

## HOUSE BILL No. 2330

By Committee on Health and Human Services

2-7

---

9 AN ACT concerning the radiologic technologists practices act; amending  
10 K.S.A. 2004 Supp. 65-7303, 65-7304, 65-7306, 65-7310, 65-7314 and  
11 65-7315 and repealing the existing sections.  
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2004 Supp. 65-7303 is hereby amended to read as  
15 follows: 65-7303. (a) On and after ~~July~~ *October* 1, 2005, except as oth-  
16 erwise provided in this act, no person shall perform radiologic technology  
17 procedures on humans for diagnostic or therapeutic purposes unless the  
18 person possesses a valid license issued under this act.

19 (b) A person holding a license under this act shall use radioactive  
20 substances or equipment for radiologic technology procedures on humans  
21 only for diagnostic or therapeutic purposes by prescription of a licensed  
22 practitioner.

23 (c) No person shall depict one's self orally or in writing, expressly or  
24 by implication, as holder of a license who does not hold a current license  
25 under this act.

26 (d) (1) Only persons licensed under this act as a radiologic technologist  
27 shall be entitled to use the title "radiologic technologist" or "*licensed*  
28 *radiologic technologist*", abbreviations thereof, or words similar thereto  
29 or use the designated letters "R.T." or "~~R.T. (R)~~" "*L.R.T.*".

30 (2) ~~Only persons licensed under this act as a radiologic technologist~~  
31 ~~and who have received additional certification from the American registry~~  
32 ~~of radiologic technologists (ARRT) or the nuclear medicine technology~~  
33 ~~certification board (NMTCB) shall be entitled to use the title "radiation~~  
34 ~~therapist" or "nuclear medicine technologist", abbreviations thereof, or~~  
35 ~~words similar thereto or use the designated letters "R.T. (N)" or "R.T.~~  
36 ~~(T)".~~ *Only persons licensed under this act as a radiologic technologist and*  
37 *who have received certification from the American registry of radiologic*  
38 *technologists (ARRT) in radiography shall be entitled to use the title "ra-*  
39 *diologic technologist radiographer" or "licensed radiologic technologist*  
40 *radiographer" or abbreviations thereof, or words similar thereto or use*  
41 *the designated letters "R.T. (R)" or "L.R.T. (R)".*

42 (3) *Only persons licensed under this act as a radiologic technologist*  
43 *and who have received additional certification from the American registry*

1 of radiologic technologists (ARRT) in radiation therapy shall be entitled  
 2 to use the title "radiation therapist" or "licensed radiation therapist",  
 3 abbreviations thereof, or words similar thereto or use the designated let-  
 4 ters "R.T. (T)" or "L.R.T. (T)".

5 (4) Only persons licensed under this act as a radiologic technologist  
 6 and who have received additional certification from the American registry  
 7 of radiologic technologists (ARRT) in nuclear medicine technology shall  
 8 be entitled to use the title "nuclear medicine technologist", "licensed nu-  
 9 clear medicine technologist" or "registered nuclear medicine technolo-  
 10 gist", abbreviations thereof, or words similar thereto or use the designated  
 11 letters "R.T. (N)" or "L.R.T. (N)".

12 (5) Only persons licensed under this act as a radiologic technologist  
 13 and who have received additional certification from the nuclear medicine  
 14 technology certification board (NMTCB) shall be entitled to use the title  
 15 "certified nuclear medicine technologist", abbreviations thereof, or words  
 16 similar thereto or use the designated letters "C.N.M.T.".

17 ~~(e)~~ (e) This section shall not prohibit a person who is licensed as a  
 18 respiratory therapist by this state from using any letter or designation  
 19 indicating that such person is engaged in the practice of respiratory  
 20 therapy.

21 ~~(f)~~ (f) This section shall take effect on and after ~~July~~ October 1, 2005.  
 22 Sec. 2. K.S.A. 2004 Supp. 65-7304 is hereby amended to read as  
 23 follows: 65-7304. The following shall be exempt from the requirement of  
 24 a license pursuant to this act:

25 (a) A licensed practitioner;

26 (b) a person issued a postgraduate permit by the board or students  
 27 while in actual attendance in an accredited health care educational pro-  
 28 gram for radiography and under the supervision of a qualified instructor;

29 (c) health care providers in the United States armed forces, public  
 30 health services, federal facilities and other military service when acting in  
 31 the line of duty in this state;

32 (d) persons rendering assistance in the case of an emergency;

33 (e) a licensed dental hygienist or an unlicensed person working under  
 34 the supervision of a licensed dentist who has been trained by a licensed  
 35 dentist on the proper use of dental radiographic equipment for the pur-  
 36 pose of providing medical imaging for dental diagnostic purposes consis-  
 37 tent with K.S.A. 65-1422 et seq., and amendments thereto; and

38 (f) a licensed physician assistant, a licensed nurse or an unlicensed  
 39 person performing radiologic technology procedures who is (1) working  
 40 under the supervision of a licensed practitioner or a person designated  
 41 by a hospital licensed pursuant to K.S.A. 65-425 et seq., and amendments  
 42 thereto, and (2) who has been trained on the proper use of radiographic  
 43 equipment for the purpose of performing radiologic technology proce-

radiologic technology
--------------------------

1 dures consistent with K.S.A. 65-2001, et seq., or K.S.A. 65-2801, et seq.,  
2 and amendments thereto. The board shall adopt rules and regulations to  
3 assure that persons exempted from licensure under this subsection re-  
4 ceive continuing education consistent with their practice authorized  
5 herein.

6 (g) This section shall take effect on and after July 1, 2005.

7 Sec. 3. K.S.A. 2004 Supp. 65-7306 is hereby amended to read as  
8 follows: 65-7306. The board shall waive the education and examination  
9 requirements for an applicant who, on or before July 1, 2005:

10 (a) (1) Has been engaged in the practice of radiologic technology for  
11 a period of at least two years of the three years immediately preceding  
12 July 1, 2005;

13 (2) is 18 years of age or older; and

14 (3) has successfully completed secondary schooling or its equivalency;  
15 or

16 (b) (1) has been engaged in the practice of radiologic technology prior  
17 to July 1, 2005;

18 (2) has, at the time of application, a current valid certificate by the  
19 American registry of radiologic technologists, nuclear medicine ~~technol-~~  
20 ~~ogist~~ *technology* certification board or other recognized national voluntary  
21 credentialing bodies, which the board finds was issued on the basis of an  
22 examination which meets standards at least as stringent as those estab-  
23 lished by the board;

24 (3) is 18 years of age or older; and

25 (4) has successfully completed secondary schooling or its equivalency;

26 (c) This section shall take effect on and after July 1, 2005.

27 Sec. 4. K.S.A. 2004 Supp. 65-7310 is hereby amended to read as  
28 follows: 65-7310. (a) There is established the radiologic technology coun-  
29 cil to assist the state board of healing arts in carrying out the provisions  
30 of this act. The council shall consist of five members, all citizens and  
31 residents of the state of Kansas appointed as follows: The board shall  
32 appoint one member who is a physician licensed to practice medicine and  
33 surgery who is also certified as a radiologist and one member who is a  
34 member of the state board of healing arts. Members appointed by the  
35 board shall serve at the pleasure of the board. The governor shall appoint  
36 three radiologic technologists who have at least three years' experience  
37 in radiologic technology preceding the appointment and are actively en-  
38 gaged, in this state, in the practice of radiologic technology or the teaching  
39 of radiologic technology. At least two of the governor's appointments shall  
40 be made from a list of four nominees submitted by the Kansas society of  
41 radiologic technologists.

42 (b) The members appointed by the governor shall be appointed for  
43 terms of four years except that of the members first appointed, one shall

1 be appointed for a term of two years, one for a term of three years, and  
2 one for a term of four years, with successor members appointed for four  
3 years and to serve until a successor member is appointed. If a vacancy  
4 occurs on the council, the appointing authority of the position which has  
5 become vacant shall appoint a person of like qualifications to fill the va-  
6 cant position for the unexpired term.

7 (c) Radiologic technologists initially appointed to the council must be  
8 eligible for licensure under K.S.A. 2004 Supp. 65-7305, and amendments  
9 thereto. On and after ~~July~~ *October* 1, 2005, new appointees shall be li-  
10 censed under the provisions of this act.

11 (d) The council shall meet at least once each year at a time and place  
12 of its choosing and at such other times as may be necessary on the chair-  
13 person's call or on the request of a majority of the council's members.

14 (e) A majority of the council constitutes a quorum. No action may be  
15 taken by the council except by affirmative vote of the majority of the  
16 members present and voting.

17 (f) Members of the council attending meetings of the council, or a  
18 subcommittee of the council, shall be paid amounts provided in subsec-  
19 tion (e) of K.S.A. 75-3223, and amendments thereto, from the healing  
20 arts fee fund.

21 Sec. 5. K.S.A. 2004 Supp. 65-7314 is hereby amended to read as  
22 follows: 65-7314. (a) When it appears that any person is violating any  
23 provision of this act, the board may bring an action in the name of the  
24 state in a court of competent jurisdiction for an injunction against such  
25 violation without regard as to whether proceedings have been or may be  
26 instituted before the board or whether criminal proceedings have been  
27 or may be instituted.

28 (b) This section shall take effect on and after ~~July~~ *October* 1, 2005.

29 Sec. 6. K.S.A. 2004 Supp. 65-7315 is hereby amended to read as  
30 follows: 65-7315. On and after ~~July~~ *October* 1, 2005, any violation of this  
31 act shall constitute a class B misdemeanor.

32 Sec. 7. K.S.A. 2004 Supp. 65-7303, 65-7304, 65-7306, 65-7310, 65-  
33 7314 and 65-7315 are hereby repealed.

34 Sec. 8. This act shall take effect and be in force from and after its  
35 publication in the statute book.