molecular imaging.

**B. Radiologist assistant.** A radiologist assistant shall practice under the indirect supervision of a radiologist and shall not interpret images, render diagnoses, or prescribe medications or therapies.  
[20.3.20.101 NMAC - N, 9/25/2018; A, 04/19/2022]

**20.3.20.300 RECOGNIZED CREDENTIALING ORGANIZATIONS:** The board recognizes the following medical imaging and radiation therapy credentialing organizations in each modality defined by the act including:

A. computed tomography: ARRT.

~~[A.]~~ B. diagnostic medical sonography:

- (1) ARDMS;
- (2) ARRT; or
- (3) CCI.

~~[B.]~~ C. magnetic resonance imaging:

- (1) ARMRT; or
- (2) ARRT.

~~[C.]~~ D. nuclear medicine:

- (1) ARRT; or
- (2) NMTCB.

~~[D.]~~ E. radiation therapy: ARRT.

~~[E.]~~ F. radiography: ARRT.

[20.3.20.300 NMAC - N, 9/25/2018; A, 04/19/2022]

**20.3.20.301 RECOGNIZED CREDENTIALS AND CERTIFICATIONS:** The board recognizes the following medical imaging and radiation therapy credentials and certifications for each type of license issued by the department:

**A.** fusion imaging- restricted to PET/CT medical imaging procedures only:

- (1) (CNMT)(NMTCB) and (CT)(NMTCB);
- (2) R.T. (ARRT)(N) and (ARRT)(CT);
- (3) R.T. (ARRT)(N) and (NMTCB)(CT); or
- (4) R.T. (ARRT)(R) and (NMTCB)(PET).

**B.** cardiac sonography:

- (1) (CCI)(RCS);
- (2) (CCI)(RCCS); or
- (3) (ARDMS)(RDCS).

C. computed tomography: R.T. (ARRT)(CT)

~~[C.]~~ D. general sonography:

- (1) RDMS (ARDMS)(AB);
- (2) RDMS (ARDMS)(BR);
- (3) RDMS (ARDMS)(OB);
- (4) R.T. (ARRT)(S); or
- (5) R.T. (ARRT)(BS).

~~[D.]~~ E. limited radiography: none.

~~[E.]~~ F. magnetic resonance imaging:

- (1) (ARMRT)(RMRIT); or
- (2) R.T. (ARRT)(MR).

~~[F.]~~ G. musculoskeletal sonography: (ARDMS)(RMSK).

~~[G.]~~ H. nuclear medicine:

- (1) certified nuclear medicine technologist (NMTCB); or

(2) nuclear medicine technology R.T. (ARRT)(N).

~~[H.]~~ **I.** phlebology sonography: RPhS (CCI).

~~[I.]~~ **J.** radiation therapy: R.T. (ARRT)(T).

~~[J.]~~ **K.** radiography: R.T. (ARRT)(R).

~~[K.]~~ **L.** radiology assistant: (ARRT)(RRA).

~~[L.]~~ **M.** vascular sonography:

(1) R.T. (ARRT)(VS);

(2) RVS (CCI); or

(3) RVT(ARDMS).

[20.3.20.301 NMAC - N, 9/25/2018; A, 04/19/2022]

### 20.3.20.320 LICENSES:

**A. Licensure Requirements.** An applicant for a medical imaging or radiation therapy license shall submit the required application to the department; the applicable application fee located in 20.3.20.501 NMAC, and shall be currently certified and registered by a medical imaging or radiation therapy credentialing organization recognized by the board. ~~[An applicant for the medical imaging and radiation therapy licenses specified in the following shall have until June 30, 2019 to meet the requirements of this section:~~

~~\_\_\_\_\_ (1) 20.3.20.320 NMAC;~~

~~\_\_\_\_\_ (2) Paragraph A of 20.3.20.100 NMAC; and~~

~~\_\_\_\_\_ (3) Subparagraphs (1), (2), (8), (10), (11), (16) and (17) of Paragraph F of 20.3.20.320 NMAC.]~~

**B. Registration number.** The department shall assign a department registration number to each licensee regardless of the number of modalities and subspecialties licensed. The department registration number shall be listed on each certificate of licensure issued by the department.

**C. Term for licenses issued prior to the 15th of the month.** The license term for ~~[all]~~ licenses issued prior to the 15th of the month ~~[, except a temporary license,]~~ will:

(1) be for 24 months;

(2) begin on the date the license is issued; and

(3) end on the last day of the month the license was issued.

**D. Term for licenses issued after the 15th of the month.** The license term for ~~[all]~~ licenses issued after the 15th of the month ~~[, except a temporary license,]~~ will:

(1) be for 24 months;

(2) begin on the date the license is issued; and

(3) end on the last day of the month following the month the license was issued.

**E. Request for coordination of license and credential expiration dates.** At the written request of the licensee, the expiration date of their license or licenses may be reduced to match their current credentialing organization's expiration date. Such reduction in term shall not reduce the applicant or licensee's license fee.

**F. Types of license.** Upon demonstration of compliance with all applicable requirements of the act and this part, the department may grant one or more of the following types of licenses to be recognized by the department:

(1) (DMS) which includes sonography subspecialties of RDMS (ARDMS)(AB)(BR)(OB) and R.T. (ARRT)(S)(BS);

(2) (MSK);

(3) (FUS);

(4) (LXV);

(5) (LXE);

(6) (LXP);

(7) (LXT);

(8) (MRT);

(9) (NMT);

(10) (PBS);

(11) (PVL);

(12) (RTT);

(13) (RRT);

(14) (RRA);

(15) (TMP);

- (VS); ~~and~~
- (16) (VS), which includes sonography subspecialties of (ARDMS)(RVT) and R.T. ARRT
- (17) (CS) which includes RDCS (ARDMS), RCS (CCI), and RCCS (CCI); and
- (18) (CT).

**G. Certificate of licensure.** Each certificate of licensure issued by the department shall identify all current licenses granted to the licensee.  
[20.3.20.320 NMAC - N, 9/25/2018; A, 04/19/2022]

### 20.3.20.322 PROVISIONAL LICENSES:

**A. Provisional license.** The department may grant a provisional license to practice medical imaging to an individual who:

~~(1) is currently licensed by the department;~~

~~(2)~~ (1) submits an application to the department; and

~~(3)~~ (2) follows training pathways established by one of the following recognized national certification organizations:

- (a) ARRT;
- (b) ARDMS;
- (c) ARMRT;
- (d) CCI; or
- (e) NMTCB.

**B. License Term.** A provisional license:

(1) expires two years from the date of issuance; ~~and~~

(2) may be renewed one time[-]; and

(3) the one-time renewal must occur before the license term expires in order to ensure the individual's provisional license remains active for that provisional license's second and last license term.

**C. Term for licenses issued prior to the 15th of the month.** The license term for ~~all~~ licenses issued prior to the 15th of the month [~~except a temporary license;~~] will:

(1) be for 24 months;

(2) begin on the date the license is issued; and

(3) end on the last day of the month the license was issued.

**D. Term for licenses issued after the 15th of the month.** The license term for ~~all~~ licenses issued after the 15th of the month [~~except a temporary license;~~] will:

(1) be for 24 months;

(2) begin on the date the license is issued; and

(3) end on the last day of the month following the month the license was issued.

**E.** Applicability to licensee enrolled in an approved program. This section does not apply to a licensee who is currently enrolled in an approved program leading to qualification for another modality and subspecialty license.

**F.** A provisional license to practice medical imaging or radiation therapy utilizing ionizing radiation will not be issued to individuals who are not already licensed by the department in one of the modalities that utilizes ionizing radiation.

[20.3.20.322 NMAC - N, 09/25/2018; A, 04/19/2022]

### 20.3.20.330 CONTINUING EDUCATION:

**A. Continuing education.**

(1) During the license term, a limited practice of radiography licensee must complete 24 hours or credits of category A or A+ continuing education approved by a RCEEM recognized by the ARRT. Documentation of completion of the required continuing education must be submitted to the department with each renewal application.

(2) During the license term, a medical imaging, a radiation therapy, or a radiologist assistant licensee, other than a limited practice of radiography licensee, must comply with all continuing education, continuing competency, and registration requirements of the credentialing organization for which they hold a credential or certification. The department may require a licensee to certify meeting the credentialing organization's requirements. Failure to meet the credentialing organization's requirements may be grounds for suspension or revocation of a license. This does not apply to individuals with an active temporary license or with an active provisional license that has been issued by the department.

(3) The department may require a licensee to submit documentation from the credentialing organization if online verification is not available at the time the licensee's renewal request is being reviewed.

**B. Audit.** The department may audit a licensee's continuing education and continuing compliance with requirements of the act and this part. A licensee must submit the audit information requested by the department within 30 days of receipt of the notification of audit. No application or fees are required when submitting information requested by the department for an audit.

[20.3.20.330 NMAC - Rp, 20.3.20.500 NMAC, 9/25/2018; A, 04/19/2022]