House Engrossed Senate Bill

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MICHELE REAGAN
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CHAPTER 141

SENATE BILL 1096

AN ACT

AMENDING SECTIONS 30-672, 32-2801, 32-2803, 32-2804, 32-2812, 32-2815, 32-2816, 32-2817, 32-2824 AND 32-2841, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-3016.13 AND 41-3016.15, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-3018.22 AND 41-3018.23; RELATING TO MEDICAL RADIOLOGIC TECHNOLOGY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 30-672, Arizona Revised Statutes, is amended to read:

30-672. Licensing and registration of sources of radiation; exemptions

A. The agency by rule shall provide for general or specific licensing of by-product, source, special nuclear materials or devices or equipment utilizing such materials. The rules shall provide for amendment, suspension or revocation of the licenses. The agency shall require from the applicant satisfactory evidence that the applicant is using methods and techniques ~~which~~ THAT are demonstrated to be safe and that the applicant is familiar with the rules adopted by the agency under section 30-654, subsection B, paragraph 5 relative to uniform radiation standards, total occupational radiation exposure norms, labels, signs and symbols, storage, waste disposal and shipment of radioactive materials. The agency may require that before the agency issues a license the employees or other personnel of an applicant who may deal with sources of radiation receive a course of instruction approved by the agency concerning agency rules. The agency shall require that the applicant's proposed equipment and facilities be adequate to protect health and safety and that ~~his~~ THE APPLICANT'S proposed administrative controls over the use of the sources of radiation requested be adequate to protect health and safety.

B. The agency may require registration or licensing of other sources of radiation if it has been determined necessary to protect public health or safety.

C. The agency may exempt certain sources of radiation or kinds of uses or users from the licensing or registration requirements set forth in this section when it finds that the exemption of such sources of radiation or kinds of uses or users will not constitute a significant risk to the health and safety of the public.

D. The agency shall not require persons licensed in this state to practice as a dentist, PHYSICIAN ASSISTANT, chiropodist or veterinarian or licensed in this state to practice medicine, surgery, osteopathy, chiropractic or ~~naturopathy~~ NATUROPATHIC MEDICINE to obtain any other license for the use of ~~an~~ A DIAGNOSTIC x-ray machine, but these persons are governed by their own licensing acts.

E. Persons licensed by the federal communications commission with respect to the activities for which they are licensed by that commission are exempted from this chapter.

F. Rules adopted pursuant to this chapter may provide for recognition of other state or federal licenses as the agency deems desirable, subject to such registration requirements as the agency prescribes.

G. Any licenses issued by the agency shall state the nature, use and extent of use of the source of radiation. If at any time subsequent to the issuance of a license~~,~~ the licensee desires any change in the nature, use or

extent, the licensee shall seek an amendment or a new license under this section.

H. The agency shall prescribe by rule requirements for financial security as a condition for licensure under this article. The agency shall deposit all amounts posted, paid or forfeited as financial security into the radiation regulatory and perpetual care fund under section 30-694.

I. Persons applying for licensure shall provide notice to the city or town where the applicant proposes to operate as part of the application process.

J. Any facility ~~which~~ THAT provides diagnostic or screening mammography examinations by or under the direction of a person exempted from further licensure under subsection D of this section shall obtain certification by the agency. The agency shall prescribe by rule the requirements of certification in order to ~~assure~~ ENSURE the accuracy and safety of diagnostic and screening mammography.

Sec. 2. Section 32-2801, Arizona Revised Statutes, is amended to read:

32-2801. Definitions

In this chapter, unless the context otherwise requires:

1. "Agency" means the radiation regulatory agency established ~~under~~ BY section 30-652.

2. "Board" means the medical radiologic technology board of examiners.

3. "BONE DENSITOMETRY TECHNOLOGIST" MEANS A PERSON WHO APPLIES IONIZING RADIATION TO A PERSON'S HIPS, SPINE OR EXTREMITIES THROUGH THE USE OF A BONE DENSITOMETRY MACHINE.

~~3.~~ 4. "Certificate" means a certificate THAT IS granted and issued by the board.

~~4.~~ 5. "Certified technologist" means a person holding a certificate THAT IS granted and issued by the board.

6. "COMPUTED TOMOGRAPHY TECHNOLOGIST" MEANS A PERSON WHO APPLIES IONIZING RADIATION TO A HUMAN USING A COMPUTED TOMOGRAPHY MACHINE FOR DIAGNOSTIC PURPOSES.

~~5.~~ 7. "Direction" means responsibility for and control of the application of ionizing radiation to human beings for diagnostic or therapeutic purposes.

~~6.~~ 8. "Ionizing radiation" means gamma rays and x-rays, alpha and beta particles, high speed electrons, neutrons, protons and other nuclear particles or rays.

~~7.~~ 9. "Leg" means that part of the lower limb between the knee and the foot.

~~8.~~ 10. "Licensed practitioner" means a person WHO IS licensed or otherwise authorized by law to practice medicine, dentistry, osteopathy, podiatry, chiropractic or naturopathic medicine in this state.

11. "MAMMOGRAPHIC TECHNOLOGIST" MEANS A PERSON WHO APPLIES IONIZING RADIATION TO THE BREASTS OF A HUMAN BEING FOR DIAGNOSTIC PURPOSES.

12. "NUCLEAR MEDICINE TECHNOLOGIST" MEANS A PERSON WHO USES RADIOPHARMACEUTICAL AGENTS ON HUMANS FOR DIAGNOSTIC OR THERAPEUTIC PURPOSES AS SET FORTH IN RULES ADOPTED PURSUANT TO SECTION 32-2815.

~~9.~~ 13. "Practical technologist in podiatry" means a person holding a practical technologist in podiatry certificate THAT IS granted and issued by the board.

~~10.~~ 14. "Practical technologist in podiatry certificate" means a certificate THAT IS issued to a person, other than a licensed practitioner, who applies ionizing radiation to the foot and leg for diagnostic purposes while under the specific direction of a licensed practitioner.

~~11.~~ 15. "Practical technologist in radiology" means a person holding a practical technologist in radiology certificate THAT IS granted and issued by the board.

~~12.~~ 16. "Practical technologist in radiology certificate" means a certificate THAT IS issued to a person, other than a licensed practitioner, who applies ionizing radiation to specific parts of the human body for diagnostic purposes while under the specific direction of a licensed practitioner.

17. "RADIATION THERAPY TECHNOLOGIST" MEANS A PERSON WHO USES RADIATION ON HUMANS FOR THERAPEUTIC PURPOSES.

~~13.~~ 18. "Radiologic technologist" means a person who holds a certificate THAT IS issued by the board AND that allows that person to apply ionizing radiation to individuals at the direction of a licensed practitioner for general diagnostic or therapeutic purposes.

~~14.~~ 19. "Radiologic technology" means the science and art of applying ionizing radiation to human beings for general diagnostic or therapeutic purposes.

~~15.~~ 20. "Radiologic technology certificate" means a certificate THAT IS issued in radiologic technology to a person with at least twenty-four months of full-time study or its equivalent through an approved program and who has successfully completed an examination by a national certifying body.

~~16.~~ 21. "Radiologist" means a licensed practitioner of medicine or osteopathy who has undertaken a course of training ~~which~~ THAT meets the requirements for admission to the examination of the American board of radiology or the American osteopathic board of radiology.

~~17.~~ 22. "Radiologist assistant" means a person who holds a certificate pursuant to section 32-2819 AND WHO PERFORMS INDEPENDENT ADVANCED PROCEDURES IN MEDICAL IMAGING AND INTERVENTIONAL RADIOLOGY UNDER THE GUIDANCE, DIRECTIONS, SUPERVISION AND DISCRETION OF A LICENSED PRACTITIONER OF MEDICINE OR OSTEOPATHY SPECIALIZING IN RADIOLOGY AS SET FORTH IN SECTION 32-2819 AND THE RULES ADOPTED PURSUANT TO THAT SECTION.

~~18.~~ 23. "Unethical professional conduct" means the following acts, whether occurring in this state or elsewhere:

(a) THE intentional betrayal of a professional confidence or intentional violation of a privileged communication except as required by

law. This subdivision does not prevent members of the board from the exchange of information with the radiologic licensing and disciplinary boards of other states, territories or districts of the United States or foreign countries.

(b) THE use of controlled substances as defined in section 36-2501, narcotic drugs, dangerous drugs or marijuana as defined in section 13-3401 or hypnotic drugs, derivatives or any compounds, mixtures or preparations that may be used for producing hypnotic effects or THE use of alcohol to the extent that it affects the ability of the certificate or permit holder to practice his profession.

(c) Using drugs for other than accepted therapeutic purposes.

(d) Gross malpractice.

(e) Acting or assuming to act as a member of the board if this is not true.

(f) Procuring or attempting to procure a certificate or license by fraud or misrepresentation.

(g) Having professional connection with or lending one's name to an illegal practitioner of radiologic technology or any other health profession.

(h) Offering, undertaking or agreeing to correct, cure or treat a condition, disease, injury, ailment or infirmity by a secret means, method, device or instrumentality.

(i) Refusing to divulge to the board, on reasonable notice and demand, the means, method, device or instrumentality used in the treatment of a condition, disease, injury, ailment or infirmity. This subdivision shall not apply to communication between a technologist or permit holder and a patient with reference to a disease, injury, ailment or infirmity, or as to any knowledge obtained by personal examination of the patient.

(j) Giving or receiving, or aiding or abetting the giving or receiving, of rebates, either directly or indirectly.

(k) Knowingly making any false or fraudulent statement, written or oral, in connection with the practice of radiologic technology.

(l) Refusal, revocation or suspension of a certificate or license by any other state, territory, district or country for reasons that relate to the person's ability to safely and skillfully practice radiologic technology or to any act of unprofessional conduct.

(m) Any conduct or practice ~~which~~ THAT does or would constitute a danger to the health of the patient or the public.

(n) Obtaining a fee by fraud or misrepresentation or ~~willfully~~ WILFULLY or intentionally filing a fraudulent claim with a third party for services rendered or to be rendered to a patient.

(o) Employing uncertified persons to perform or aiding and abetting uncertified persons in the performance of work ~~which~~ THAT can be done legally only by certified persons.

(p) Violating or attempting to violate, directly or indirectly, or assisting or abetting the violation of or conspiring to violate ~~the provisions of~~ this chapter or a rule adopted by the board.

~~19.~~ 24. "Unlimited practical technologist in radiology" means a person holding an unlimited practical technologist in radiology certificate THAT IS granted and issued by the board.

~~20.~~ 25. "Unlimited practical technologist in radiology certificate" means a certificate THAT WAS issued to a person in 1977 or 1978, other than a licensed practitioner, who applies ionizing radiation to the human body for diagnostic purposes while under the specific direction of a licensed practitioner.

Sec. 3. Section 32-2803, Arizona Revised Statutes, is amended to read:

32-2803. Radiation regulation agency; rules

A. The director of the radiation regulatory agency ~~may~~, after consultation and with the approval of the board and after notice and public hearing, MAY adopt rules as may be needed to carry out the purposes of this chapter. The rules shall include, but not be limited to:

1. Minimum standards of training and experience for persons to be certified pursuant to this chapter and procedures for examining applicants for certification.

2. Provisions identifying the types of applications of ionizing radiation for A practical technologist in podiatry, practical technologist in radiology, ~~and~~ PRACTICAL TECHNOLOGIST IN BONE DENSITOMETRY, radiologic technologist, RADIATION THERAPY TECHNOLOGIST, MAMMOGRAPHIC TECHNOLOGIST, NUCLEAR MEDICINE TECHNOLOGIST, BONE DENSITOMETRY TECHNOLOGIST, COMPUTED TOMOGRAPHY TECHNOLOGIST, RADIOLOGIST ASSISTANT AND ANY NEW RADIOLOGIC MODALITY TECHNOLOGIST and those minimum standards of education and training to be met by each type of applicant.

B. Rules adopted pursuant to subsection A, paragraph 2 OF THIS SECTION establishing minimum standards of education and training to be met by practical ~~technologists~~ TECHNOLOGIST in podiatry applicants shall be approved or proposed by a joint committee on education, training and examination ~~comprised~~ COMPOSED of an equal number of representatives from the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS and the STATE board of podiatry examiners. The MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS shall determine the total membership of the committee, and the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS and the STATE board of podiatry examiners shall appoint their respective representatives.

C. The MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS may propose to the agency standards as may be appropriate for carrying out the purposes of this chapter. In the case of proposing to the agency standards governing practical technologists in podiatry, the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS shall consult with the STATE board of podiatry examiners.

Sec. 4. Section 32-2804, Arizona Revised Statutes, is amended to read:

32-2804. School approval; standards; considerations

A. The board may approve a school of radiologic technology as maintaining a satisfactory standard if its course of study:

1. Is for a period of not less than twenty-four months of full-time study or its equivalent and is accredited by the committee on allied health accreditation or meets or exceeds the standards of this chapter.

2. Includes not less than four hundred hours of classroom work, including radiation protection, x-ray physics, radiographic techniques, processing techniques, nursing procedures, anatomy and physiology, radiographic positioning, radiation therapy and professional ethics.

3. Includes not less than one thousand eight hundred hours devoted to clinical experience.

4. Includes demonstrations, discussions, seminars and supervised practice.

5. Includes not less than eighty hours of regularly scheduled supervised film critiques.

B. An approved school of radiologic technology may be operated by a medical or educational institution or other public or private agency or institution and, for the purpose of providing the requisite clinical experience, shall be affiliated with one or more hospitals that, in the opinion of the board, are likely to provide this experience.

C. In approving a school of radiologic technology, the board shall consider the standards adopted by appropriate professional organizations, including the joint review committee on education in radiologic technology, ~~the American medical association, the American osteopathic association,~~ the American college of radiology and the American osteopathic college of radiology~~,~~ and may accept the certification of a school of radiologic technology or the accreditation of a hospital to provide requisite clinical experience, if the board finds that certification or accreditation was granted on the basis of standards that will afford the same protection to the public as the standards provided by this chapter.

Sec. 5. Section 32-2812, Arizona Revised Statutes, is amended to read:

32-2812. Applications for certificate; qualifications; fee; exceptions

A. An applicant for a certificate shall submit an application for certification or an application for examination for certification, accompanied by a nonrefundable fee of sixty dollars. The application for certification fee may be prorated quarterly over the certification period. An applicant who has practiced radiography without certification shall pay a prorated fee retroactively to the earliest date of uncertified practice. The fee for a replacement certificate is ten dollars. The application for examination fee is seventy dollars and shall not be prorated. An application shall be verified by oath or affirmation and shall contain information that the applicant:

1. Is at least eighteen years of age.
2. Is of good moral character.
3. Has successfully completed or obtained:

(a) In the case of AN application for radiologic technologist, RADIATION THERAPY TECHNOLOGIST OR NUCLEAR MEDICINE TECHNOLOGIST certification, ~~a four-year course of study in a secondary school approved by the board or an equivalent board approved course of study in addition to~~ a course of study at a school of radiologic technology THAT IS approved by the board OR AN OUT-OF-STATE SCHOOL OF RADIOLOGIC TECHNOLOGY THAT IS APPROVED BY THE JOINT REVIEW COMMITTEE ON EDUCATION IN RADIOLOGIC TECHNOLOGY, THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS OR THE NUCLEAR MEDICINE TECHNOLOGY CERTIFICATION BOARD.

(b) In the case of AN application for practical technologist in podiatry certification, PRACTICAL TECHNOLOGIST IN BONE DENSITOMETRY CERTIFICATION and practical technologist in radiology certification, high school or its equivalent as determined by the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS with the advice of the state board of education, and satisfactorily meets the basic requisites determined by the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS pursuant to section 32-2803.

(c) In the case of AN application for radiologist assistant certification, a baccalaureate degree or postbaccalaureate certificate from an advanced academic program that encompasses a nationally recognized radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship. An applicant for certification before April 1, 2009 is not required to have a baccalaureate degree or postbaccalaureate certificate, but must have completed an advanced academic program that encompasses a nationally recognized radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship.

B. If the application is in proper form and it appears that the applicant meets the eligibility requirements, the applicant shall be notified of the time and place of the next examination.

C. The board may accept, in lieu of its own examination, a ~~valid~~ certificate issued on the basis of an examination by a certificate-granting body recognized by the ~~American medical association or the American osteopathic association,~~ BOARD or a certificate, registration or license issued by another state if that state's standards for certification, registration or licensure are satisfactory to the board.

D. The board may deny a certificate to an applicant who has committed an act or engaged in conduct in any jurisdiction that resulted in a disciplinary action against the applicant or that would constitute grounds for disciplinary action under this chapter.

E. The board or chairman of the board may designate a representative to approve or deny applications for certification.

Sec. 6. Section 32-2815, Arizona Revised Statutes, is amended to read:

32-2815. Additional board duties; bone densitometry certification; nuclear medicine; continuing education

A. The board shall adopt rules regarding the certification of practical technologists in bone densitometry to allow the certificate holder to apply ionizing radiation to a person's extremities through the use of a bone densitometry machine. The rules shall prescribe:

1. The minimum education and training qualifications for certification. The qualifications prescribed by the board shall allow a person who does not meet the education and training requirements of a radiologic technologist or a practical technologist in radiology to obtain a certificate as a practical technologist in bone densitometry.

2. The application and renewal fees.

3. The definition of a practical technologist in bone densitometry.

B. Subsection A OF THIS SECTION does not prohibit a radiologic technologist or a practical technologist IN RADIOLOGY from operating a bone densitometry machine.

C. ~~Beginning on January 1, 2004,~~ A person who wishes to practice as a nuclear medicine technologist must apply to the board for certification as prescribed by the board by rule. The board shall adopt rules to establish minimum educational and training requirements for nuclear medicine technologists. ~~For the purposes of this subsection, "nuclear medicine technologist" means a person who uses radiopharmaceutical agents on humans for diagnostic or therapeutic purposes.~~

D. The board shall adopt rules to prescribe the following minimum continuing education requirements for the renewal of the following certificates:

1. Practical technologist in podiatry, two hours every two years.

2. Practical technologist in radiology, six hours every two years.

3. Practical technologist in bone densitometry, ~~one hour~~ TWO HOURS every two years.

4. Unlimited practical technologist in radiology, twenty-four hours every two years.

5. Nuclear medicine technologist, twenty-four hours every two years.

6. RADIOLOGIST ASSISTANT, FIFTY HOURS EVERY TWO YEARS.

7. RADIOLOGIC TECHNOLOGIST, TWENTY-FOUR HOURS EVERY TWO YEARS.

8. RADIATION THERAPY TECHNOLOGIST, TWENTY-FOUR HOURS EVERY TWO YEARS.

E. ~~Beginning on August 1, 2004,~~ The board may require an applicant for renewal to document compliance with the appropriate continuing education requirements of subsection D OF THIS SECTION.

Sec. 7. Section 32-2816, Arizona Revised Statutes, is amended to read:

32-2816. Certificates; terms; registration; renewal; cancellation; waiver

A. Except as provided in section 32-4301, if a certificate holder's last name begins with a letter that falls between A through M, the certificate expires on the LAST DAY OF THE certificate holder's ~~birthday~~ BIRTH MONTH in every ~~even-numbered~~ EVEN-NUMBERED year. All other certificates expire on the LAST DAY OF THE certificate holder's ~~birthday~~ BIRTH MONTH in every ~~odd-numbered~~ ODD-NUMBERED year. The board shall notify a certificate holder thirty days before the expiration date of the certificate.

B. The MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS may renew a certificate for two years on payment of a renewal fee in an amount established by the board pursuant to section 32-2803 and submission of a renewal application containing information the board requires to show that the applicant for renewal is a technologist in good standing. The applicant for renewal shall also present evidence satisfactory to the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS of having completed ~~twenty-four hours of~~ THE REQUIRED continuing education in radiologic technology within the preceding two years. If a radiologic technologist is certified by the American registry of radiologic technologists OR NUCLEAR MEDICINE TECHNOLOGY CERTIFICATION BOARD, that person must satisfy the continuing education requirements of this subsection by providing the MEDICAL RADIOLOGIC TECHNOLOGY board OF EXAMINERS with evidence of the technologist's good standing and current certification with that registry.

C. A certificate holder who fails to renew the certificate on or before the ~~certificate holder's birthday~~ CERTIFICATE'S EXPIRATION as prescribed in subsection A of this section shall pay a penalty fee of fifty dollars for late renewal.

D. A certificate holder who does not renew a certificate within thirty days after the certificate expires and who continues the active practice of radiologic technology without adequate cause satisfactory to the board is subject to censure, reprimand or denial of right to renew the certificate pursuant to section 32-2821.

E. On the request of a certificate holder in good standing, the board shall cancel a certificate.

F. The board shall waive the renewal fee if a certificate holder submits an affidavit to the board stating that the certificate holder is retired from the practice of radiologic technology or wishes to be placed on inactive status. A retired or inactive technologist who practices is subject to the same penalties imposed pursuant to this chapter on a person who practices radiologic technology without a certificate.

G. The board may reinstate a technologist on retired or inactive status on payment of the renewal fee pursuant to subsection B of this section.

Sec. 8. Section 32-2817, Arizona Revised Statutes, is amended to read:

32-2817. Use of title; display of certificate or permit

A. A person holding a certificate may use the title "CERTIFIED radiologic technologist~~,~~", "CERTIFIED NUCLEAR MEDICINE TECHNOLOGIST", "CERTIFIED RADIATION THERAPY TECHNOLOGIST", "CERTIFIED COMPUTED TOMOGRAPHY TECHNOLOGIST", "CERTIFIED MAMMOGRAPHIC TECHNOLOGIST", "CERTIFIED RADIOLOGIST ASSISTANT", "CERTIFIED practical technologist in podiatry", "CERTIFIED PRACTICAL TECHNOLOGIST IN BONE DENSITOMETRY" or "CERTIFIED practical technologist in radiology", as applicable. No other person shall be entitled to use such titles or title or letters after such person's name that indicates or implies that such person is a certified technologist or to represent ~~himself~~ THE PERSON in any way, whether orally or in writing, expressly or by implication, as being so certified.

B. Every technologist or special permit holder shall display a certificate or permit at the technologist's or permit holder's place of employment.

Sec. 9. Section 32-2824, Arizona Revised Statutes, is amended to read:

32-2824. Inspections; investigations

A. The board or its duly authorized representatives may enter during scheduled work hours on private or public property for the purpose of:

1. ~~Assuring~~ ENSURING that only ~~board certified~~ BOARD-CERTIFIED individuals or individuals exempt from board certification are operating ionizing radiation machines.

2. Determining whether a certified individual is practicing beyond the scope of ~~his~~ THE PERSON'S certificate.

3. Determining whether a certified individual has violated the provisions of this chapter.

4. Auditing ionizing radiation logbooks.

B. The board may enter areas under the jurisdiction of the federal government only with its permission.

C. THE BOARD ON ITS OWN MOTION, OR THE EXECUTIVE DIRECTOR IF DELEGATED BY THE BOARD, MAY INVESTIGATE ANY EVIDENCE THAT APPEARS TO SHOW THE EXISTENCE OF ANY OF THE CAUSES OR GROUNDS FOR DISCIPLINARY ACTION AS PROVIDED IN SECTION 32-2821, SUBSECTION A. THE BOARD MAY INVESTIGATE ANY COMPLAINT THAT ALLEGES THE EXISTENCE OF ANY OF THE CAUSES OR GROUNDS FOR DISCIPLINARY ACTION AS PROVIDED IN SECTION 32-2821, SUBSECTION A.

Sec. 10. Section 32-2841, Arizona Revised Statutes, is amended to read:

32-2841. Mammographic technologists; certification; computed tomography certification; renewal

A. A person who wishes to perform diagnostic or screening mammography as defined in section 30-651 shall obtain a mammographic technologist certificate from the board. A PERSON WHO WISHES TO PERFORM COMPUTED TOMOGRAPHY SHALL OBTAIN A COMPUTED TOMOGRAPHY TECHNOLOGIST CERTIFICATE FROM THE BOARD. The board shall issue a certificate to an applicant who:

1. Pays a PRORATED twenty dollar application fee.

2. Holds a current radiologic ~~technologist~~ TECHNOLOGY certificate issued by the board.

3. FOR A MAMMOGRAPHIC CERTIFICATION, completes the TRAINING AND education requirements of subsection B of this section AND PASSES AN EXAMINATION AS PRESCRIBED IN SUBSECTION D OF THIS SECTION.

4. FOR A COMPUTED TOMOGRAPHY TECHNOLOGIST CERTIFICATION, PROVIDES DOCUMENTATION OF TWO YEARS OF EXPERIENCE IN COMPUTED TOMOGRAPHY AND COMPLETION OF TWELVE HOURS OF COMPUTED TOMOGRAPHY SPECIFIC EDUCATION OR passes an examination as prescribed in subsection ~~C~~ D of this section.

B. To satisfy the education requirements of subsection A of this section, an applicant ~~for certification shall complete forty hours of didactic instruction and at least one hundred sixty hours of clinical instruction taught by a facility accredited by the American college of radiology or licensed by this state. Courses shall be taught by instructors who have completed at least four hundred mammograms in the previous year. Clinical instruction shall be competency based and positions that cannot be tested on patients shall be tested through simulations. Didactic and clinical instruction shall include the following:~~

~~1. The anatomy and physiology of the breast.~~

~~2. Classification of breast tissue.~~

~~3. Epidemiology of the breast.~~

~~4. Methods to detect breast cancer.~~

~~5. Sources of information regarding breast cancer.~~

~~6. The influence of technical factors.~~

~~7. Positioning of the breast.~~

~~8. Film and image evaluation and critique.~~

~~9. Radiation biology and radiation protection.~~

~~10. Quality assurance methods.~~

~~11. The physics of mammography.~~ SHALL MEET THE INITIAL TRAINING AND EDUCATION REQUIREMENTS OF THE MAMMOGRAPHY QUALITY STANDARDS ACT REGULATIONS FOR QUALITY STANDARDS OF MAMMOGRAPHIC TECHNOLOGISTS, 21 CODE OF FEDERAL REGULATIONS SECTION 900.12.

C. THE BOARD SHALL ISSUE A STUDENT MAMMOGRAPHY PERMIT TO A PERSON WHO IS IN TRAINING AND MEETS THE REQUIREMENT OF SUBSECTION A, PARAGRAPH 2 OF THIS SECTION IF THE APPLICANT ALSO PROVIDES THE BOARD WITH VERIFICATION OF EMPLOYMENT AND THE NAME OF THE RADIOLOGIST WHO AGREES TO BE RESPONSIBLE FOR THE APPLICANT'S SUPERVISION AND TRAINING. A STUDENT MAMMOGRAPHY PERMIT IS VALID FOR ONE YEAR FROM THE DATE IT IS ISSUED AND MAY BE RENEWED ONE TIME FOR AN ADDITIONAL SIX MONTHS. IF THE HOLDER COMPLETES ALL OF THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION WITHIN THE PERMITTED PERIOD, THE BOARD SHALL ISSUE A MAMMOGRAPHIC TECHNOLOGIST CERTIFICATE. THE MAMMOGRAPHIC TECHNOLOGIST CERTIFICATE SHALL BE RENEWED AS PRESCRIBED UNDER SUBSECTION E OF THIS SECTION.

~~C.~~ D. To satisfy the examination requirements of this section an applicant shall pass an examination in mammography OR COMPUTED TOMOGRAPHY administered by ~~either~~ the board or, ~~by the American registry of radiologic technologists~~ IN LIEU OF ITS OWN EXAMINATION, THE BOARD MAY ACCEPT A CERTIFICATE ISSUED ON THE BASIS OF AN EXAMINATION BY A CERTIFICATE-GRANTING BODY RECOGNIZED BY THE BOARD. ~~Examinations administered by the board shall use the same grading standards established by the American registry of radiologic technologists examination.~~

~~D.~~ E. Except as provided in section 32-4301, a certificate issued under this section is valid for two years. If a certificate holder's last name begins with a letter that falls between A through M, the certificate expires on the LAST DAY OF THE certificate holder's ~~birthday~~ BIRTH MONTH in every even-numbered year. All other certificates expire on the LAST DAY OF THE certificate holder's ~~birthday~~ BIRTH MONTH in every odd-numbered year. The board shall notify a certificate holder thirty days before the expiration date of the certificate. An applicant for renewal of ~~this~~ A MAMMOGRAPHIC TECHNOLOGIST certificate shall ~~present evidence satisfactory to the board of having completed eight hours of continuing education in mammography within the preceding two years~~ MEET THE CONTINUING EDUCATION REQUIREMENTS OF THE MAMMOGRAPHY QUALITY STANDARDS ACT REGULATIONS FOR QUALITY STANDARDS OF MAMMOGRAPHIC TECHNOLOGISTS, 21 CODE OF FEDERAL REGULATIONS SECTION 900.12. If a radiologic technologist is certified by the American registry of radiologic technologists, that person must satisfy the continuing education requirements of this subsection by providing the board with evidence of the technologist's good standing and current certification with that registry. The applicant shall also pay a twenty dollar renewal fee to the board.

~~E.~~ F. The board shall prorate fees for~~:~~

~~1. A certificate renewed before August 22, 2002.~~

~~2.~~ a new certificate for the remaining full calendar months of the respective group to which the certificate is assigned.

~~F. The board shall issue a temporary certificate to a person who meets the requirements of subsection A, paragraphs 1, 2 and 3 of this section if that person also provides the board with verification of employment and the name of the radiologist who agrees to be responsible for the applicant's supervision and training. A temporary certificate is valid for thirty days from the date it is issued and may be renewed one time for an additional six months. If the holder completes all of the requirements of subsection A of this section within that time, the board shall issue a regular certificate. This certificate is valid for two years from the date the board issued the temporary certificate and shall be renewed as prescribed under subsection D of this section.~~

G. A person or facility that employs a person certified under this section shall report any suspected violations of section 32-2821 to the board. The board shall investigate the complaint and act as prescribed under section 32-2821. If in the course of its investigation the board determines

that a person regulated by another regulatory agency of this state may have violated that agency's laws, the board shall report the violation to the other agency for disciplinary action.

Sec. 11. Repeal

Sections 41-3016.13 and 41-3016.15, Arizona Revised Statutes, are repealed.

Sec. 12. Title 41, chapter 27, article 2, Arizona Revised Statutes, is amended by adding sections 41-3018.22 and 41-3018.23, to read:

41-3018.22. Radiation regulatory agency and radiation regulatory hearing board; termination July 1, 2018

A. THE RADIATION REGULATORY AGENCY AND RADIATION REGULATORY HEARING BOARD TERMINATE ON JULY 1, 2018.

B. TITLE 30, CHAPTER 4 IS REPEALED ON JANUARY 1, 2019.

41-3018.23. Medical radiologic technology board of examiners; termination July 1, 2018

A. THE MEDICAL RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS TERMINATES ON JULY 1, 2018.

B. TITLE 32, CHAPTER 28 IS REPEALED ON JANUARY 1, 2019.

Sec. 13. Report to committees of reference; delayed repeal

A. On or before December 1, 2016, the medical radiologic technology board of examiners and the radiation regulatory agency shall issue a joint report to the house of representatives health committee of reference and the senate health and human services committee of reference regarding progress on the implementation of the auditor general's recommendations.

B. This section is repealed from and after September 30, 2017.

Sec. 14. Purpose

Pursuant to section 41-2955, subsection B, Arizona Revised Statutes, the legislature continues the radiation regulatory agency and the radiation regulatory hearing board to protect the public health and safety by regulating the use and sources of radiation in order to provide for:

1. The use of demonstrably safe methods and procedures relating to radiation.

2. The exposure to sources of radiation at levels as low as is reasonably achievable by means of good planning, practice and enforcement.

Sec. 15. Purpose

Pursuant to section 41-2955, subsection B, Arizona Revised Statutes, the legislature continues the medical radiologic technology board of examiners to promote the safe delivery of medical radiologic technology services to the public by regulating the providers of these services.

Sec. 16. Retroactivity

Sections 11 and 12 of this act are effective retroactively to July 1, 2016.

APPROVED BY THE GOVERNOR MAY 11, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 11, 2016.

Passed the House April 7, 2016,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

Speaker of the House

Pro Tempore

Jim Drake

Chief Clerk of the House

Passed the Senate February 25, 2016,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

President of the Senate

Susan Aceves

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR
This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

_____
Secretary to the Governor

Approved this _____ day of

_____, 20_____,

at _____ o'clock _____ M.

_____
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

_____
Secretary of State

S.B. 1096

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate May 4, 2016

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

President of the Senate

Susan Craves
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

4th day of May, 2016

at 4:26 o'clock P. M.

Secretary to the Governor

Approved this 11th day of

May

at 10:21 o'clock A. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 11TH day of May, 2016,

at 2:20 o'clock P M.

Secretary of State

S.B. 1096