

# SENATE, No. 1305

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 21, 2008

**Sponsored by:**

**Senator RAYMOND J. LESNIAK**

**District 20 (Union)**

**Assemblyman VINCENT PRIETO**

**District 32 (Bergen and Hudson)**

**Assemblywoman CONNIE WAGNER**

**District 38 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Cryan and Assemblywoman Quigley**

**SYNOPSIS**

Changes statutory provisions regarding who may interpret and perform evoked potentials or nerve conduction studies.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/12/2010)**

1 AN ACT concerning the practice of medicine and surgery and  
2 amending P.L.2005, c.303.

3

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

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7 1. Section 1 of P.L.2005, c.303 (C.45:9-5.2) is amended to read  
8 as follows:

9 1. a. A person shall not perform needle electromyography  
10 unless that person is licensed to practice medicine and surgery in  
11 this State pursuant to chapter 9 of Title 45 of the Revised Statutes.

12 A person shall not interpret evoked potentials or **[perform]**  
13 nerve conduction studies unless that person is licensed to practice:  
14 medicine and surgery in this State pursuant to chapter 9 of Title 45  
15 of the Revised Statutes; audiology in this State pursuant to chapter  
16 3B of Title 45 of the Revised Statutes; or chiropractic in this State  
17 pursuant to chapter 9 of Title 45 of the Revised Statutes.

18 b. As used in this act:

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

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

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

32 (cf: P.L.2005, c.303, s.1)

33

34 2. This act shall take effect immediately.

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#### STATEMENT

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39 This bill amends P.L.2005, c.303 (C.45:9-5.2) to provide that  
40 only a licensed physician, audiologist or chiropractor may interpret  
41 evoked potentials or nerve conduction studies. The bill also  
42 removes the current provision stipulating that only a licensed  
43 physician, audiologist or chiropractor may perform nerve  
44 conduction studies.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.