

ASSEMBLY BILL

No. 460

Introduced by Assembly Member Chen

February 6, 2025

An act to amend Section 106985 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 460, as introduced, Chen. Radiologic technologists: venipuncture: direct supervision.

Existing law, the Radiologic Technology Act, provides for the certification and regulation of radiologic technologists by the State Department of Public Health and makes a violation of the act or regulation of the department adopted pursuant to the act a misdemeanor. Existing law authorizes a radiologic technologist to perform venipuncture in an upper extremity, as specified, under the direct supervision of a licensed physician and surgeon. Existing law defines direct supervision for purposes of that provision to mean the direction of procedures by a licensed physician and surgeon who is physically present and available within the facility when the procedures are performed to provide immediate medical intervention prevent or mitigate injury to the patient in the event of adverse reaction.

This bill would revise that definition to require the licensed physician and surgeon to either be physically present within the facility and immediately available to intervene or available immediately via telephone or other real-time audio communication with access to the patient's electronic medical records and have the ability to intervene through standing orders or protocols. By changing the scope of direct

supervision for purposes of these provisions, the violation of which is a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 106985 of the Health and Safety Code
2 is amended to read:

3 106985. (a) (1) Notwithstanding Section 2052 of the Business
4 and Professions Code or any other law, a radiologic technologist
5 certified pursuant to the Radiologic Technology Act (Section 27)
6 may, under the direct supervision of a licensed physician and
7 surgeon, and in accordance with the facility's protocol that meets,
8 at a minimum, the requirements described in paragraph (2), perform
9 venipuncture in an upper extremity to administer contrast materials,
10 manually or by utilizing a mechanical injector, if the radiologic
11 technologist has been deemed competent to perform that
12 venipuncture, in accordance with paragraph (3), and issued a
13 certificate, as described in subdivision (b).

14 (2) (A) In administering contrast materials, a radiologic
15 technologist may, to ensure the security and integrity of the
16 needle's placement or of an existing intravenous cannula, use a
17 saline-based solution that conforms with the facility's protocol
18 and that has been approved by a licensed physician and surgeon.
19 The protocol shall specify that only contrast materials or
20 pharmaceuticals approved by the United States Food and Drug
21 Administration may be used and shall also specify that the use
22 shall be in accordance with the labeling.

23 (B) A person who is currently certified as meeting the standards
24 of competence in nuclear medicine technology pursuant to Article
25 6 (commencing with Section 107150) and who is authorized to
26 perform a computerized tomography scanner only on a dual-mode
27 machine, as described in Section 106976, may perform the conduct
28 described in this subdivision.

(3) Prior to performing venipuncture pursuant to paragraph (1), a radiologic technologist shall have performed at least 10 venipunctures on live humans under the personal supervision of a licensed physician and surgeon, a registered nurse, or a person the physician or nurse has previously deemed qualified to provide personal supervision to the technologist for purposes of performing venipuncture pursuant to this paragraph. Only after completion of a minimum of 10 venipunctures may the supervising individual evaluate whether the technologist is competent to perform venipuncture under direct supervision. The number of venipunctures required in this paragraph are in addition to those performed for meeting the requirements of paragraph (2) of subdivision (d). The facility shall document compliance with this subdivision.

(b) The radiologic technologist shall be issued a certificate as specified in subdivision (e) or by an instructor indicating satisfactory completion of the training and education described in subdivision (d). This certificate documents completion of the required education and training and may not, by itself, be construed to authorize a person to perform venipuncture or to administer contrast materials.

~~(e) (1) "Direct supervision," for purposes of this section, means the direction of procedures authorized by this section by a licensed physician and surgeon who shall be physically present within the facility and available within the facility where the procedures are performed, in order to provide immediate medical intervention to prevent or mitigate injury to the patient in the event of adverse reaction.~~

(c) For purposes of this section, the following definitions apply:

(1) "Direct supervision" means the direction of procedures authorized by this section by a licensed physician and surgeon who shall be either:

(A) Physically present within the facility and immediately available to intervene.

(B) Available immediately via telephone or other real-time audio communication with access to the patient's electronic medical records and have the ability to intervene through standing orders or protocols.

(2) "Personal supervision," for purposes of this section, means the oversight of the procedures authorized by this section by a

1 supervising individual identified in paragraph (3) of subdivision
2 (a) who is physically present to observe, and correct, as needed,
3 the performance of the individual who is performing the procedure.

4 (d) The radiologic technologist shall have completed both of
5 the following:

6 (1) Received a total of 10 hours of instruction, including all of
7 the following:

8 (A) Anatomy and physiology of venipuncture sites.

9 (B) Venipuncture instruments, intravenous solutions, and related
10 equipment.

11 (C) Puncture techniques.

12 (D) Techniques of intravenous line establishment.

13 (E) Hazards and complications of venipuncture.

14 (F) Postpuncture care.

15 (G) Composition and purpose of antianaphylaxis tray.

16 (H) First aid and basic cardiopulmonary resuscitation.

17 (2) Performed 10 venipunctures on a human or training
18 mannequin upper extremity (for example, an infusion arm or a
19 mannequin arm) under personal supervision. If performance is on
20 a human, only an upper extremity may be used.

21 (e) Schools for radiologic technologists shall include the
22 training and education specified in subdivision (d). Upon
23 satisfactory completion of the training and education, the school
24 shall issue to the student a completion document. This document
25 may not be construed to authorize a person to perform venipuncture
26 or to administer contrast materials.

27 (f) Nothing in this section shall be construed to authorize a
28 radiologic technologist to perform arterial puncture, any central
29 venous access procedures including repositioning of previously
30 placed central venous catheter except as specified in paragraph (1)
31 of subdivision (a), or cutdowns, or establish an intravenous line.

32 (g) This section shall not be construed to apply to a person who
33 is currently certified as meeting the standards of competence in
34 nuclear medicine technology pursuant to Article 6 (commencing
35 with Section 107150), except as provided in subparagraph (B) of
36 paragraph (2) of subdivision (a).

37 (h) Radiologic technologists who met the training and education
38 requirements of subdivision (d) prior to January 1, 2013, need not
39 repeat those requirements, or perform the venipunctures specified
40 in paragraph (3) of subdivision (a), provided the facility documents

1 that the radiologic technologist is competent to perform the tasks
2 specified in paragraph (1) of subdivision (a).

3 SEC. 2. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.