

By: Representative Formby

To: Public Health and Human Services

HOUSE BILL NO. 69

1 AN ACT TO AMEND SECTIONS 41-58-1, 41-58-3 AND 41-58-5,
2 MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON
3 THE STATUTES THAT PROVIDE FOR THE REGISTRATION OF MEDICAL
4 RADIATION TECHNOLOGISTS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 41-58-1, Mississippi Code of 1972, is
7 amended as follows:

8 41-58-1. As used in this chapter:

9 (a) "Department" means the Mississippi State Department
10 of Health.

11 (b) "Licensed practitioner" means a person licensed or
12 otherwise authorized by law to practice medicine, dentistry,
13 chiropractic, osteopathy or podiatry, or a licensed nurse
14 practitioner or physician assistant.

15 (c) "Ionizing radiation" means x-rays and gamma rays,
16 alpha and beta particles, high speed electrons, neutrons and other
17 nuclear particles.

18 (d) "X-radiation" means penetrating electromagnetic
19 radiation with wavelengths shorter than ten (10) nanometers



20 produced by bombarding a metallic target with fast electrons in a
21 vacuum.

22 (e) "Supervision" means responsibility for, and control
23 of, quality radiation safety and protection, and technical aspects
24 of the application of ionizing radiation to human beings for
25 diagnostic and/or therapeutic purposes.

26 (f) "Medical radiation technology" means the science
27 and art of applying ionizing radiation to human beings for
28 diagnostic and/or therapeutic purposes. The four (4) specialized
29 disciplines of medical radiation technology are diagnostic
30 radiologic technology, nuclear medicine technology, radiation
31 therapy and limited x-ray machine operator.

32 (g) "Radiologic technologist" means a person other than
33 a licensed practitioner who has passed a national certification
34 examination recognized by the department such as the American
35 Registry of Radiologic Technologists examination or its
36 equivalent, who applies x-radiation or ionizing radiation to any
37 part of the human body for diagnostic purposes and includes the
38 administration of parenteral and enteral contrast media and
39 administration of other medications or procedures incidental to
40 radiologic examinations.

41 (h) "Nuclear medicine technologist" means a person
42 other than a licensed practitioner who has passed a national
43 certification examination recognized by the department such as the
44 American Registry of Radiologic Technologists examination or the



45 Nuclear Medicine Technology Certification Board examination or its
46 equivalent, who performs in vivo imaging and measurement
47 procedures and in vitro nonimaging laboratory studies, prepares
48 radiopharmaceuticals, and administers diagnostic/therapeutic doses
49 of radiopharmaceuticals to human beings while under the
50 supervision of a licensed practitioner who is licensed to possess
51 and use radioactive material.

52 (i) "Radiation therapist" means a person other than a
53 licensed practitioner who has passed a national certification
54 examination recognized by the department such as the American
55 Registry of Radiologic Technologists examination or its
56 equivalent, who applies x-radiation and the ionizing radiation
57 emitted from particle accelerators, cobalt sixty (60) units and
58 sealed sources of radioactive material to human beings for
59 therapeutic purposes while under the supervision of a licensed
60 radiation oncologist or a board certified radiologist who is
61 licensed to possess and use radioactive material.

62 (j) "Limited x-ray machine operator" means a person
63 other than a licensed practitioner or radiologic technologist who
64 is issued a permit by the State Board of Medical Licensure to
65 perform medical radiation technology limited to specific
66 radiographic procedures on certain parts of the human anatomy,
67 specifically the chest, abdomen and skeletal structures, and
68 excluding fluoroscopic and contrast studies, computed tomography,
69 nuclear medicine, radiation therapy studies and mammography.



70 (k) "Council" means the Medical Radiation Advisory
71 Council created under Section 41-58-3.

72 This section shall stand repealed on July 1, * * * 2016.

73 **SECTION 2.** Section 41-58-3, Mississippi Code of 1972, is
74 amended as follows:

75 41-58-3. (1) The department shall have full authority to
76 adopt such rules and regulations not inconsistent with the laws of
77 this state as may be necessary to effectuate the provisions of
78 this chapter, and may amend or repeal the same as may be necessary
79 for such purposes.

80 (2) There shall be established a Medical Radiation Advisory
81 Council to be appointed as provided in this section. The council
82 shall consist of ten (10) members as follows:

83 (a) One (1) radiologist who is an active practitioner
84 and member of the Mississippi Radiological Society;

85 (b) One (1) licensed family physician;

86 (c) One (1) licensed practitioner;

87 (d) Two (2) registered radiologic technologists;

88 (e) One (1) nuclear medicine technologist;

89 (f) One (1) radiation therapist;

90 (g) One (1) limited x-ray machine operator;

91 (h) One (1) radiation physicist;

92 (i) One (1) hospital administrator; and

93 (j) The State Health Officer, or his designee, who
94 shall serve as ex officio chairman with no voting authority.



95 (3) The department shall, following the recommendations from
96 the appropriate professional state societies and organizations,
97 including the Mississippi Radiological Society, the Mississippi
98 Society of Radiologic Technologists, and the Mississippi State
99 Nuclear Medicine Society, and other nominations that may be
100 received from whatever source, appoint the members of the council
101 as soon as possible after the effective date of subsections (2)
102 and (3) of this section. Any person serving on the council who is
103 a practitioner of a profession or occupation required to be
104 licensed, credentialed or certified in the state shall be a holder
105 of an appropriate license, credential or certificate issued by the
106 state. All members of the council shall be residents of the State
107 of Mississippi. The council shall promulgate such rules and
108 regulations by which it shall conduct its business. Members of
109 the council shall receive no salary for services performed on the
110 council but may be reimbursed for their reasonable and necessary
111 actual expenses incurred in the performance of the same, from
112 funds provided for such purpose. The council shall assist and
113 advise the department in the development of regulations and
114 standards to effectuate the provisions of this chapter.

115 (4) A radiologic technologist, nuclear medicine technologist
116 or radiation therapist shall not apply ionizing or x-radiation or
117 administer radiopharmaceuticals to a human being or otherwise
118 engage in the practice of medical radiation technology unless the



119 person possesses a valid registration issued by the department
120 under the provisions of this chapter.

121 (5) The department may issue a temporary registration to
122 practice a specialty of medical radiation technology to any
123 applicant who has completed an approved program, who has complied
124 with the provisions of this chapter, and is awaiting examination
125 for that specialty. This registration shall convey the same
126 rights as the registration for which the applicant is awaiting
127 examination and shall be valid for one (1) six-month period.

128 (6) The department may charge a registration fee of not more
129 than Fifty Dollars (\$50.00) biennially to each person to whom it
130 issues a registration under the provisions of this chapter.

131 (7) Registration with the department is not required for:

132 (a) A student enrolled in and participating in an
133 accredited course of study approved by the department for
134 diagnostic radiologic technology, nuclear medicine technology or
135 radiation therapy, who as a part of his clinical course of study
136 applies ionizing radiation to a human being while under the
137 supervision of a licensed practitioner, registered radiologic
138 technologist, registered nuclear medicine technologist or
139 registered radiation therapist;

140 (b) Laboratory personnel who use radiopharmaceuticals
141 for in vitro studies;

142 (c) A dental hygienist or a dental assistant who is not
143 a radiologic technologist, nuclear medicine technologist or



144 radiation therapist, who possesses a radiology permit issued by
145 the Board of Dental Examiners and applies ionizing radiation under
146 the specific direction of a licensed dentist;

147 (d) A chiropractic assistant who is not a radiologic
148 technologist, nuclear medicine technologist or radiation
149 therapist, who possesses a radiology permit issued by the Board of
150 Chiropractic Examiners and applies ionizing radiation under the
151 specific direction of a licensed chiropractor;

152 (e) An individual who is permitted as a limited x-ray
153 machine operator by the State Board of Medical Licensure and
154 applies ionizing radiation in a physician's office, radiology
155 clinic or a licensed hospital in Mississippi under the specific
156 direction of a licensed practitioner; and

157 (f) A student enrolled in and participating in an
158 accredited course of study for diagnostic radiologic technology,
159 nuclear medicine technology or radiation therapy and is employed
160 by a physician's office, radiology clinic or a licensed hospital
161 in Mississippi and applies ionizing radiation under the specific
162 direction of a licensed practitioner.

163 (8) Nothing in this chapter is intended to limit, preclude,
164 or otherwise interfere with the practices of a licensed
165 practitioner who is duly licensed or registered by the appropriate
166 agency of the State of Mississippi, provided that the agency
167 specifically recognizes that the procedures covered by this



168 chapter are within the scope of practice of the licensee or
169 registrant.

170 (9) (a) If any radiologic technologist, nuclear medicine
171 technologist or radiation therapist violates any provision of this
172 chapter or the regulations adopted by the department, the
173 department shall suspend or revoke the registration and practice
174 privileges of the person or issue other disciplinary actions in
175 accordance with statutory procedures and rules and regulations of
176 the department.

177 (b) If any person violates any provision of this
178 chapter, the department shall issue a written warning to the
179 licensed practitioner or medical institution that employs the
180 person; and if that person violates any provision of this chapter
181 again within three (3) years after the first violation, the
182 department may suspend or revoke the permit or registration for
183 the x-radiation and ionizing equipment of the licensed
184 practitioner or medical institution that employs the person, in
185 accordance with statutory procedures and rules and regulations of
186 the department regarding suspension and revocation of those
187 permits or registrations.

188 (10) This section shall stand repealed on July 1, * * *
189 2016.

190 **SECTION 3.** Section 41-58-5, Mississippi Code of 1972, is
191 amended as follows:



192 41-58-5. (1) Each registered radiologic technologist,
193 registered nuclear medicine technologist and registered radiation
194 therapist shall submit evidence to the department of completing
195 twenty-four (24) hours of continuing education in a two-year
196 period as described in the rules and regulations of the
197 department.

198 (2) Each limited x-ray machine operator who is first
199 employed to apply ionizing radiation in the State of Mississippi
200 shall complete twelve (12) hours of education in radiologic
201 technology, with six (6) of those hours specifically in radiation
202 protection, not later than twelve (12) months after the date of
203 his or her employment to apply ionizing radiation, and shall
204 thereafter submit evidence to the department of completing twelve
205 (12) hours of continuing education in a two-year period as
206 described in the rules and regulations of the department. Six (6)
207 of the continuing education hours must be in radiation protection.

208 (3) Each individual who is exempt from registration under
209 paragraph (d) of Section 41-58-3(7) shall complete twelve (12)
210 hours of continuing education in a two-year period as described in
211 the rules and regulations of the department. Six (6) of the
212 continuing education hours must be in radiation protection.

213 (4) Each individual who is exempt from registration under
214 paragraph (d) of Section 41-58-3(7) and who is first employed to
215 apply ionizing radiation in the State of Mississippi shall
216 complete twelve (12) hours of education in radiologic technology,



217 with six (6) of those hours specifically in radiation protection,
218 not later than twelve (12) months after the date of his or her
219 employment to apply ionizing radiation.

220 (5) The department shall approve training sessions that will
221 provide the continuing education required under this section in
222 each of the junior/community college districts in the state, with
223 at least one (1) training session being held during each quarter
224 of the year.

225 (6) (a) The Board of Dental Examiners shall annually
226 provide the department with a list certifying those dental
227 hygienists and dental assistants who are exempt from registration
228 under paragraph (c) of Section 41-58-3(7).

229 (b) The Board of Chiropractic Examiners shall provide
230 the department with a list certifying those chiropractic
231 assistants who are exempt from registration under paragraph (d) of
232 Section 41-58-3(7) who have completed the continuing education
233 requirements of this section.

234 (c) The State Board of Medical Licensure shall provide
235 the department with a list of limited x-ray machine operators who
236 are exempt from registration under paragraph (e) of Section
237 41-58-3(7).

238 (d) The Board of Chiropractic Examiners and the State
239 Board of Medical Licensure may charge a fee of not more than Fifty
240 Dollars (\$50.00) biennially to each individual whom the board



241 certifies as having completed the continuing education
242 requirements of this section.

243 (7) This section shall stand repealed on July 1, * * * 2016.

244 **SECTION 4.** This act shall take effect and be in force from
245 and after July 1, 2013.

