

HOUSE BILL NO. 501
INTRODUCED BY NOENNIG

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROVISIONS RELATED TO LICENSURE OF RADIOLOGIC TECHNOLOGISTS; PROVIDING FOR APPROVAL BY THE BOARD OF RADIOLOGIC TECHNOLOGISTS OF A LICENSED RADIOLOGIC TECHNOLOGIST TO PERFORM THE FUNCTIONS OF A RADIOLOGIST ASSISTANT UNDER SUPERVISION OF A RADIOLOGIST; DEFINING TERMS; AND AMENDING SECTIONS 37-14-102 AND 37-14-301, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-14-102, MCA, is amended to read:

"37-14-102. Definitions. In this chapter, unless the context clearly requires otherwise, the following definitions apply:

(1) "Board" means the board of radiologic technologists provided for in 2-15-1738.

(2) "Department" means the department of labor and industry.

(3) "General supervision" means the procedure is furnished under the radiologist's overall direction and control. However, the radiologist's presence is not required at the site during the performance of the procedure.

~~(3)~~(4) "License" means an authorization issued by the department to perform x-ray procedures on persons.

~~(4)~~(5) "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, denturistry, dental hygiene, podiatry, osteopathy, or chiropractic.

~~(5)~~(6) "Limited permit technician" means a person who does not qualify for the issuance of a license under the provisions of this chapter but who has demonstrated, to the satisfaction of the board, the capability of performing specified high-quality x-ray procedures without endangering public health and safety.

~~(6)~~(7) "Performance of x-ray procedures" means the involvement or completion of any portion of an x-ray procedure that may have an effect on the patient's accumulated x-ray radiation exposure, including positioning of the patient, technique selection, selection of ancillary equipment, initiation of exposure, and darkroom procedures.

~~(7)~~(8) "Permit" means an authorization that may be granted by the board to perform x-ray procedures on persons when the applicant's qualifications do not meet standards required for the issuance of a license.

~~(8)~~(9) "Radiologic technologist" means a person, other than a licensed practitioner, who has qualified under the provisions of this chapter for the issuance of a license to perform diagnostic x-ray procedures on persons and who performs the following functions in connection with the diagnostic procedure:

- (a) operates x-ray equipment to reveal the internal condition of patients for the diagnosis of fractures, diseases, and other injuries;
- (b) prepares and positions patients for x-ray procedures;
- (c) selects the proper radiographic technique for visualization of specific internal structures of the human body;
- (d) selects the proper ancillary equipment to be used in the x-ray procedure to enhance the visualization of the desired structure;
- (e) prepares film processing solutions and develops or processes the exposed x-ray film; and
- (f) inspects, maintains, and performs minor repairs to x-ray equipment.

(10) "Radiologist" means a person who is licensed to practice medicine under Title 37, chapter 3, and who is board eligible or board certified by the American board of radiology.

(11) "Radiologist assistant" means an advanced-level licensed radiologic technologist who works under the general supervision of a radiologist to enhance patient care by assisting the radiologist in the diagnostic imaging environment."

Section 2. Section 37-14-301, MCA, is amended to read:

"37-14-301. Limitation of license authority -- exemptions. (1) ~~No~~ A person may not perform x-ray procedures on a person unless licensed or granted a limited permit under this chapter, with the following provisos:

- (a) Licensure is not required for:
 - (i) a student enrolled in and attending a school or college of medicine, osteopathy, podiatry, dentistry, dental hygiene, chiropractic, or radiologic technology who applies x-ray radiation to persons under the specific direction of a person licensed to prescribe ~~such~~ examinations or treatment;
 - (ii) a person administering x-ray examinations related to the practice of dentistry or denturistry, ~~provided such~~ if the person is certified by the board of dentistry as having passed an examination testing his the person's proficiency to administer x-ray examinations; or
 - (iii) a person who performs only darkroom procedures and is under the supervision of a licensed radiologic technologist or radiologist or is able to show evidence of completion of formal training in darkroom procedures as established by rule.

(b) ~~Nothing in this~~ This chapter shall may not be construed to limit or affect in any respect the practice of their respective professions by ~~duly~~ licensed practitioners.

(2) A person licensed as a radiologic technologist may perform x-ray procedures on persons for medical, diagnostic, or therapeutic purposes under the specific direction of a person licensed to prescribe ~~such~~ x-ray procedures.

(3) A radiologic technologist licensed under this chapter may inject contrast media and radioactive isotopes (radio-nuclide material) intravenously upon request of a ~~duly~~ licensed practitioner. In the case of contrast media, the licensed practitioner requesting the procedure or the radiologist must be immediately available within the x-ray department. ~~Such injections~~ Injections must be for diagnostic studies only and not for therapeutic purposes. ~~The~~ Except as provided in [section 3], permitted injections include peripheral intravenous injections but specifically exclude intra-arterial or intracatheter injections. An uncertified radiologic technologist, a limited permit technician under 37-14-306, or an individual who is not licensed or authorized under another licensing act may not perform any of the activities listed in this subsection."

NEW SECTION. Section 3. Radiologist assistant -- scope of practice -- board approval. (1) A person licensed under this chapter who has completed an advanced academic program encompassing a nationally recognized radiologist assistant curriculum or certification and who has a radiologist-directed clinical preceptorship certificate may practice as a radiologist assistant upon approval by the board.

(2) (a) The specific duties allowed for a radiologist assistant may be defined by the board by rule. The rules must be consistent with guidelines adopted by the American college of radiology, the American society of radiologic technologists, the American registry of radiologic technologists, and subsection (2)(b).

(b) The rules must specify the functions that a radiologist assistant may perform in connection with diagnostic procedures under the general supervision of a radiologist, including radiology procedures, invasive procedures, procedures as delegated by a radiologist, and the types of injection of contrast media and radioactive isotopes (radio-nuclide) material allowed.

(c) A radiologist assistant may not interpret images, make diagnoses, or prescribe medications or therapies.

(3) A radiologist assistant may also be referred to as a "radiology practitioner assistant".

NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title ~~34~~ 3Z, chapter 14, part 3, and the provisions of Title ~~34~~ 3Z, chapter 14, part 3, apply to

[section 3].

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