

By: Representative Roberson

To: Public Health and Human
Services

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 259

1 AN ACT TO AMEND SECTIONS 41-58-1, 41-58-3 AND 41-58-5,
2 MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALERS ON THOSE
3 STATUTES ESTABLISHING REGISTRATION AND CONTINUING EDUCATION
4 REQUIREMENTS FOR MEDICAL RADIATION TECHNOLOGISTS; AND FOR RELATED
5 PURPOSES.

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

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

9 41-58-1. As used in this chapter:

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

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

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



19 (d) "X-radiation" means penetrating electromagnetic
20 radiation with wavelengths shorter than ten (10) nanometers
21 produced by bombarding a metallic target with fast electrons in a
22 vacuum.

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

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

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

42 (h) "Nuclear medicine technologist" means a person
43 other than a licensed practitioner who has passed a national



certification examination recognized by the department such as the American Registry of Radiologic Technologists examination or the Nuclear Medicine Technology Certification Board examination or its equivalent, who performs in vivo imaging and measurement procedures and in vitro nonimaging laboratory studies, prepares radiopharmaceuticals, and administers diagnostic/therapeutic doses of radiopharmaceuticals and administers other medications or procedures incidental for nuclear medicine exams to human beings while under the supervision of a licensed practitioner who is licensed to possess and use radioactive material. A certified nuclear medicine technologist also may perform diagnostic CT exams on hybrid equipment for diagnostic purposes, including the administration of parenteral and enteral contrast media and administration of other medications or procedures incidental to CT exams. Certified nuclear medicine technologists who perform CT scans must be certified in CT by the American Registry of Radiologic Technologists, the Nuclear Medicine Technology Certification Board, or other CT certifying body. A certified nuclear medicine technologist may do on-the-job training on hybrid equipment provided that the certified nuclear medicine technologist is supervised by a certified technologist and obtains a CT certification within six (6) months of that training.

(i) "Radiation therapist" means a person other than a licensed practitioner who has passed a national certification examination recognized by the department such as the American



Registry of Radiologic Technologists examination or its equivalent, who applies x-radiation and the ionizing radiation emitted from particle accelerators, cobalt sixty (60) units and sealed sources of radioactive material to human beings for therapeutic purposes while under the supervision of a licensed radiation oncologist or a board-certified radiologist who is licensed to possess and use radioactive material.

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

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

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

41-58-3. (1) The department shall have full authority to adopt such rules and regulations not inconsistent with the laws of this state as may be necessary to effectuate the provisions of



93 this chapter, and may amend or repeal the same as may be necessary
94 for such purposes.

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

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

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

101 (c) One (1) licensed practitioner;

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

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

104 (f) One (1) radiation therapist;

105 (g) One (1) radiation physicist;

106 (h) One (1) hospital administrator; and

107 (i) The State Health Officer, or his designee, who
108 shall serve as ex officio chairman with no voting authority.

109 (3) The department shall, following the recommendations from
110 the appropriate professional state societies and organizations,
111 including the Mississippi Radiological Society, the Mississippi
112 Society of Radiologic Technologists, and the Mississippi State
113 Nuclear Medicine Society, and other nominations that may be
114 received from whatever source, appoint the members of the council
115 as soon as possible after April 13, 1996. Any person serving on
116 the council who is a practitioner of a profession or occupation
117 required to be licensed, credentialed or certified in the state



shall be a holder of an appropriate license, credential or certificate issued by the state. All members of the council shall be residents of the State of Mississippi. The council shall promulgate such rules and regulations by which it shall conduct its business. Members of the council shall receive no salary for services performed on the council but may be reimbursed for their reasonable and necessary actual expenses incurred in the performance of the same, from funds provided for such purpose. The council shall assist and advise the department in the development of regulations and standards to effectuate the provisions of this chapter.

(4) A radiologic technologist, nuclear medicine technologist or radiation therapist shall not apply ionizing or x-radiation or administer radiopharmaceuticals to a human being or otherwise engage in the practice of medical radiation technology unless the person possesses a valid registration issued by the department under the provisions of this chapter.

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



(6) The department may charge a registration fee of not more than Fifty Dollars (\$50.00) biennially to each person to whom it issues a registration under the provisions of this chapter. Any increase in the fee charged by the department under this subsection shall be in accordance with the provisions of Section 41-3-65.

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

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

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

(c) A dental hygienist or a dental assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Dental Examiners and applies ionizing radiation under the specific direction of a licensed dentist;

(d) A chiropractic assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of



Chiropractic Examiners and applies ionizing radiation under the specific direction of a licensed chiropractor;

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

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

(8) Nothing in this chapter is intended to limit, preclude, or otherwise interfere with the practices of a licensed practitioner who is duly licensed or registered by the appropriate agency of the State of Mississippi, provided that the agency specifically recognizes that the procedures covered by this chapter are within the scope of practice of the licensee or registrant.

(9) (a) If any radiologic technologist, nuclear medicine technologist or radiation therapist violates any provision of this chapter or the regulations adopted by the department, the department shall suspend or revoke the registration and practice privileges of the person or issue other disciplinary actions in



192 accordance with statutory procedures and rules and regulations of
193 the department.

194 (b) If any person violates any provision of this
195 chapter, the department shall issue a written warning to the
196 licensed practitioner or medical institution that employs the
197 person; and if that person violates any provision of this chapter
198 again within three (3) years after the first violation, the
199 department may suspend or revoke the permit or registration for
200 the x-radiation and ionizing equipment of the licensed
201 practitioner or medical institution that employs the person, in
202 accordance with statutory procedures and rules and regulations of
203 the department regarding suspension and revocation of those
204 permits or registrations.

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

208 41-58-5. (1) Each registered radiologic technologist,
209 registered nuclear medicine technologist and registered radiation
210 therapist shall submit evidence to the department of completing
211 twenty-four (24) hours of continuing education in a two-year
212 period as described in the rules and regulations of the
213 department.

214 (2) Each limited x-ray machine operator who is first
215 employed to apply ionizing radiation in the State of Mississippi
216 shall complete twelve (12) hours of education in radiologic



217 technology, with six (6) of those hours specifically in radiation
218 protection, not later than twelve (12) months after the date of
219 his or her employment to apply ionizing radiation, and shall
220 thereafter submit evidence to the State Board of Medical Licensure
221 of completing twelve (12) hours of continuing education in a
222 two-year period as described in the rules and regulations of the
223 State Board of Medical Licensure. Six (6) of the continuing
224 education hours must be in radiation protection.

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

230 (4) Each individual who is exempt from registration under
231 paragraph (d) of Section 41-58-3(7) and who is first employed to
232 apply ionizing radiation in the State of Mississippi shall
233 complete twelve (12) hours of education in radiologic technology,
234 with six (6) of those hours specifically in radiation protection,
235 not later than twelve (12) months after the date of his or her
236 employment to apply ionizing radiation.

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



242 (6) The Board of Chiropractic Examiners and the State Board
243 of Medical Licensure may charge a fee of not more than Fifty
244 Dollars (\$50.00) biennially to each individual whom the board
245 certifies as having completed the continuing education
246 requirements of this section.

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248 **SECTION 4.** This act shall take effect and be in force from
249 and after July 1, 2023.

