



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1440

PRINTERS NO. 2716

PRIME SPONSOR: Millard

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
State Board of Medicine Restricted Account	See "Fiscal Impact"	See "Fiscal Impact"

SUMMARY: Establishes licensure of medical imaging professionals, radiation therapists and radiologist assistants under the State Board of Medicine (board). This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Act 112 of 1985, otherwise known as the Medical Practice Act, to require licensure of medical imaging professionals, radiation therapists and radiologist assistants.

Licensure Requirements: To qualify for licensure as a medical imaging professional, an applicant shall meet the following criteria:

- Be at least 18 years of age and have a high school diploma or its equivalent;
- Submit an application and the required fee as established by the board;
- Complete a course of study in diagnostic medical sonography, magnetic resonance imaging, nuclear medicine technology or radiography or an equivalent course of study;
- Pass an applicable modality or specialization examination administered by a certification organization approved by the board.

To qualify for licensure as a radiation therapist, an applicant shall meet the following criteria:

- Be at least 18 years of age and have a high school diploma or its equivalent;
- Submit an application and the required fee as established by the board;
- Complete a course of study in radiation therapy or an equivalent course of study;
- Pass an applicable radiation therapy examination administered by a certification organization approved by the board.

To qualify for licensure as a radiologist assistant, an applicant shall meet the following criteria:

- Be at least 18 years of age and have a high school diploma or its equivalent;
- Submit an application and the required fee as established by the board;
- Complete a course of study in radiologist assistant or an equivalent course of study;
- Pass an applicable radiologist assistant examination administered by a certification organization approved by the board;
- Holds a current certification or registration as a radiographer and radiologist assistant issued by a certification organization approved by the board.

Current Practitioners: Individuals practicing as a medical imaging professional, radiation therapist or radiologist assistant on the effective date may be issued a license by the board if they meet the following criteria within two years of the effective date:

- Be at least 18 years of age;
- Submit an application and the required fee;
- Hold a current certification or registration as a medical imaging professional, radiation therapist or radiologist assistant issued by a certification organization approved by the board.

Scope of Practice

Medical Imaging Professional: A medical imaging professional shall only perform the functions of the modality in which the medical imaging professional has received education and training, and certification by a certification organization.

Radiation Therapist: A radiation therapist may use ionizing radiation to deliver radiation therapy treatments, perform treatment simulation using medical imaging modalities.

Radiologist Assistant: A radiologist assistant may perform advanced diagnostic imaging procedures under the supervision of a supervising radiologist. A radiologist assistant and the supervising radiologist are directed to establish clinical protocols describing the manner and frequency in which the radiologist assistant regularly communicates with the supervising radiologist. The clinical protocols shall include procedures performed by the radiologist assistant and the level of supervision.

A licensee may use radioactive substances or equipment emitting ionizing radiation, high frequency sound waves or magnetic resonance and perform medical imaging and radiation therapy procedures only with a valid prescription of an individual authorized by the commonwealth to prescribe medical imaging and radiation therapy procedures, and under the supervision of a licensed practitioner.

A licensee may not make a diagnostic interpretation of an image, make a diagnosis, or prescribe a medication or therapy.

Title Protection: The legislation contains title protection for medical imaging professionals, radiation therapists and radiologist assistants or use of any similar words, symbols or abbreviations indicating the specific modality for which the individual is licensed under this act.

Exemptions: The legislation outlines exemptions to licensure requirements for any of the following:

- An individual licensed in this Commonwealth whose scope of practice includes performing medical imaging or radiation therapy procedures;
- Auxiliary personnel under the supervision of a licensed chiropractor, a licensed dentist or doctor of podiatric medicine;

- An individual performing sonography procedures within the individual's scope of practice that is used to assess information about a patient's immediate condition, is limited to a focused imaging target and does not generate a recorded diagnostic medical image;
- A graduate medical trainee physician or student who performs authorized medical imaging procedures under the supervision of a licensed practitioner or individual licensed under this act;
- An individual employed by the federal government to provide medical imaging or radiation therapy services while in the discharge of the individual's official duties;
- An individual performing medical imaging or radiation therapy procedures on nonhuman subjects or cadavers.

Renewal: The legislation outlines requirements for biennial renewal. The board may issue a license renewal to a licensee upon the submission of all of the following:

- An application and a fee as established by the board by regulation;
- Proof of continuing education as determined by the board by regulation;
- Proof of holding a current certification and registration issued by a certification organization approved by the board.

Regulations: The board shall promulgate final regulations necessary to implement the addition of this new section within 180 days of the effective date of this section.

FISCAL IMPACT: According to the Department of State, they anticipate annual personnel costs of roughly \$940,000 and operating costs of roughly \$285,000, which includes \$15,000 of one-time system upgrades. The Department anticipates that there will be roughly 25,000 individuals that will become licensed with a biennial fee of \$96 to offset those costs.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: February 8, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.