The Neurodiagnostic Technologists Model Bill

SYNOPSIS: Under existing law, neurodiagnostic technologists are not specifically licensed and regulated. This bill would: provide for licensure and regulation of Neurodiagnostic Technology (ND Technology); provide for and to document the registration and licensure of ND Technologists; regulate the field of ND Technology in the [INSERT STATE--ex: GA, MN, AR etc]; create the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists; create the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund; provide for an appropriation to the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists from the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund in the amount deemed necessary for the fiscal year; provide for duties and powers of the board; and prescribe penalties for violations of this act.

A BILL TO BE ENTITLED

AN ACT

SECTION 1. In the interest of assuring the health, safety and welfare of patients; to provide for licensure and regulation of Neurodiagnostic Technology; to provide for and to document the registration and licensure of ND Technologists; to regulate the field of ND Technology in
[INSERT STATE--ex: GA, MN, AR etc]; to provide requirements for appropriate education and training of persons obtaining licensure in accordance with established standards of education and training for the persons who administer neurodiagnostic procedures; to create the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists; to create the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund; to provide for an appropriation to the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists from the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund in the amount deemed necessary for the fiscal year; to provide for duties and powers of the board; and to prescribe penalties for violations of this act.

BE IT ENACTED BY THE LEGISLATURE OF [INSERT STATE--ex: GA, MN, AR etc]:

SECTION 2. This act shall be cited and known as the “[INSERT STATE--ex: GA, MN, AR etc] Neurodiagnostic Technologists Practice Act.”

SECTION 3. For the purposes of this act, the following terms and definitions shall have the following meanings unless otherwise stated within the context of the act:

(1) Practice of Neurodiagnostics means the recording of physiologic data from the central and peripheral nervous system; analyzing and reporting the results in a manner consistent with training, education, experience and
credentialing. These duties are performed under the general supervision of a licensed physician. Neurodiagnostic procedures are performed in all areas of the hospital, including acute and critical care areas such as the operating room, intensive care units and the emergency department. Neurodiagnostic procedures are also performed in Independent Testing Facilities, private clinics and the patients’ homes. 

The scope of practice of Neurodiagnostic Technology includes but is not limited to: Autonomic Testing (AT); Electroencephalography (EEG); Evoked Potentials (EP); Intensive Care Unit/Continuous EEG monitoring (ICU/cEEG); Intraoperative Neuromonitoring (IONM); Long Term Monitoring (LTM); Nerve Conduction Studies (NCS). All modalities share core knowledge and basic skills and each requires specific additional knowledge and skills. Core knowledge and skills are defined in competency standards as:

a. Establishes rapport with patients and/or family in order to assess patient’s mental age, learns relevant medical history, assures appropriateness of testing, and correlates patient history and clinical symptoms to disease. Prepares a basic patient data sheet.

b. Understands physiology, anatomy and neuroanatomy appropriate to the modality of testing.

c. Understands medications, medical terminology and neurological conditions appropriate to modality of testing.
d. Understands digital recording concepts, assures proper working condition of equipment using calibration, and knows how waveforms are affected by filters, sensitivity, montage, electrode type, malfunctioning equipment and printer conversion of data.

e. Applies the principles of electronics and mathematics to the recording.

f. Accurately applies electrodes ensuring acceptable impedance.

g. Assures a safe recording environment by patient identification, applying principles of electrical safety, infection control, and the physical safety of the patient.

h. Recognizes normal vs. abnormal recorded activity appropriate to the modality and events that impact patient safety.

i. Assures the best possible recording by documenting activity during recording and recognizing, identifying, and reducing or eliminating artifacts during recording.

j. Reports critical test results according to the facility policy and procedure manual.

k. Completes recording by removing electrodes, disposing or disinfecting electrodes, completing all documentation, properly storing or archiving data.

l. Maintains and improves knowledge and skills.
(2) American Association of Electrodiagnostic Technologists (AAET); the credentialing body that awards the R.NCS.T. credential to nerve conduction study technologists.

(3) American Board of Electrodiagnostic Medicine (ABEM); the credentialing board that awards the CNCT credential to nerve conduction study technologists.

(4) ABRET: Neurodiagnostic Credentialing and Accreditation (ABRET); the credentialing board for Autonomic Testing (CAP), Electroencephalography (R. EEG T.), Evoked Potentials (R. EP T.), Long Term Monitoring (CLTM) and Intraoperative Neuromonitoring (CNIM).

(5) American Clinical Neurophysiology Society (ACNS). A physician association that sets guidelines for the minimum requirements for performing neurodiagnostic testing.

(6) AUTONOMIC TESTING (AT). Recording and measuring of the systems in the body that are controlled by the autonomic nerves. Autonomic tests measure how the systems in the body, which are controlled by the autonomic nerves, respond to stimulation. The data collected during testing will indicate if the autonomic nervous system is functioning as it should, or if nerve damage has occurred. Some of the functions evaluated may include changes in blood pressure, heart rate, respirations, skin temperature and sweating. Performed by an ND Technologist, interpreted by a physician and used in evaluating a variety of neurological symptoms.
(7) DIRECT SUPERVISION means that the neurodiagnostic technologist or physician providing supervision must be present in the area where the neurodiagnostic procedure is being performed and immediately available to furnish assistance and direction throughout the performance of the procedure;

(8) ELECTROENCEPHALOGRAM (EEG). Recording and analysis of the on-going electrical activity of the brain using a digital or analog instrument with a minimum of 16 channels and 21 electrodes as stated in guidelines by the American Clinical Neuropysiology Society, which is performed by an ND Technologist, interpreted by a physician and used to assist in the diagnosis of epilepsy and a variety of neurological symptoms.

(9) ELECTROMYOGRAPHY (EMG). Recording and analysis for diagnostic purposes of electrical activity generated by and recorded via needle insertion into a muscle, which is performed and interpreted by a licensed physician.

(10) EVOKED POTENTIAL (EP). Recording of electrical activity from the brain, spinal nerves, or sensory receptors that occurs in direct response to auditory, visual or electrical stimulation using surface electrodes and computer equipment to average the electrical potentials generated, performed by an ND Technologist, interpreted by a physician and used in evaluating a variety of neurological, medical, behavioral or psychiatric symptoms.
(11) GENERAL SUPERVISION means that the neurodiagnostic technologist or physician providing supervision is not required to be present during the performance of the procedure but must be immediately available to provide assistance and direction throughout the procedure;

(12) INTENSIVE CARE UNIT/CONTINUOUS EEG MONITORING (ICU/cEEG). A continuous recording of the electrophysiology of the brain used in critical care areas to diagnose, evaluate and monitor the neurological condition in critically ill patients performed by a ND Technologist with advanced level of technical knowledge and skills as well as cognitive ability.

(13) INTERPRETATION. When a physician determines whether the findings are normal or abnormal and identifies the presence, absence, type, severity, or likelihood of an illness, injury, or other condition.

(14) CLINICAL CORRELATION. Statements about the meaning of the test results based upon a patient’s symptoms, medical history, physical examination, or other clinical tests results.

(15) INTRAOPERATIVE NEUROMONITORING (IONM). The use of neurophysiological monitoring techniques during surgery to provide information to the surgeon about central and/or peripheral nervous system integrity, utilizing real-time electrographic information and/or stimulus evoked recordings of auditory, visual, somatosensory or motor pathways via surface or subdermal needle electrodes, recorded by a ND
Technologist with advanced technical knowledge and skills as well as cognitive ability and interpreted by a physician.

(16) LICENSE. A license granted and issued by the Board of Neurodiagnostic Technologists under this Act to perform Autonomic Testing (AT); Electroencephalography (EEG); Evoked Potentials (EP); Nerve Conduction Studies (NCS); Intraoperative Neuromonitoring (IONM); Long Term Monitoring (LTM).

(17) LICENSED ND TECHNOLOGIST-AT (LNDT-AT). A person who is licensed under this Act to perform Autonomic Testing.

(18) LICENSED ND TECHNOLOGIST-EEG (LNDT-EEG). A person who is licensed under this Act to perform Electroencephalograms.


(20) LICENSED ND TECHNOLOGIST-IONM (LNDT-IONM). A person who is licensed under this Act to perform Intraoperative Neuromonitoring.

(21) LICENSED ND TECHNOLOGIST-LTM (LNDT-LTM). A person who is licensed under this Act to perform Long Term Monitoring.

(22) LICENSED ND TECHNOLOGIST-NCS (LNDT-NCS). A person who is licensed under this Act to perform Nerve Conduction Studies.

(23) LONG TERM MONITORING (LTM). A prolonged recording of the ongoing electrical activity of the brain
often used with video recording and/or digital analysis in the 
evaluation and diagnosis of epilepsy and other intermittent 
and/or infrequent neurological disturbances, which is 
performed by a ND technologist with advanced knowledge and 
technical skills as well as cognitive ability and interpreted 
by a physician.

(24) NERVE CONDUCTION STUDY (NCS). Recording 
obtained from electrical stimulation of peripheral nerves 
using surface electrodes and standard NCS equipment with 
oscilloscopes for waveform analysis to assist in the diagnosis 
and evaluation of disorders of the peripheral nervous system, 
performed by a ND technologist or licensed physician and 
interpreted by a physician.

(25) ND MODALITIES. The individual disciplines of 
each concentrated study within ND technology including AT, 
EEG, EP, ICU/cEEG, IONM, LTM, NCS.

(26) ND TECHNOLOGISTS BOARD. The [INSERT STATE--ex: 
GA, MN, AR etc] Board of Neurodiagnostic Technologists.

(27) ND TESTS. Neurodiagnostic testing includes, but 
is not limited to, Autonomic Testing (AT), 
Electroencephalogram (EEG), Evoked Potential (EP), Intensive 
Care Unit Continuous/EEG Monitoring (ICU/cEEG), Intraoperative 
Neuromonitoring (IONM), Long Term Monitoring (LTM) and Nerve 
Conduction Studies (NCS). These studies shall be performed 
pursuant to this act after receiving a referral from a
licensed physician or licensed qualified non-physician provider [e.g. nurse practitioner].

(28) NEURODIAGNOSTIC TECHNOLOGIST. A person licensed to perform neurodiagnostic tests, studies or procedures under the direct or general supervision of a licensed physician;

(29) NEURODIAGNOSTIC TECHNOLOGY. An allied health profession in which technologists perform testing to obtain a recording of electrical activity from the central and peripheral nervous system, to provide information for the treatment, control, and diagnostic evaluation and care of patients with abnormalities associated with these systems.

(30) NEURODIAGNOSTIC TRAINEE. A person who holds a license in one or more ND modalities and is in training seeking to obtain a license in another modality and is under the direct supervision of an ND technologist who is licensed in that modality or a licensed physician. A Neurodiagnostic Trainee is not subject to the penalties described in Section 13(12).

(31) NEURODIAGNOSTIC STUDENT. A person who is enrolled in an educational program that is accredited by the Commission on Accreditation of Allied Health Education Programs, and who may provide neurodiagnostic services under the direct supervision of a licensed ND technologist or a licensed physician as a part of the person’s educational program;
(32) PHYSICIAN. A person licensed to practice medicine by the [INSERT STATE--ex: GA, MN, AR etc] State Board of Medical Examiners in the [INSERT STATE--ex: GA, MN, AR etc].

(33) TECHNICAL DESCRIPTION. The description provided by a neurodiagnostic technologist of the findings of neurodiagnostic procedures which records the latency, amplitude, frequency, distribution, morphology and changes in those features of the procedure.

(34) TEMPORARY LICENSE. A license granted by the Board of ND Technologists which is valid for 12 months or, if earlier, until the release of the passing results of a national certifying examination taken by the applicant. The Board of ND Technologists may extend a temporary license for up to an additional twelve months.

SECTION 4. (1) There is created the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists. The purpose of the board is to protect the health, safety, and welfare of the patient by ensuring that ND Technologists maintain current licenses and meet existing standards of education, competency, and practice. The board shall establish within 24 months of enactment of this legislation the qualifications of a Licensed ND Technologist pursuant to this act as set forth by the guidelines in this act. Members and employees of the board shall be properly trained to carry out their duties for the
board. The board shall develop and implement a long-range plan
to ensure effective regulation of licensure for ND technology.

(2) The board shall consist of seven (7) board
members appointed by the Governor. The Governor may consider
for appointment to the committee the names of persons
recommended by the professional organizations for each
profession represented on the committee. (or according to your
state)

No member of the board shall serve more than two
full consecutive terms. The members initially appointed to the
board shall be appointed no more than {___} days {according to
your regulatory and state laws} after the effective date of
this act.

a. Initially four members shall be ND technologists
holding a current registry with AAET, ABEM, and/or ABRET. At
least two members must hold a current R. EEG T. registry. At
least one member shall have a B.S. or B.A. degree or higher.
Subsequent members shall be licensed ND technologists holding
a current registry with AAET, ABEM, and/or ABRET. At least two
members must hold a Licensed ND Technologist-EEG license. At
least one member shall have a B.S. or B.A. degree or higher.

b. One licensed neurologist preferably with a
subspecialty credential in Clinical Neurophysiology.

c. One person who is affiliated with hospital
administration or human resources.
d. One member shall be a public member who shall not be licensed, nor have been licensed in the past, as a ND technologist.

e. The board members shall be lawful permanent residents of the United States of America and residents of this state for at least two years immediately preceding the appointment. The membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state.

f. Initial appointments to the committee shall be made as follows: two (2) members shall be appointed to terms of four (4) years, two (2) members shall be appointed to terms of three (3) years, two (2) members shall be appointed to terms of two (2) years, and one (1) member shall be appointed to a term of one (1) year. Each regular appointment thereafter shall be for a term of four (4) years. Any vacant term shall be filled by the governor for the balance of the four-year term and each member shall serve on the committee until a successor is appointed.

g. Vacancies on the board occurring prior to the expiration of a term may be filled by the appointing official from names recommended by the professional organization that the appointee represented on the committee. Each member of the board shall serve until his or her successor has been duly appointed.
At the first meeting, and annually thereafter, the board shall elect a chair and vice chair from its membership.

(3). The board shall hold their first meeting within 180 days after the initial members are appointed. The board shall hold meetings during the year, as it deems necessary, two of which shall be the semiannual or triannual (your discretion) meeting for the purpose of reviewing license applications. Additional meetings may be held at the discretion of the chair or upon written request of any 4 members of the board. A quorum of the board shall consist of 4 members.

(4). Board members shall not receive compensation for their services, but shall receive the same per diem allowance as provided to state employees for each day the board meets and conducts business.

(5). An affirmative vote of a majority of the members of the board shall be required to grant, suspend, or revoke a license to practice ND technology, or a license to operate as a ND technologist.

(6). Members of the board are immune from liability for all good faith acts performed in the execution of their duties as members of the board.

(7). The board may employ an executive director and such other employees as the board deems necessary to carry out its duties and responsibilities under this act. The board
shall set the compensation of the executive director and other employees.

SECTION 5. (a) The board shall issue separate licenses in the areas of Autonomic Testing (AT); Electroencephalography (EEG); Evoked Potentials (EP); Intraoperative Neuromonitoring (IONM; Long Term Monitoring (LTM) and Nerve Conduction Studies (NCS) to individuals who qualify under Section 10 of this Act.

(b) No person who does not hold a license issued under this act shall do either of the following:

(1) Represent the person as being a neurodiagnostic technologist;

(2) Use the title Licensed Neurodiagnostic Technologist-AT, Licensed Neurodiagnostic Technologist-EEG, Licensed Neurodiagnostic Technologist-EP, Licensed Neurodiagnostic Technologist-IONM, Licensed Neurodiagnostic Technologist-LTM, Licensed Neurodiagnostic Technologist-NCS or use the abbreviations LNDT-AT, LNDT-EEG, LNDT-EP, LNDT-IONM or LNDT-LTM with his or her name or any other title or initials that imply that a person is a neurodiagnostic technologist;

(c) Notwithstanding paragraph (b) of this subdivision, neurodiagnostic procedures may also be performed by persons exempted in Section 6.

(d) Pursuant to the {Administrative Procedure Act}, the board shall:
(1) Adopt and promulgate such rules, regulations and licensure standards as may be necessary to effectuate the provisions of the Neurodiagnostic Technologists Practice Act and to maintain high standards of practice as verified by credentialing organizations for neurodiagnostic technology.

(2) Adopt and promulgate such rules and regulations to provide that a licensee, in order to be granted a license in a specific modality, must have evidence of expertise in that area as demonstrated by the appropriate credential.

(3) Adopt rules and regulations establishing continuing education requirements as a condition of licensure renewal for the purpose of protecting the health and wellbeing of the citizens of STATE and promoting current knowledge and practice as verified by credentialing organizations for neurodiagnostic technology.

**SECTION 6.** The following persons performing ND procedures do not require licensure under this act:

(1) A licensed physician.

(2) A person recording ND testing for research purposes provided the results are not used in treatment and diagnosis.

(3) Appropriately licensed health care professionals working within their scope of practice.

(4) The faculty of all accredited universities or schools having any program in the health field pertaining to ND, allied health, or health education are exempt from this
The faculty of all accredited medical schools in the [INSERT STATE--ex: GA, MN, AR etc] are exempt from this act.

(5) A neurodiagnostic technologist student may provide neurodiagnostic services under the direct supervision of a licensed ND technologist or physician as a part of the person’s educational program while actively enrolled in a neurodiagnostic educational program that is accredited by the Commission on Accreditation of Allied Health Education Programs.

SECTION 7. (a) The board shall establish reasonable license fees for persons licensed pursuant to this act and may increase these fees as deemed necessary to support the operation of the board. However, the biennial licensure fee shall not exceed two hundred and fifty dollars ($250), regardless of the number of modality specific licenses an individual is issued. License fees granted under Section 10, shall not exceed one hundred and twenty-five dollars ($125) per twelve month period.

(b) There is hereby established a separate special revenue trust fund in the State Treasury to be known as the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund. All receipts collected by the board under this act are to be deposited in this fund and used only to carry out this act. Such receipts shall be disbursed only by warrant of the State Comptroller, upon itemized vouchers approved by the chair of the board, except that no funds shall be withdrawn
except as budgeted and allotted according to the provisions of Sections YOUR STATE LAWS:, inclusive, Code of [INSERT STATE--ex: GA, MN, AR etc], and only in amounts as stipulated in the general appropriations bill or other appropriations bills.

(c) There is hereby appropriated from the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists Fund to the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists for the fiscal year {_______} such amounts as are deemed necessary by the [INSERT STATE--ex: GA, MN, AR etc] Board of ND Technologists to implement and administer this act.

SECTION 8. Licensed ND technologists may utilize subdermal needle electrodes for stimulating or recording in a surgical setting but may not perform needle insertion EMG.

SECTION 9. ND technologists may provide a technical description but do not have the responsibility or authority to provide interpretation or clinical correlation of neurodiagnostic data.

SECTION 10. An individual seeking a license to practice in one or more of the neurodiagnostic modalities shall file with the Board of Neurodiagnostic Technologists a written application on a form prescribed and supplied by the board. The application shall include or be accompanied by all of the following:
(a) Evidence satisfactory to the board that the applicant is at least eighteen years of age and of good moral character;

(b) Except as provided in Section 11 (a) of this Act, evidence satisfactory to the board that the applicant has successfully completed a neurodiagnostic education program accredited by the commission on accreditation of allied health education programs or its successor organization, or has obtained an Associate’s Degree or higher from an accredited college or university;

(c) Except as provided in Section 11 (a) of this Act, unless the applicant is seeking a temporary certificate, evidence satisfactory to the board that the applicant has passed a national certifying examination and holds current certification from one of the following or its successor organization: AAET, ABEM, or ABRET;

(d) Any other information the board considers necessary to process the application and evaluate the applicant's qualifications.

SECTION 11. The following apply to those seeking a license under this act:

(a) A person who immediately prior to the effective date of this act was actively engaged in any of the modalities subject to licensure under this act shall be qualified for a license; renewal of their license is subject to continuing education credits.
(b) Any person maintaining current credentials or registry with AAET, ABEM, or ABRET, shall be qualified for licensure by the ND Technologists’ Board, renewal of their license is subject to continuing education credits.

(c) Commencing three years from the date of enactment, in order to be licensed as a ND technologist, persons entering the field must meet one of the following criteria:

1. An Associates or higher degree and is AAET, ABEM, or ABRET board eligible and has applied for the appropriate AAET, ABEM, or ABRET, examination. A temporary license shall be valid for 12 months until the date on which the successful completion of the qualifying board examination are known and presented to the ND Technologists Board. The board may in its sole discretion grant a one-time extension of up to twelve (12) months beyond this one-year period.

2. Completion of formal ND training from an accredited ND educational school and having earned a degree or certificate of completion and is AAET, ABEM, or ABRET board eligible and has applied for the AAET, ABEM, or ABRET, examination. A temporary license shall be valid for 12 months until the date on which the successful completion of the qualifying board examination are known and presented to the ND Technologists Board. The board may in its sole discretion grant a one-time extension of up to twelve (12) months beyond this one-year period.
3. Any person maintaining current credentials or registry with AAET, ABEM, or ABRET, shall be qualified for licensure by the ND Technologists Board.

SECTION 12. Every ND technologist licensed pursuant to this act shall be required to complete biennially 15 hours of continuing education in courses approved by the board as a condition for renewing his or her license. Except as provided in Section 11 (a) of this Act ND technologist must maintain their credential(s) from AAET, ABEM, or ABRET in order to renew their license in a specific modality or modalities.

SECTION 13. (a) The board may suspend, revoke, or refuse to issue or renew a license or impose a fine up to five thousand dollars ($5,000) after notice and opportunity for a hearing pursuant to the {Administrative Procedure Act}, upon proof of any of the following:

(1) The license was obtained by means of fraud, misrepresentation, or concealment of material facts, including making a false statement on an application or any other document required by the board for licensure.

(2) The licensee engaged in any practice beyond the scope of practice of the individual’s license as defined in this act.

(3) The licensee sold or bartered or offered to sell or barter a license for a ND technologist.

(4) The licensee has engaged in any act that has endangered or is likely to endanger the health, safety, and
welfare of its patients or the public, as defined by rules of
the board.

(5) The licensee has been convicted of a felony or
of any other crime arising out of or connected to ND
technology.

(6) The licensee has engaged in misconduct with a
patient involving sexual acts or other acts deemed
unprofessional by the board.

(7) The licensee has breached a patient
confidentiality agreement.

(8) The licensee has violated or aided and abetted
in the violation of this act.

(9) The licensee has engaged in theft, deliberate
misconduct, or fraud.

(10) The licensee is adjudicated as mentally
incompetent by a court of law.

(11) The licensee abuses controlled substances or
alcohol.

(12) The licensee engaged in false, deceptive, or
misleading expertise in his or her field of ND training.

(13) The licensee had a license revoked, suspended,
or denied in any other state of the United States of America
for any reason described in this section.

(14) The licensee has engaged in dishonorable,
unethical, or unprofessional conduct of character likely to
deceive, defraud, or harm the public.
(b) Any person who has been convicted of, or entered a plea of nolo contendere to, a crime or offense involving sexual offenses against a patient is ineligible to hold a license as an ND technologist. The board retains the right to revoke a license indefinitely if the licensee is proven guilty of a crime or of a sexual misconduct. Reinstatement of licensure is contingent upon proof of weekly counseling by a licensed professional counselor.

(c) The board may not reinstate a certificate of license, or cause a certificate of license to be issued to a person it has deemed unqualified, until such time as it is satisfied that the person has complied with all the rules and conditions set forth in the final order and that the person is capable of safely engaging in the delivery of ND services.

(d) Any person engaging in any business or practice of ND technology without a license may be restrained by permanent injunction, except as provided for in Section 6 of this bill.

SECTION 14. A person who does not hold a license as a ND technologist and is not a physician in the specialty of ND technology may not use the word "Neurodiagnostic" on any sign or name tag or label or any type of advertising performed by the person. Any advertisement by a ND technologist shall contain the license number of the ND technologist.

Neurodiagnostic Students may wear a name tag using the words
“Neurodiagnostic Student” provided they meet the definition in Section 3 (33) of the bill.

SECTION 15. Any person who violates this act shall be guilty of a Class A misdemeanor.

SECTION 16. (a) In addition to the civil penalties prescribed by this act, the board may seek an injunction against any person or establishment in violation of this act.

(b) In an action for injunction, the board may demand and recover civil penalties in an amount deemed appropriate by the board for each violation, reasonable attorney fees, and court costs.

Section 17. Issuance of license - Without examination.

On payment to the board of a fee set by the board and the submission of a written application on forms provided by the board, the board shall issue a license without examination to:

1) A person who is qualified within the meaning of this legislation as a neurodiagnostic technologist by another state of the United States of America, its possessions, or the District of Columbia, if the requirements for licensing in such state, possession, or district were at the date of his or her licensing by such state substantially equal to the requirement for the initial licensing of persons practicing neurodiagnostic technologist when this legislation became effective, Month, Date, Year, or for licensing by examination
prepared by the professional examining service as set forth in the legislation and any additional requirements prescribed by the board.

SECTION 18. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.