

October 13, 2025

Shanah Black  
Rulemaking Coordinator  
Division of Health Service Regulation  
Via email: [dhsr.rulescoordinator@dhhs.nc.gov](mailto:dhsr.rulescoordinator@dhhs.nc.gov)

Re: Public Comment submitted by the NCBON regarding Radiation Protection Rules 10A NCAC 15 Section .0600

Dear Shanah Black:

Pursuant to G.S. §150B-21.3A, the North Carolina Board of Nursing (NCBON) respectfully submits the following written comments objecting to 10A NCAC 15 .0601, 10A NCAC 15 .0602, and 10A NCAC 15 .0604. While the rules recognize nurse practitioners practicing advanced practice registered nursing, the proposed amendments do not include other licensed advanced practice registered nurse providers who use radiation machines in their practice.

The mission of the NCBON is to protect the public by regulating the practice of nursing. As part of that mission and relevant to these rules and comments, the NCBON approves, licenses or certifies a total of 21,645 Advanced Practice Registered Nurses: 16,532 NPs with Approval to Practice (regulated jointly by the NC Medical Board), 4,269 Certified Registered Nurse Anesthetists, 280 Clinical Nurse Specialists, and 564 Certified Nurse Midwives. The NCBON regulates Certified Registered Nurse Anesthetists (CRNAs), and their scope of practice is defined in [21 ncac 36 .0226.pdf](#) Nurse Anesthesia Practice. Certified Nurse Midwives (CNMs) are regulated by the Midwifery Joint Commission, which is comprised of members from the NCBON and NC Medical Board, and their scope of practice is defined in [21 ncac 33 .0112.pdf](#) Scope of Practice.

The purpose of this letter is to inform you that the proposed amendments will impact nursing regulation and offer us as a resource on behalf of the NCBON. The unintended consequences of this language, as currently drafted, would negatively impact public health by decreasing access to care. The NCBON appreciates DHSR's efforts to pursue solutions to enhance patient safety and ensure that only educationally prepared and clinically competent providers administer imaging, such as radiation machines.



Section	NCBON Comment
<p>.0601 Purpose and Scope</p>	<p>The current draft fails to recognize advanced practice nursing as a profession which utilizes radiation machines in diagnosing and treating patients. Both Certified Nurse Midwives (CNMs) practicing midwifery and Certified Registered Nurse Anesthetists (CRNAs) use radiation machines in their practice.</p> <p>CNMs may use fluoroscopy in fertility workups and reproductive healthcare, specifically for a diagnostic procedure called a hysterosalpingogram (HSG). An HSG is a specialized X-ray exam that uses fluoroscopy to evaluate the fallopian tubes and uterus, helping to diagnose the causes of infertility.</p> <p>It is within the scope of practice for CRNAs, with an order by a licensed provider, to provide non-opioid pain management services. The use of fluoroscopy as a tool to guide proper placement and to determine the precise location for pain relief therapy is the standard of care in this area of practice.</p> <p>The NCBON recommends adding “nursing” to the proposed language as follows.</p> <ul style="list-style-type: none"> <li>- (c) This Section provides additional requirements for the use of radiation machines by or under the supervision of a licensed practitioner authorized by and licensed, in accordance with state statutes, to practice medicine and provide professional services in chiropractic, dentistry, <u>nursing</u>, podiatry, research, and veterinary medicine.</li> </ul>
<p>.0602 Definitions</p>	<p>Under these revisions in (1) “Advanced Practitioner” speaks only to licensed nurse practitioners and licensed physician assistants. This is a narrow definition of an advanced practitioner as defined by the NCBON which also excludes CRNAs and CNMs who properly use this type of machine.</p>

	<p>The NCBON first suggests revising this definition by separating physician assistants from nurses. Like the proposal under (22) which defines “licensed dentist” as “an individual licensed by the NC Board of Dental Examiners to practice dentistry.” The NCBON would also propose a similar revision to the definition of Advanced Practitioner.</p> <p><b>OR</b></p> <p>Separate the definition of Advanced Practitioner into the following sentences: “Advanced practitioner” means an individual performing medical acts, tasks, or functions as a licensed nurse practitioner in accordance with G.S. §90-18.2; a certified nurse midwife in accordance with G.S. §90-18.7 and G.S. §90-178.2; a certified registered nurse anesthetist performing nurse anesthesia activities in collaboration with a physician, dentist, podiatrist, or other lawfully qualified health care provider in accordance with Article 9A, Chapter 90 and 21 NCAC 36 .0226; or a licensed physician assistant in accordance with G.S. §90-18.1.</p>
.0604 Operator Requirements	Reference to “advanced practitioner provider (APP)” in (i)(2) APP as defined in .0602 does not include CRNAs and CNMs, similar to our objections above.

NCBON staff is willing to provide further education and information if there are questions related to the recommended changes. We appreciate DHSR’s efforts to enhance patient safety regarding the use of Radiation Machines and willingness to consider making these changes such that all areas of advanced practice registered nursing may continue to use radiation machines in their practice.

Highest regards,



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Chief Executive Officer