

By: Representative Roberson

To: Public Health and Human Services

HOUSE BILL NO. 1028

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 PROVISIONS OF LAW THAT REGULATE MEDICAL RADIATION
4 TECHNOLOGISTS; TO FURTHER AMEND SECTION 41-58-1 TO DEFINE THE TERM
5 "NUCLEAR MEDICINE" AND REVISE THE DEFINITION OF THE TERM "NUCLEAR
6 MEDICINE TECHNOLOGIST" FOR THE PURPOSE OF REGISTRATION
7 REQUIREMENTS; AND FOR RELATED PURPOSES.

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

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

11 41-58-1. As used in this chapter:

12 (a) "Department" means the Mississippi State Department
13 of Health.

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

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



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

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

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

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

44 (h) "Nuclear medicine" means the discipline of
45 performing in vivo imaging and measurement procedures and in vitro



46 nonimaging laboratory studies, preparing radiopharmaceuticals, and
47 administering diagnostic/therapeutic doses of radiopharmaceuticals
48 and other medications or procedures incidental for nuclear
49 medicine exams to human beings while under the supervision of a
50 licensed practitioner who is authorized to use radioactive
51 material.

52 (i) "Nuclear medicine technologist" means a person
53 other than a licensed practitioner who has passed a national
54 certification examination recognized by the department such as the
55 American Registry of Radiologic Technologists examination, * * *
56 the Nuclear Medicine Technology Certification Board examination,
57 or * * * their equivalent, * * * and who has registered with the
58 department to perform nuclear medicine. A * * * registered
59 nuclear medicine technologist * * * may perform * * * computed
60 tomography or magnetic resonance technology only for the purposes
61 of anatomical location and attenuation correction, and only when
62 using a hybrid unit, including, but not limited to, PET/CT,
63 SPECT/CT or PET/MR. * * * However, this limitation does not apply
64 to persons registered by the department to perform nuclear
65 medicine who are also credentialed in computed tomography or
66 magnetic resonance technology by the American Registry of
67 Radiologic Technologists, the Nuclear Medicine Technology
68 Certification Board, or * * * their equivalent. * * *

69 (* * *j) "Radiation therapist" means a person other
70 than a licensed practitioner who has passed a national



71 certification examination recognized by the department such as the
72 American Registry of Radiologic Technologists examination or its
73 equivalent, who applies x-radiation and the ionizing radiation
74 emitted from particle accelerators, cobalt sixty (60) units and
75 sealed sources of radioactive material to human beings for
76 therapeutic purposes while under the supervision of a licensed
77 radiation oncologist or a board-certified radiologist who is
78 licensed to possess and use radioactive material.

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

88 (* * *l) "Council" means the Medical Radiation
89 Advisory Council created under Section 41-58-3.

90 This section shall stand repealed on July 1, * * * 2028.

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

93 41-58-3. (1) The department shall have full authority to
94 adopt such rules and regulations not inconsistent with the laws of
95 this state as may be necessary to effectuate the provisions of



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

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

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

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

104 (c) One (1) licensed practitioner;

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

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

107 (f) One (1) radiation therapist;

108 (g) One (1) radiation physicist;

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

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

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



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

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

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



145 (6) The department may charge a registration fee of not more
146 than Fifty Dollars (\$50.00) biennially to each person to whom it
147 issues a registration under the provisions of this chapter. Any
148 increase in the fee charged by the department under this
149 subsection shall be in accordance with the provisions of Section
150 41-3-65.

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

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

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

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

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



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

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

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

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

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



195 accordance with statutory procedures and rules and regulations of
196 the department.

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

208 (10) This section shall stand repealed on July 1, * * *
209 2028.

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

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

218 (2) Each limited x-ray machine operator who is first
219 employed to apply ionizing radiation in the State of Mississippi



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

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

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

241 (5) The department shall approve training sessions that will
242 provide the continuing education required under this section in
243 each of the junior/community college districts in the state, with



244 at least one (1) training session being held during each quarter
245 of the year.

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

251 (7) This section shall stand repealed on July 1, * * * 2028.

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

