

1 ENGROSSED SENATE  
2 BILL NO. 782

By: Scott of the Senate

3 and

4 Teague of the House

5  
6 [ professions and occupations - Radiologist Assistant  
7 Licensure Act - radiologic technologists - repealer -  
8 effective date ]  
9

10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY 59 O.S. 2011, Section 541, is  
12 amended to read as follows:

13 Section 541. This act shall be known and may be cited as the  
14 "Radiologist Assistant and Radiologic Technologist Licensure Act".

15 SECTION 2. AMENDATORY 59 O.S. 2011, Section 541.1, is  
16 amended to read as follows:

17 Section 541.1. A. A radiologist may use the services of a  
18 radiologist assistant or radiologic technologist, licensed by the  
19 State Board of Medical Licensure and Supervision, to practice or  
20 administer radiology assistance or technology under the direct  
21 supervision of a physician licensed by the State Board of Medical  
22 Licensure and Supervision or the State Board of Osteopathic  
23 Examiners and certified by the American Board of Radiology or the  
24 American Osteopathic Board of Radiology.

1       B. The State Board of Medical Licensure and Supervision shall  
2 promulgate rules defining the scope of practice of a radiologist  
3 assistant and the educational qualifications necessary to practice  
4 as a radiologist assistant. The Board shall promulgate rules  
5 defining the scope of practice of radiologic technologists and the  
6 educational qualifications necessary to practice as a radiologic  
7 technologist. The Board may use guidelines adopted by the American  
8 College of Radiology, the American Society of Radiologic  
9 Technologists, and the American Registry of Radiologic Technologists  
10 in promulgating rules. The Board shall be the final authority in  
11 all matters pertaining to licensure, continuing education  
12 requirements and scope of practice of radiologist assistants and  
13 radiologic technologists and shall not exceed the guidelines in this  
14 subsection.

15       C. A radiologist assistant or radiologic technologist shall be  
16 certified and registered with the American Registry of Radiologic  
17 Technologists and credentialed to provide radiology services and  
18 have completed a radiologist assistant or radiologic technologist  
19 program accredited by the American Registry of Radiologic  
20 Technologists and passed the American Registry of Radiologic  
21 Technologists certification examinations.

22       D. A radiologist assistant or radiologic technologist shall not  
23 interpret images, make diagnoses, or prescribe medications or  
24 therapies or obtain informed consent.

1       SECTION 3.       AMENDATORY       59 O.S. 2011, Section 541.2, is  
2 amended to read as follows:

3       Section 541.2. A. There is hereby created a Radiologist  
4 Assistant and Radiologic Technologist Advisory Committee within the  
5 State Board of Medical Licensure and Supervision to assist in  
6 administering the provisions of the Radiologist Assistant and  
7 Radiologic Technologist Licensure Act. The Committee shall consist  
8 of seven (7) members as follows:

9       1. One member shall be a physician appointed by the State Board  
10 of Medical Licensure and Supervision from its membership;

11       2. One member shall be a radiologist appointed by the State  
12 Board of Medical Licensure and Supervision from a list of qualified  
13 individuals submitted by the Oklahoma State Medical Association and  
14 who is not a member of the Board;

15       3. One member shall be a physician appointed by the State Board  
16 of Osteopathic Examiners from its membership;

17       4. One member shall be a physician appointed by the State Board  
18 of Osteopathic Examiners from a list of qualified individuals  
19 submitted by the Oklahoma Osteopathic Association and who is not a  
20 member of the State Board of Osteopathic Examiners;

21       5. One member shall be a radiologist appointed by the State  
22 Board of Medical Licensure and Supervision from a list of qualified  
23 individuals submitted by the Oklahoma State Radiological Society and  
24 who is not a member of the Board; and

1        6. ~~Two members~~ One member shall be a radiologist ~~assistant~~  
2 assistant and one member shall be a radiologic technologist  
3 appointed by the State Board of Medical Licensure and Supervision  
4 from a list of radiologist assistants and radiologic technologists  
5 submitted by the Oklahoma State Radiological Society.

6        The radiologist assistant or radiologic technologist  
7 practitioner members shall have engaged in rendering ~~radiologist~~  
8 ~~assistant~~ services within their respective scope of practice to the  
9 public, teaching, or research for at least two (2) years immediately  
10 preceding their appointments. These members shall at all times be  
11 holders of valid licenses as radiologist assistants or radiologic  
12 technologists in this state, except for the members first appointed  
13 to the Committee.

14        B. Initial members of the Committee shall be appointed by  
15 September 1, 2008. Members of the Committee shall be appointed for  
16 terms of four (4) years. Provided, the terms of office of the  
17 members first appointed shall begin within a reasonable time frame  
18 after ~~the effective date of this act~~ April 11, 2008, and shall  
19 continue for the following periods:

20        1. Two physicians and one radiologist assistant or radiologic  
21 technologist for a period of three (3) years; and

22        2. Three physicians and one radiologist assistant or radiologic  
23 technologist for a period of four (4) years.

1       Upon the expiration of a member's term of office, the appointing  
2 authority for that member shall appoint a successor. Vacancies on  
3 the Committee shall be filled in like manner for the balance of an  
4 unexpired term. No member shall serve more than three consecutive  
5 terms. Each member shall serve until a successor is appointed and  
6 qualified.

7       C. Upon expiration or vacancy of the term of a member, the  
8 respective nominating authority may, as appropriate, submit to the  
9 appointing Board a list of three persons qualified to serve on the  
10 Committee to fill the expired term of their respective member.  
11 Appointments may be made from these lists by the appointing Board,  
12 and additionally lists may be provided by the respective  
13 organizations if requested by the State Board of Medical Licensure  
14 and Supervision.

15       D. The State Board of Medical Licensure and Supervision may  
16 remove any member from the Committee for neglect of any duty  
17 required by law, for incompetency, or for unethical or dishonorable  
18 conduct.

19       E. The Committee shall meet at least twice each year and shall  
20 elect biennially during odd-numbered years a chair and vice-chair  
21 from among its members. The Committee may convene at the request of  
22 the chair, or as the Committee may determine for such other meetings  
23 as may be deemed necessary.  
24

1 F. A majority of the members of the Committee, including the  
2 chair and vice-chair, shall constitute a quorum at any meeting, and  
3 a majority of the required quorum shall be sufficient for the  
4 Committee to take action by vote.

5 G. The Committee shall advise the Board in developing policy  
6 and rules pertaining to the Radiologist Assistant and Radiologic  
7 Technologist Licensure Act.

8 H. Members of the State Board of Medical Licensure and  
9 Supervision and members of the Radiologist Assistant and Radiologic  
10 Technologist Advisory Committee shall be reimbursed for all actual  
11 and necessary expenses incurred while engaged in the discharge of  
12 official duties pursuant to ~~this act~~ the Radiologist Assistant and  
13 Radiologic Technologist Licensure Act in accordance with the State  
14 Travel Reimbursement Act.

15 SECTION 4. AMENDATORY 59 O.S. 2011, Section 541.3, is  
16 amended to read as follows:

17 Section 541.3. A. The State Board of Medical Licensure and  
18 Supervision shall:

19 1. License and renew the licenses of duly qualified applicants;  
20 2. Maintain an up-to-date list of every person licensed to  
21 practice as a radiologist assistant or radiologic technologist  
22 pursuant to the Radiologist Assistant and Radiologic Technologist  
23 Licensure Act. The list shall show the licensee's:

24 a. last-known place of employment,

1           b.    last-known place of residence, and

2           c.    the date and number of the license;

3           3.    Cause the prosecution of all persons violating the  
4 Radiologist Assistant and Radiologic Technologist Licensure Act and  
5 incur necessary expenses therefor;

6           4.    Keep a record of all proceedings of the Board and make the  
7 record available to the public for inspection during reasonable  
8 business hours;

9           5.    Conduct hearings upon charges calling for discipline of a  
10 licensee, or denial, revocation, or suspension of a license; and

11           6.    Share information on a case-by-case basis of any person  
12 whose license has been suspended, revoked, or denied. This  
13 information shall include the name, type and cause of action, date  
14 and penalty incurred, and the length of penalty. This information  
15 shall be available for public inspection during reasonable business  
16 hours and shall be supplied to similar boards in other states upon  
17 request.

18           B.    The State Board of Medical Licensure and Supervision may:

19           1.    Promulgate rules consistent with the laws of this state and  
20 in accordance with Article I of the Administrative Procedures Act as  
21 may be necessary to enforce the provisions of the Radiologist  
22 Assistant and Radiologic Technologist Licensure Act;

23           2.    Employ such personnel as necessary to assist the Board in  
24 performing its function;

1        3. Establish license renewal requirements and procedures as  
2 deemed appropriate; and

3        4. Set fees for licensure and renewal not to exceed Three  
4 Hundred Dollars (\$300.00) per license or renewal.

5        SECTION 5.        AMENDATORY        59 O.S. 2011, Section 541.4, is  
6 amended to read as follows:

7        Section 541.4. A. The applicant for a radiologist assistant  
8 license, except where otherwise defined in the Radiologist Assistant  
9 and Radiologic Technologist Licensure Act, shall be required to pass  
10 an examination, whereupon the State Board of Medical Licensure and  
11 Supervision may issue to the applicant a license to practice as a  
12 radiologist assistant.

13        B. The Board may issue a license to practice as a radiologist  
14 assistant or radiologic technologist by endorsement to:

15        1. An applicant who is currently licensed to practice as a  
16 radiologist assistant or radiologic technologist under the laws of  
17 another state, territory, or country if the qualifications of the  
18 applicant are deemed by the Board to be equivalent to those required  
19 in this state;

20        2. Applicants holding credentials who are certified and  
21 registered with the American Registry of Radiologic Technologists  
22 and have completed a radiologist assistant or radiologic  
23 technologist program accredited by the American Registry of  
24 Radiologic Technologists and passed the American Registry of

1 Radiologic Technologists certification examinations, provided such  
2 credentials have not been suspended or revoked; and

3 3. Applicants applying under the conditions of this section who  
4 certify under oath that their credentials have not been suspended or  
5 revoked.

6 SECTION 6. AMENDATORY 59 O.S. 2011, Section 541.5, is  
7 amended to read as follows:

8 Section 541.5. A. A person holding a license to practice as a  
9 radiologist assistant in this state may use the title "radiologist  
10 assistant" and the abbreviation "RA". A person holding a license to  
11 practice as a radiologic technologist may use the title "radiologic  
12 technologist" and the abbreviation "RT".

13 B. A licensee shall present this license when requested.

14 SECTION 7. AMENDATORY 59 O.S. 2011, Section 541.6, is  
15 amended to read as follows:

16 Section 541.6. A. Except as otherwise provided in the  
17 Radiologist Assistant and Radiologic Technologist Licensure Act, a  
18 license shall be renewed biennially. The State Board of Medical  
19 Licensure and Supervision shall mail notices at least thirty (30)  
20 days prior to expiration for renewal of licenses to every person to  
21 whom a license was issued or renewed during the preceding renewal  
22 period. The licensee shall complete the notice of renewal and  
23 return it to the Board with the renewal fee determined by the Board  
24 before the date of expiration.

1 B. Upon receipt of the notice of renewal and the fee, the Board  
2 shall verify its contents and shall issue the licensee a license for  
3 the current renewal period, which shall be valid for the period  
4 stated thereon.

5 C. A licensee who allows the license to lapse by failing to  
6 renew it may be reinstated by the Board upon payment of the renewal  
7 fee and reinstatement fee of One Hundred Dollars (\$100.00);  
8 provided, that such request for reinstatement must be received  
9 within thirty (30) days of the end of the renewal period.

10 D. 1. A licensed radiologist assistant or radiologic  
11 technologist who does not intend to engage in the practice shall  
12 send a written notice to that effect to the Board and is not  
13 required to submit a notice of renewal and pay the renewal fee as  
14 long as the practitioner remains inactive. Upon desiring to resume  
15 practicing as a radiologist assistant or radiologic technologist,  
16 the practitioner shall notify the Board in writing of this intent  
17 and shall satisfy the current requirements of the Board in addition  
18 to submitting a notice of renewal and remitting the renewal fee for  
19 the current renewal period and the reinstatement fee.

20 2. Rules of the Board shall provide for a specific period of  
21 time of continuous inactivity after which retesting is required.

22 E. The Board is authorized to establish by rule fees for  
23 replacement and duplicate licenses not to exceed One Hundred Dollars  
24 (\$100.00) per license.

1 F. The Board shall by rule prescribe continuing education  
2 requirements as a condition for renewal of license. The program  
3 criteria with respect thereto shall be approved by the Board.

4 SECTION 8. AMENDATORY 59 O.S. 2011, Section 541.7, is  
5 amended to read as follows:

6 Section 541.7. Fees received by the State Board of Medical  
7 Licensure and Supervision and any other monies collected pursuant to  
8 the Radiologist Assistant and Radiologic Technologist Licensure Act  
9 shall be deposited with the State Treasurer who shall place the  
10 monies in the regular depository fund of the Board. The deposit,  
11 less the ten-percent gross fees paid into the General Revenue Fund  
12 pursuant to Section 211 of Title 62 of the Oklahoma Statutes, is  
13 hereby appropriated and shall be used to pay expenses incurred  
14 pursuant to the Radiologist Assistant and Radiologic Technologist  
15 Licensure Act.

16 SECTION 9. AMENDATORY 59 O.S. 2011, Section 541.8, is  
17 amended to read as follows:

18 Section 541.8. The State Board of Medical Licensure and  
19 Supervision may revoke, suspend, or refuse to renew any license, or  
20 place on probation, or otherwise reprimand a licensee or deny a  
21 license to an applicant if it finds that the person:

22 1. Is guilty of fraud or deceit in procuring or attempting to  
23 procure a license or renewal of a license to practice as a  
24 radiologist assistant or radiologic technologist;

1        2. Is unfit or incompetent by reason of negligence, habits, or  
2 other causes of incompetency;

3        3. Is habitually intemperate in the use of alcoholic beverages;

4        4. Is addicted to, or has improperly obtained, possessed, used  
5 or distributed habit-forming drugs or narcotics;

6        5. Is guilty of dishonest or unethical conduct;

7        6. Has practiced as a radiologist assistant or radiologic  
8 technologist after the license has expired or has been suspended;

9        7. Has practiced as a radiologist assistant or radiologic  
10 technologist under cover of any license illegally or fraudulently  
11 obtained or issued;

12       8. Has violated or aided or abetted others in violation of any  
13 provision of the Radiologist Assistant and Radiologic Technologist  
14 Licensure Act;

15       9. Has been guilty of unprofessional conduct as defined by the  
16 rules established by the Board, or of violating the code of ethics  
17 adopted and published by the Board; or

18       10. Is guilty of the unauthorized practice of medicine.

19       SECTION 10.        REPEALER        59 O.S. 2011, Section 541.9, is  
20 hereby repealed.

21       SECTION 11. This act shall become effective November 1, 2017.  
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1 Passed the Senate the 20th day of March, 2017.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2017.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives