

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 718,  
2 Page 1, Section A, Line 2, by inserting immediately after said line the following:

3  
4 "334.1000. As used in sections 334.1000 to 334.1030, the following terms shall mean:

5 (1) "Advisory committee", the Missouri radiologic imaging and radiation therapy advisory  
6 committee;

7 (2) "Board", the state board of registration for the healing arts;

8 (3) "Certification organization", a certification organization that specializes in the  
9 certification and registration of radiologic imaging or radiation therapy technical personnel that is  
10 accredited by the National Commission for Certifying Agencies, American National Standards  
11 Institute, or other accreditation organization recognized by the board;

12 (4) "Ionizing radiation", radiation that may consist of alpha particles, beta particles, gamma  
13 rays, x-rays, neutrons, high-speed electrons, high-speed protons, or other particles capable of  
14 producing ions. Ionizing radiation does not include non-ionizing radiation, such as radiofrequency  
15 or microwaves, visible infrared or ultraviolet light, or ultrasound;

16 (5) "Licensed practitioner", a person licensed to practice medicine, chiropractic medicine,  
17 podiatry, or dentistry in this state with education and specialist training in the medical or dental use  
18 of radiation who is deemed competent to independently perform or supervise radiologic imaging or  
19 radiation therapy procedures by their respective state licensure board;

20 (6) "Limited x-ray machine operator", a person who is licensed to perform only x-ray or  
21 bone densitometry procedures not involving the administration or utilization of contrast media on  
22 selected specific parts of human anatomy under the supervision of a licensed practitioner;

23 (7) "Nuclear medicine technologist", a person who is licensed to perform a variety of  
24 nuclear medicine and molecular imaging procedures using sealed and unsealed radiation sources,  
25 ionizing radiation, adjunctive medicine and pharmaceuticals associated with nuclear medicine  
26 procedures, and therapeutic procedures using unsealed radioactive sources;

27 (8) "Radiation therapist", a person who is licensed to administer ionizing radiation to human  
28 beings for therapeutic purposes;

29 (9) "Radiation therapy", the use of ionizing radiation for the purpose of treating disease;

30 (10) "Radiographer", a person who is licensed to perform a comprehensive set of diagnostic  
31 radiographic procedures using external ionizing radiation to produce radiographic, fluoroscopic, or  
32 digital images;

33 (11) "Radiologic imaging", any procedure or article intended for use in the diagnosis or  
34 visualization of disease or other medical conditions in human beings, including, but not limited to  
35 computed tomography, fluoroscopy, nuclear medicine, radiography, and other procedures using  
36 ionizing radiation;

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1           (12) "Radiologist", a physician licensed in this state and certified by or board-eligible to be  
2 certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the  
3 British Royal College of Radiology, or the Canadian College of Physicians and Surgeons in that  
4 medical specialty;

5           (13) "Radiologist assistant", a person who is licensed to perform a variety of activities under  
6 the supervision of a radiologist in the areas of patient care, patient management, radiologic imaging,  
7 or interventional procedures guided by radiologic imaging, and who does not interpret images,  
8 render diagnoses or prescribe medications or therapies.

9           334.1005. 1. Except as provided in this section, after January 1, 2020, only a person  
10 licensed under the provisions of sections 334.1000 to 334.1030 or a licensed practitioner may  
11 perform radiologic imaging or radiation therapy procedures on humans for diagnostic or therapeutic  
12 purposes.

13           2. The board shall issue licenses to persons certified by a certification organization to  
14 perform nuclear medicine technology, radiation therapy, radiography, and radiologist assistant  
15 procedures and to limited x-ray machine operators meeting licensure standards established by the  
16 board.

17           3. No person, corporation, or facility shall knowingly employ a person who does not hold a  
18 license or who is not exempt from the provisions of sections 334.1000 to 334.1030 to perform  
19 radiologic imaging or radiation therapy procedures for more than one hundred eighty days.

20           4. Nothing in this section relating to radiologic imaging or radiation therapy shall limit or  
21 enlarge the practice of a licensed practitioner.

22           5. The provisions of section 334.1000 to 334.1030 shall not apply to the following:

23           (1) A dental hygienist or dental assistant licensed by this state;

24           (2) A resident physician enrolled in and attending a school or college of medicine,  
25 chiropractic, podiatry, dentistry, radiologic imaging, or radiation therapy who performs radiologic  
26 imaging or radiation therapy procedures on humans;

27           (3) A student enrolled in and attending a school or college of medicine, chiropractic,  
28 podiatry, dentistry, radiologic imaging, or radiation therapy who performs radiologic imaging or  
29 radiation therapy procedures on humans while under the supervision of a licensed practitioner or a  
30 person holding a nuclear medicine technologist, radiation therapist, radiographer, or radiologist  
31 assistant license;

32           (4) A person who is employed by the United States government when performing radiologic  
33 imaging or radiation therapy associated with that employment; or

34           (5) A person performing radiologic imaging procedures on nonhuman subjects or cadavers.

35           334.1010. 1. There is hereby created the "Missouri Radiologic Imaging and Radiation  
36 Therapy Advisory Committee". The board shall provide administrative support to the advisory  
37 committee. The advisory committee shall guide, advise, and make recommendations to the board,  
38 and shall consist of five members appointed by the director of the division of professional  
39 registration, a majority of whom shall be licensed practitioners, individuals certified or registered by  
40 a certification organization, or individuals licensed under sections 334.1000 to 334.1030.

41           2. The board, based on recommendations, guidance, and advice from the advisory  
42 committee, shall:

43           (1) Establish scopes of practice for limited x-ray machine operators, nuclear medicine  
44 technologists, radiation therapists, radiographers, and radiologist assistants;

45           (2) Promulgate rules for issuance of licenses;

46           (3) Establish minimum requirements for the issuance of licenses and recognition of licenses  
47 issued by other states;

48           (4) Establish minimum requirements for continuing education;

1           (5) Determine fees and requirements for the issuance of new licenses and renewal of  
2 licenses;

3           (6) Contract to use a competency based examination that shall provide for a virtually  
4 administered option for the determination of limited x-ray machine operator qualifications for  
5 licensure;

6           (7) Promulgate rules for acceptance of certification and registration by a certification  
7 organization recognized by the board as qualification for licensure;

8           (8) Promulgate rules for issuance of licenses to retired military personnel and spouses of  
9 active-duty military personnel;

10          (9) Establish ethical, moral, and practice standards; and

11          (10) Promulgate rules and procedures for the denial or refusal to renew a license, and the  
12 suspension, revocation, or other discipline of active licensees.

13          3. The board shall create alternative licensure requirements for individuals working in rural  
14 health clinics as defined in P.L. 95-210 and for areas of this state that the board deems too remote to  
15 contain a sufficient number of qualified persons licensed under sections 334.1000 to 334.1030 to  
16 perform radiologic imaging or radiation therapy procedures.

17          4. All fees payable pursuant to the provisions of sections 334.1000 to 334.1030 shall be  
18 collected by the division of professional registration, which shall transmit such funds to the  
19 department of revenue for deposit in the state treasury to the credit of the board of registration for  
20 the healing arts fund. The division of professional registration and the board of registration for the  
21 healing arts may use these funds as necessary for the administration of sections 334.1000 to  
22 334.1030.

23          5. The fee charged for a limited x-ray machine operator examination shall not exceed the  
24 actual cost to administer the examination.

25          334.1015. 1. To be eligible for licensure by the board, at the time of application an  
26 applicant shall be at least eighteen years of age.

27          2. The board shall accept nuclear medicine technology, radiation therapy, radiography, or  
28 radiologist assistant certification and registration by a certification organization recognized by the  
29 board as a qualification for licensure.

30          3. The board may issue limited x-ray machine operator licenses in the following areas:

31          (1) Chest radiography: radiography of the thorax, heart, and lungs;

32          (2) Extremity radiography: radiography of the upper and lower extremities, including the  
33 pectoral girdle;

34          (3) Spine radiography: radiography of the vertebral column;

35          (4) Skull/sinus radiography: radiography of the skull and facial structures;

36          (5) Podiatric radiography: radiography of the foot, ankle, and lower leg below the knee;

37          (6) Bone densitometry: performance and analysis of bone density scans; or

38          (7) Other areas the board deems necessary to ensure necessary services throughout the state.

39          4. The board may require a limited x-ray machine operator to verify training in x-ray  
40 procedures at their place of employment, including a minimum of one hundred hours of supervised  
41 experience performing x-ray procedures.

42          (1) The hours shall be sufficient for individuals to be licensed in any limited machine  
43 operator area for which they pass an examination;

44          (2) The hours shall be documented by the licensee and verified by the licensee's supervisor.

45          5. Individuals shall be licensed in any limited machine operator area for which they  
46 successfully pass an examination as defined by the board.

47          6. The board shall not require, but may recommend, any advance class work, either remote  
48 or in person, prior to a limited x-ray machine operator candidate taking such examination.

1           7. No additional testing requirements or other stipulations shall be imposed after the initial  
2 examination for limited x-ray machine operator licensure provided the licensee maintain required  
3 continuing education and is not disciplined under rules promulgated pursuant to subdivision (10) of  
4 subsection 2 of section 334.1010.

5           8. The board shall require limited x-ray machine operators to complete a minimum of twelve  
6 hours biannually of continuing education that may be fulfilled by approved continuing education  
7 activities at the licensee's place of employment.

8           9. The board may accept certification from the American Chiropractic Registry of  
9 Radiologic Technologists for persons applying for a limited x-ray machine operator license in spine  
10 radiography.

11           10. The board may accept certification from the American Society of Podiatric Medical  
12 Assistants for persons applying for a limited x-ray machine operator license in podiatric  
13 radiography.

14           11. The board may accept certification from the International Society of Clinical  
15 Densitometry for persons applying for a limited x-ray machine operator license in bone  
16 densitometry.

17           334.1020. 1. A licensee who violates any provision of sections 334.1000 to 334.1030 shall  
18 be guilty of a class A misdemeanor. Each act of such unlawful practice shall constitute a distinct  
19 and separate offense.

20           2. The board may assess a civil penalty not in excess of two hundred dollars for each  
21 violation of sections 334.1000 to 334.1030 or any rules adopted by the board. The clear proceeds of  
22 any civil penalty assessed under this section shall be remitted to the credit of the public school fund  
23 of the state.

24           334.1025. A person who has been engaged in the practice of radiologic imaging and  
25 radiation therapy, other than a radiologist assistant, and who does not hold a current certification and  
26 registration by a certification organization recognized by the board may continue to practice in the  
27 radiologic imaging or radiation therapy modality in which they are currently employed, provided  
28 that such person:

29           (1) Registers with the board on or before January 1, 2020;

30           (2) Does not change the scope of their current practice or current place of employment;

31           (3) Completes all continuing education requirements for their modality biennially as  
32 prescribed by the board;

33           (4) Practices only under the supervision of a licensed practitioner; and

34           (5) Meets all licensure requirements of sections 334.1000 to 334.1030 and the rules adopted  
35 by the board and obtains a license from the board on or before October 1, 2023.

36           334.1030. The board may promulgate rules to implement the provisions of sections  
37 334.1000 to 334.1030. Any rule or portion of a rule, as that term is defined in section 536.010, that  
38 is created under the authority delegated in this section shall become effective only if it complies  
39 with and is subject to all of the provisions of chapter 536, and if applicable, section 536.028. This  
40 section and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
41 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
42 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
43 adopted after August 28, 2018, shall be invalid and void."; and

44  
45 Further amend said bill by amending the title, enacting clause, and intersectional references  
46 accordingly.