

By: Shapiro

S.B. No. 821

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of medical radiologic technology.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 601.002, Occupations Code, is amended by adding Subdivisions (10-a) and (10-b) to read as follows:

(10-a) "Radiologist" means a physician specializing in radiology certified by or board-eligible for the American Board of Radiology, the American Osteopathic Board of Radiology, the British Royal College of Radiology, or the Canadian College of Physicians and Surgeons. This definition does not alter or affect the term "chiropractic radiologist."

(10-b) "Radiologist assistant" means an advanced-level medical radiologic technologist certified under this chapter, other than a practitioner, who is registered with the American Registry of Radiologic Technologists and credentialed to provide radiology services under the supervision of a radiologist.

SECTION 2. Section 601.053, Occupations Code, is amended to read as follows:

Sec. 601.053. MINIMUM STANDARDS. The board by rule shall establish minimum standards for:

(1) issuing, renewing, suspending, or revoking a certificate issued under this chapter;

(2) approving curricula and education programs to train:

1           (A) individuals, registered nurses, and  
2 physician assistants to perform radiologic procedures; and

3           (B) radiologist assistants to provide radiology  
4 services under the supervision of a radiologist;

5           (3) approving instructors to teach approved curricula  
6 or education programs to train:

7           (A) individuals to perform radiologic  
8 procedures; and

9           (B) radiologist assistants to provide radiology  
10 services under the supervision of a radiologist; and

11           (4) rescinding an approval described by Subdivision  
12 (2) or (3).

13           SECTION 3. Subsections (a) and (b), Section 601.056,  
14 Occupations Code, are amended to read as follows:

15           (a) The board with the assistance of other appropriate state  
16 agencies shall identify by rule radiologic procedures, other than  
17 radiologic procedures described by Subsection (c), that are  
18 dangerous or hazardous and that may be performed only by a  
19 practitioner or a medical radiologic technologist or radiologist  
20 assistant certified under this chapter.

21           (b) In adopting rules under Subsection (a), the board may  
22 consider whether the radiologic procedure will be performed by a  
23 registered nurse or a licensed physician assistant or a radiologist  
24 assistant certified under this chapter.

25           SECTION 4. Section 601.058, Occupations Code, is amended to  
26 read as follows:

27           Sec. 601.058. RULES RESTRICTING ADVERTISING OR COMPETITIVE

1 BIDDING. (a) The board may not adopt rules restricting  
2 advertising or competitive bidding by a medical radiologic  
3 technologist or radiologist assistant except to prohibit false,  
4 misleading, or deceptive practices.

5 (b) In its rules to prohibit false, misleading, or deceptive  
6 practices, the board may not include a rule that:

7 (1) restricts the use of any medium for advertising;

8 (2) restricts the use of a medical radiologic  
9 technologist's or radiologist assistant's personal appearance or  
10 voice in an advertisement;

11 (3) relates to the size or duration of an  
12 advertisement by the medical radiologic technologist or  
13 radiologist assistant; or

14 (4) restricts the medical radiologic technologist's or  
15 radiologist assistant's advertisement under a trade name.

16 SECTION 5. Subchapter C, Chapter 601, Occupations Code, is  
17 amended by adding Section 601.1055 to read as follows:

18 Sec. 601.1055. RADIOLOGIST ASSISTANT CERTIFICATE. (a) A  
19 person seeking to obtain certification as a radiologist assistant  
20 must:

21 (1) hold a general certificate to perform radiologic  
22 procedures;

23 (2) have completed an advanced academic program  
24 encompassing a nationally recognized radiologist assistant  
25 curriculum that:

26 (A) culminates in the award of a baccalaureate  
27 degree, postbaccalaureate certificate, or graduate degree; and

1                   (B) incorporates a radiologist-directed clinical  
2 preceptorship;

3                   (3) be certified in advanced cardiac life support; and

4                   (4) be registered with the American Registry of  
5 Radiologic Technologists and credentialed as a radiologist  
6 assistant to provide radiology services under the supervision of a  
7 radiologist.

8           (b) The board, with the advice and consent of the Texas  
9 Medical Board, by rule shall determine the scope of practice of and  
10 qualifications to serve as a radiologist assistant. A rule adopted  
11 under this subsection must be consistent with guidelines adopted by  
12 the American College of Radiology, the American Society of  
13 Radiologic Technologists, and the American Registry of Radiologic  
14 Technologists.

15           (c) A radiologist may use the services of a radiologist  
16 assistant to practice under the supervision of the radiologist to  
17 the extent not prohibited by this chapter.

18           (d) A radiologist assistant may not interpret images, make  
19 diagnoses, or prescribe medications or therapies.

20           SECTION 6. Subsections (b) and (c), Section 601.102,  
21 Occupations Code, are amended to read as follows:

22           (b) The board may issue to a person:

23                   (1) a general certificate to perform radiologic  
24 procedures; ~~or~~

25                   (2) a limited certificate that authorizes the person  
26 to perform radiologic procedures only on specific parts of the  
27 human body; or

1           (3) a certificate as a radiologist assistant.

2           (c) The board may issue to a person a temporary general  
3 certificate or a temporary limited certificate that authorizes the  
4 person to perform radiologic procedures for a period not to exceed  
5 one year. The board may issue to a person a temporary certificate  
6 that authorizes the person to perform radiologic procedures as a  
7 radiologist assistant for a period not to exceed one year.

8           SECTION 7. Subsection (b), Section 601.108, Occupations  
9 Code, is amended to read as follows:

10           (b) The board shall prepare, recognize, or administer  
11 continuing education programs for medical radiologic technologists  
12 and radiologist assistants in which participation is required, to  
13 the extent required by the board, to keep the person's certificate.

14           SECTION 8. This Act takes effect September 1, 2009.