SYNOPSIS

Provides that only physicians may perform needle electromyography or interpret nerve conduction studies and evoked potentials.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 5/14/2004)
AN ACT concerning the practice of medicine and surgery and supplementing chapter 9 of Title 45 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. The Legislature finds and declares that:
   a. Needle electromyography is used to exclude, diagnose, describe and follow the course of diseases of the peripheral nervous system and muscles, and this test has a proven and long-established place in the diagnosis and treatment of disorders of nerve and muscle; the diagnostic interpretation of the needle electromyography examination takes place dynamically during the performance of the test, and the proper sites and method of introduction of the needle electrode require extensive training and complex medical decisions;
   b. Currently, nerve conduction studies are performed most often by physicians but may be performed by a technician under the direct supervision of the physician; nerve conduction studies, in special circumstances, are performed alone but most often are performed in combination with needle electromyography to diagnose disorders of nerve and muscle;
   c. Evoked potentials are used to diagnose diseases of the brain, spinal cord and nerves contiguous with them, and these examinations are routinely performed by technicians; however, their interpretation involves highly-skilled and complex medical training; and
   d. It is in the public interest to limit the performance of needle electromyography and the interpretation of evoked potentials and nerve conduction studies to those persons who are licensed to practice medicine and surgery in the State.

2. a. A person shall not perform needle electromyography or interpret evoked potentials and nerve conduction studies unless that person is licensed to practice medicine and surgery in this State pursuant to chapter 9 of Title 45 of the Revised Statutes.
   b. As used in this act:
      "Evoked potential" means the analysis of an electrical potential produced by introducing stimuli into the central nervous system for the diagnosis of diseases of the brain, spinal cord and nerves contiguous with them and includes brainstem auditory evoked responses, visual evoked responses and somatosensory evoked potentials;
      "Needle electromyography" means the study of spontaneous and voluntary electrical activity of muscle, which is performed by insertion of a needle electrode into a muscle and recording the electrical activity at rest and during voluntary contraction; and
      "Nerve conduction study" means the application of electrical stimulation at various points along or near a nerve and usually requires
the use of surface electrodes for stimulation and recording.

3. This act shall take effect on the 180th day after enactment.

STATEMENT

This bill provides that only a licensed physician may perform needle electromyography or interpret evoked potentials and nerve conduction studies.

The bill defines these terms as follows:

* "Evoked potential" means the analysis of an electrical potential produced by introducing stimuli into the central nervous system for the diagnosis of diseases of the brain, spinal cord and nerves contiguous with them and includes brainstem auditory evoked responses, visual evoked responses and somatosensory evoked potentials;

* "Needle electromyography" means the study of spontaneous and voluntary electrical activity of muscle, which is performed by insertion of a needle electrode into a muscle and recording the electrical activity at rest and during voluntary contraction; and

* "Nerve conduction study" means the application of electrical stimulation at various points along or near a nerve and usually requires the use of surface electrodes for stimulation and recording.