

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 580, Page 60,
2 Section 334.1000, Line 1, by deleting the number "334.1005" and inserting in lieu thereof the
3 number "334.1130"; and
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5 Further amend said bill, page, and section, Line 23 by inserting after the number "(7)" the following:
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7 "Nuclear medicine advanced associate", a person who is licensed to perform the duties of a
8 nuclear medicine and molecular imaging physician extender working under the supervision of a
9 licensed physician, and who is an authorized user of radioactive materials to perform a variety of
10 expanded activities and enhance patient care in the diagnostic imaging and radiotherapy
11 environments;
12 (8)"; and
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14 Further amend said bill and section, Pages 60 to 61, Lines 23 to 47 by renumbering subsequent
15 subdivisions appropriately; and
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17 Further amend said bill, Page 61, Section 334.1005, Line 9, by inserting after all of said section and
18 line the following:
19

20 "334.1105. 1. Except as provided in this section, after January 1, 2021, only a person
21 licensed under the provisions of sections 334.1100 to 334.1130 or a licensed practitioner may
22 perform radiologic imaging or radiation therapy procedures on humans for diagnostic or therapeutic
23 purposes.

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

28 3. No person, corporation, or facility shall knowingly employ a person who does not hold a
29 license or who is not exempt from the provisions of sections 334.1100 to 334.1130 to perform
30 radiologic imaging or radiation therapy procedures for more than one hundred eighty days.

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

33 5. The provisions of section 334.1100 to 334.1130 shall not apply to the following:

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

35 (2) A physician, chiropractor, podiatrist, or dentist;

36 (3) A student enrolled in and attending a school or college of medicine, chiropractic,

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podiatry, dentistry, radiologic imaging, or radiation therapy who performs radiologic imaging or radiation therapy procedures on humans while under the supervision of a licensed practitioner or a person holding a nuclear medicine technologist, radiation therapist, radiographer, or radiologist assistant license;

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

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

(6) A nurse licensed under chapter 335, while practicing within the scope of practice of such chapter and only performing diagnostic plainfilm radiography.

6. (1) The provisions of sections 334.1100 to 334.1130 shall not apply to an advanced practice registered nurse only using fluoroscopy in the operating room, ambulatory surgery centers, pain clinics, and any other non-hospital site; however, an approved online fluoroscopy training course is required annually for persons using fluoroscopy in such settings.

(2) Notwithstanding subdivision (1) of this subsection, persons using fluoroscopy in interventional radiology and cardiology shall be licensed as provided under sections 334.1100 to 334.1130.

334.1110. 1. There is hereby created the "Missouri Radiologic Imaging and Radiation Therapy Advisory Committee". The department shall provide administrative support to the advisory committee. The advisory committee shall guide, advise, and make recommendations to the department and shall consist of a minimum of twelve members who shall be composed of no less than the following:

(1) A clinic administrator, or his or her designee, appointed by the Missouri Association of Rural Health Clinics;

(2) A physician appointed by the Missouri State Medical Association;

(3) A pain management physician appointed by the Missouri Society of Anesthesiologists;

(4) A radiologic technologist appointed by the Missouri Society of Radiologic Technologists;

(5) A nuclear medicine technologist appointed by the Missouri Valley Chapter of the Society of Nuclear Medicine and Molecular Imaging;

(6) An administrator of an ambulatory surgical center appointed by the Missouri Ambulatory Surgical Center Association;

(7) A physician appointed by the Missouri Academy of Family Physicians;

(8) A certified registered nurse anesthetist appointed by the Missouri Association of Nurse Anesthetists;

(9) A physician appointed by the Missouri Radiological Society;

(10) The director of the Missouri state board of registration for the healing arts, or his or her designee;

(11) The director of the Missouri state board of nursing, or his or her designee; and

(12) The director of the department of health and senior services, or his or her designee.

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

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

(2) Promulgate rules for issuance of licenses;

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

(4) Establish minimum requirements for continuing education, including radiation safety;

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 department 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 department shall create alternative licensure requirements for individuals working in
 14 rural health clinics as defined in Pub. L. 95-210 and for areas of this state that the department deems
 15 too remote to contain a sufficient number of qualified persons licensed under sections 334.1100 to
 16 334.1130 to perform radiologic imaging or radiation therapy procedures. The alternative licensure
 17 requirements in this section shall not be more strict than the licensure provisions contained in
 18 sections 334.1100 to 334.1130. Nothing in this subsection shall limit access to healthcare in rural
 19 communities.

20 4. All fees payable pursuant to the provisions of sections 334.1100 to 334.1130 shall be
 21 collected by the division of professional registration, which shall transmit such funds to the
 22 department of revenue for deposit in the state treasury to the credit of the Missouri radiologic
 23 imaging and radiation therapy fund established under section 334.1112. The division of
 24 professional registration and the board of registration for the healing arts may use these funds as
 25 necessary for the administration of sections 334.1100 to 334.1130.

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

28 334.1112. There is hereby created in the state treasury the "Missouri Radiologic Imaging
 29 and Radiation Fund", which shall consist of moneys collected under sections 334.1100 to 334.1130.
 30 The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180,
 31 the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon
 32 appropriation, moneys in the fund shall be used solely for the administration of sections 334.1100 to
 33 334.1130. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
 34 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The
 35 state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any
 36 interest and moneys earned on such investments shall be credited to the fund.

37 334.1115. 1. To be eligible for licensure by the department, at the time of application, an
 38 applicant shall be at least eighteen years of age.

39 2. The department shall accept nuclear medicine technology, nuclear medicine advanced
 40 associate, radiation therapy, radiography, or radiologist assistant certification and registration by a
 41 certification organization recognized by the department as a qualification for licensure.

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

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

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

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

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

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

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

1 (7) Other areas the department deems necessary to ensure necessary services throughout the
 2 state.

3 4. The department may require a limited x-ray machine operator to verify training in x-ray
 4 procedures at their place of employment, including a minimum of twelve hours education in
 5 radiologic technology with six hours being in radiation protection. All education may be provided
 6 in a virtual environment. The hours shall be sufficient for individuals to be licensed in any limited
 7 machine operator area for which they pass an examination. The hours shall be documented by the
 8 licensee and verified by the licensee's supervisor either in person, through electronic
 9 communication, or telehealth practices.

10 5. Individuals shall be licensed in any limited machine operator area for which they
 11 successfully pass an examination as defined by the department.

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

14 7. No additional testing requirements or other stipulations shall be imposed after the initial
 15 examination for limited x-ray machine operator licensure, provided that the licensee maintain
 16 required continuing education and is not disciplined under rules promulgated under subdivision (10)
 17 of subsection 2 of section 334.1110.

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

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

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

27 11. The department may accept certification from the International Society of Clinical
 28 Densitometry for persons applying for a limited x-ray machine operator license in bone
 29 densitometry.

30 334.1120. The department, in consultation with the advisory committee, shall establish
 31 guidelines for disciplinary action for violations of sections 334.1100 to 334.1130.

32 334.1125. A person who has been engaged in the practice of radiologic imaging or radiation
 33 therapy, other than a radiologist assistant, and who does not hold a current certification and
 34 registration by a certification organization recognized by the department may continue to practice in
 35 the radiologic imaging or radiation therapy modality in which they are currently employed, provided
 36 that such person:

37 (1) Registers with the department on or before January 1, 2022;

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

39 (3) Completes all continuing education requirements for their modality biennially as
 40 prescribed by the department;

41 (4) Practices only under the supervision of a licensed practitioner, either in person or
 42 virtually through approved telehealth practices; and

43 (5) Meets all licensure requirements of sections 334.1100 to 334.1130 and the rules adopted
 44 by the department and obtains a license from the department on or before October 1, 2024.

45 334.1130. The department may promulgate rules to implement the provisions of sections
 46 334.1100 to 334.1130. Any rule or portion of a rule, as that term is defined in section 536.010, that
 47 is created under the authority delegated in this section shall become effective only if it complies
 48 with and is subject to all of the provisions of chapter 536, and if applicable, section 536.028. This
 49 section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly

1 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
2 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or
3 adopted after August 28, 2020, shall be invalid and void."; and
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5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.