

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.

(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:

(A) individuals, registered nurses, and

1 physician assistants to perform radiologic procedures; and  
2 (B) radiologist assistants to provide radiology  
3 services under the supervision of a radiologist;

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

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

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

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

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

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

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

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

26 Sec. 601.058. RULES RESTRICTING ADVERTISING OR COMPETITIVE  
27 BIDDING. (a) The board may not adopt rules restricting advertising

1 or competitive bidding by a medical radiologic technologist or  
2 radiologist assistant except to prohibit false, misleading, or  
3 deceptive practices.

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

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

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

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

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

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

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

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

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

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

27 (B) incorporates a radiologist-directed clinical

1 preceptorship;

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

3 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 by rule shall determine the scope of practice  
9 of and qualifications to serve as a radiologist assistant. A rule  
10 adopted under this subsection must be consistent with guidelines  
11 adopted by the American College of Radiology, the American Society  
12 of Radiologic Technologists, and the American Registry of  
13 Radiologic Technologists.

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

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

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

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

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

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

27 (3) a certificate as a radiologist assistant.

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

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

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

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