

New Mexico and West Virginia Legislatures Propose Problematic Legislation Pertaining to Sonographers' Licensure

The New Mexico bill, Senate Bill 336, would exempt certified registered nurse anesthetists, certified nurse practitioners, clinical nurse specialists and certified nurse midwives from the New Mexico Medical Imaging and Radiation Therapy Health and Safety Act and allow them to perform any diagnostic medical sonography procedure (as well as any other medical imaging/radiation therapy procedure).

As written, the New Mexico bill will jeopardize patient safety by allowing these groups of nurses to perform a wide-range of medical imaging procedures without regard to radiation safety and well beyond their education and scope of practice. SB 336 allows a simple attestation by a licensed provider to endorse the nurse's company in any or all the medical imaging modalities, regardless of training, knowledge, or experience.

Without proper education and training, patients will be subjected to needless exposure to radiation and poor quality images may lead to misdiagnosis, additional testing, and delays in treatment, as well as unnecessary cost and anxiety for the patient.

The West Virginia bill, Senate Bill 2929, will place sonography under the authority of the West Virginia Medical Imaging and Radiation Therapy Technology Board. The sonography community has offered suggestions to improve the draft bill, yet the bill remains poorly written and may result in both the misinterpretation and improper implementation of the proposed law. The West Virginia Medical Imaging and Radiation Therapy Technology Board will only have one sonographer; therefore the Board will be unfairly dominated by radiology technologists and will inadequately represent the interest of the sonography community.

West Virginia's SB 2929 will recognize national sonography credentialing programs; however it also includes a loophole that permits an individual without adequate sonography education or experience to take a separate state-administrated sonography licensing examination – creating two different standards for licensure of sonographers in West Virginia.

The American Society of Echocardiography (ASE) participates in the Sonographer Licensure Coalition, a group of organizations which reviews licensure legislation to ensure that their members' interests are considered and that the legislation adequately protects patients. The coalition has serious concerns about these bills in New Mexico and West Virginia and asked coalition members to alert their members in the affected states.