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To: Radiology Facilities Licensed Pursuant to N.J.A.C. 8:43A

From: Michael J. Kennedy, J.D. <sup>MSK</sup>  
Executive Director, Division of Certificate of Need and Licensing

Date: April 4, 2024

Re: Waiver of Certain Standards at N.J.A.C. 8:43A-25.2 to permit specific personnel, other than a radiologist, to be present during the administration of contrast medium

The Department of Health (Department) is issuing this blanket waiver pursuant to the authority of N.J.A.C. 8:43A-2.9(a) to waive certain standards at N.J.A.C. 8:43A-25.2, which pertain to the requirement that a radiologist be present on the facility premises when a contrast medium is administered.

N.J.A.C. 8:43A-25.2 contains two subsections that require a radiologist to be present on the facility premises when a contrast medium is being administered. Negative reactions to contrast medium create safety concerns in the diagnostic setting as some individuals have acute hypersensitivity to certain medications, which are frequently given intravenously.

The applicable rule language reads as follows:

N.J.A.C. 8:43A-25.2:

(a) In addition to providing other staff as required by the rules in this chapter, a facility providing computerized tomography (CT) services shall have at least the following staff:

1. One radiologist . . . on the premises whenever a contrast medium is being used.

. . .

(b) In addition to providing other staff as required by this chapter, a facility providing magnetic resonance imaging (MRI) services shall have at least the following staff:

...

2. One radiologist . . . on the premises whenever a contrast medium is being used.

The Department is waiving the above provisions at N.J.A.C. 8:43A-25.2(a)(1) and N.J.A.C. 8:43A-25(b)(2), that require a radiologist to be on the premises when contrast medium is being used for CT services and MRI studies.

Under the terms of this waiver, a physician (who is not a radiologist), a physician's assistant (PA), or an advanced practice nurse (APN) may oversee the injection of contrast medium with remote oversight by a radiologist, who shall be available. "Available" means capable of being contacted immediately.

The physician, PA, or APN must be certified in both Basic Life Support (BLS) and Advanced Cardiac Life Support (ACLS). Further, when contrast medium is being administered to a patient who is under 18 years of age, the physician, PA, or APN must be Pediatric Advance Life Support (PALS) certified.

The provisions of this waiver take effect immediately. Please note that the Department intends to amend N.J.A.C. 8:43A-25.2(a)(1) and N.J.A.C. 8:43A-25(b)(2) through the administrative rulemaking process to incorporate the provisions of this waiver.

Any questions regarding this memo may be directed to Jacqueline Chadwick at [Jaqueline.Chadwick@doh.nj.gov](mailto:Jaqueline.Chadwick@doh.nj.gov).