

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 951, Page 5, Section 210.070, Line 8, by inserting
2 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 certification and
9 registration of radiologic imaging or radiation therapy technical personnel that is accredited by the National
10 Commission for Certifying Agencies, American National Standards Institute, or other accreditation
11 organization recognized by the board;

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

16 (5) "Licensed practitioner", a person licensed to practice medicine, chiropractic medicine, podiatry,
17 dentistry, or a certified registered nurse anesthetist in this state with education and specialist training in the
18 medical or dental use of radiation who is deemed competent to independently perform or supervise
19 radiologic imaging or 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 bone
21 densitometry procedures not involving the administration or utilization of contrast media on selected specific
22 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 nuclear
24 medicine and molecular imaging procedures using sealed and unsealed radiation sources, ionizing radiation,
25 adjunctive medicine and pharmaceuticals associated with nuclear medicine procedures, and therapeutic
26 procedures using unsealed radioactive sources;

27 (8) "Radiation therapist", a person who is licensed to administer ionizing radiation to human beings
28 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 digital
32 images;

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

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

39 (13) "Radiologist assistant", a person who is licensed to perform a variety of activities under the

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1 supervision of a radiologist in the areas of patient care, patient management, radiologic imaging, or
 2 interventional procedures guided by radiologic imaging, and who does not interpret images, render diagnoses
 3 or prescribe medications or therapies.

4 334.1005. 1. Except as provided in this section, after January 1, 2020, only a person licensed under
 5 the provisions of sections 334.1000 to 334.1030 or a licensed practitioner may perform radiologic imaging or
 6 radiation therapy procedures on humans for diagnostic or therapeutic purposes.

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

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

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

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

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

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

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

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

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

27 334.1010. 1. There is hereby created the "Missouri Radiologic Imaging and Radiation Therapy
 28 Advisory Committee". The board shall provide administrative support to the advisory committee. The
 29 advisory committee shall guide, advise, and make recommendations to the board, and shall consist of five
 30 members appointed by the director of the division of professional registration, a majority of whom shall be
 31 licensed practitioners, individuals certified or registered by a certification organization, or individuals
 32 licensed under sections 334.1000 to 334.1030.

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

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

36 (2) Promulgate rules for issuance of licenses;

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

39 (4) Establish minimum requirements for continuing education;

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

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

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

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

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

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

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

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

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

8 334.1015. 1. To be eligible for licensure by the board, at the time of application an applicant shall
 9 be at least eighteen years of age.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 334.1020. 1. A licensee who violates any provision of sections 334.1000 to 334.1030 shall be
 46 guilty of a class A misdemeanor. Each act of such unlawful practice shall constitute a distinct and separate
 47 offense.

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

51 334.1025. A person who has been engaged in the practice of radiologic imaging and radiation
 52 therapy, other than a radiologist assistant, and who does not hold a current certification and registration by a
 53 certification organization recognized by the board may continue to practice in the radiologic imaging or

1 radiation therapy modality in which they are currently employed, provided that such person:

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

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

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

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

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

9 334.1030. 1. The board may promulgate rules to implement the provisions of sections 334.1000 to
10 334.1030. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
11 authority delegated in this section shall become effective only if it complies with and is subject to all of the
12 provisions of chapter 536, and if applicable, section 536.028. This section and chapter 536 are nonseverable
13 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
14 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
15 rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

16 2. Any authority granted to the board or the advisory committee to adopt or promulgate rules or to
17 establish the scope of practice for the licensure issued by the board shall not include the authority to define,
18 regulate, or interpret the scope of practice of any profession not licensed by the board."; and

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