

HB 309

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1 A bill to be entitled
2 An act relating to radiological personnel; amending s.
3 468.3003, F.S.; clarifying legislative policy;
4 amending s. 468.301, F.S.; redefining the term
5 "radiation" and defining the term "specialty
6 technologist" as those terms relate to the
7 certification of radiological personnel; amending s.
8 468.302, F.S.; providing titles for persons who hold a
9 certificate as a specialty technologist; authorizing a
10 person holding a certificate as a specialty
11 technologist to perform the specific duties allowed
12 for a specialty technologist as defined by the
13 Department of Health; requiring that the duties be
14 consistent with the scope of practice of a national
15 registry for the particular advanced, postprimary, or
16 specialty area; amending s. 468.304, F.S.; providing
17 criteria for certification as a specialty
18 technologist; amending s. 468.306, F.S.; providing for
19 an applicant for certification as a specialty
20 technologist to be certified only by endorsement
21 rather than by examination; amending s. 468.3065,
22 F.S.; authorizing the department to issue a
23 certificate by endorsement to practice as a specialty
24 technologist to an applicant who meets certain
25 criteria; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:
28

29 Section 1. Section 468.3003, Florida Statutes, is amended
 30 to read:

31 468.3003 Declaration of policy.—It is declared to be the
 32 policy of the state that the health and safety of the people
 33 must be protected against the harmful effects of excessive and
 34 improper exposure to ~~ionizing~~ radiation. Such protection can in
 35 some major measure be accomplished by requiring adequate
 36 training and experience of persons who use radiation and
 37 radiation-emitting equipment in each particular case under the
 38 specific direction of licensed practitioners. It is the purpose
 39 of this part to establish standards of education, training, and
 40 experience and to require the examination and certification of
 41 users of radiation and radiation-emitting equipment.

42 Section 2. Subsection (14) of section 468.301, Florida
 43 Statutes, is amended, and subsection (18) is added to that
 44 section, to read:

45 468.301 Definitions.—As used in this part, the term:

46 (14) "Radiation" means X rays and gamma rays, alpha and
 47 beta particles, high-speed electrons, neutrons, and other
 48 nuclear particles. The department may by rule add other types of
 49 radiation to this definition in order to accommodate changes in
 50 imaging or therapy technology or procedures.

51 (18) "Specialty technologist" means a person, other than a
 52 licensed practitioner, who is qualified by education and
 53 certification, as set forth in s. 468.304, to use radiation on
 54 humans under the specific direction and general supervision of a
 55 licensed practitioner.

56 Section 3. Paragraph (h) is added to subsection (2) and

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57 paragraph (i) is added to subsection (3) of section 468.302,
58 Florida Statutes, to read:

59 468.302 Use of radiation; identification of certified
60 persons; limitations; exceptions.—

61 (2)

62 (h) A person holding a certificate as a specialty
63 technologist may use the title "Certified Radiologic
64 Technologist-X" or the letters "CRT-X" where "X" represents a
65 single- or multiple-letter designation signifying the advanced,
66 postprimary, or specialty area of radiologic technology, such as
67 "CT" for computed tomography or "PET" for positron emission
68 tomography, in which the person is certified by a national
69 registry that is recognized by the department. The department
70 shall approve these letter designations by rule for each area,
71 consistent with the designation used by the national registry.

72
73 No other person is entitled to so use a title or letters
74 contained in this subsection or to hold himself or herself out
75 in any way, whether orally or in writing, expressly or by
76 implication, as being so certified.

77 (3)

78 (i) A person holding a certificate as a specialty
79 technologist may perform the specific duties allowed for a
80 specialty technologist as defined by department by rule. These
81 duties must be consistent with the scope of practice of the
82 national registry for that particular advanced, postprimary, or
83 specialty area.

84 Section 4. Subsection (3) of section 468.304, Florida

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85 Statutes, is amended to read:

86 468.304 Certification.—The department shall certify any
87 applicant who meets the following criteria:

88 (3) Submits satisfactory evidence, verified by oath or
89 affirmation, that she or he:

90 (a) Is at least 18 years of age at the time of
91 application;

92 (b) Is a high school, vocational school, technical school,
93 or college graduate or has successfully completed the
94 requirements for a graduate equivalency diploma (GED) or its
95 equivalent;

96 (c) Is of good moral character;

97 (d) Has passed an examination as specified in s. 468.306
98 or meets the requirements specified in s. 468.3065; and

99 (e)1. Has successfully completed an educational program,
100 which program may be established in a hospital licensed pursuant
101 to chapter 395 or in an accredited postsecondary academic
102 institution which is subject to approval by the department as
103 maintaining a satisfactory standard; or

104 2.a. With respect to an applicant for a basic X-ray
105 machine operator's certificate, has completed a course of study
106 approved by the department with appropriate study material
107 provided the applicant by the department;

108 b. With respect to an applicant for a basic X-ray machine
109 operator-podiatric medicine certificate, has completed a course
110 of study approved by the department, provided that such course
111 of study shall be limited to that information necessary to
112 perform radiographic procedures within the scope of practice of

113 a podiatric physician licensed pursuant to chapter 461;
 114 c. With respect only to an applicant for a general
 115 radiographer's certificate who is a basic X-ray machine operator
 116 certificateholder, has completed an educational program or a 2-
 117 year training program that takes into account the types of
 118 procedures and level of supervision usually and customarily
 119 practiced in a hospital, which educational or training program
 120 complies with the rules of the department;
 121 d. With respect only to an applicant for a nuclear
 122 medicine technologist's certificate who is a general
 123 radiographer certificateholder, has completed an educational
 124 program or a 2-year training program that takes into account the
 125 types of procedures and level of supervision usually and
 126 customarily practiced in a hospital, which educational or
 127 training program complies with the rules of the department; ~~or~~
 128 e. With respect to an applicant for a radiologist
 129 assistant's certificate who demonstrates to the department that
 130 he or she holds a current certificate or registration as a
 131 radiologist assistant granted by the American Registry of
 132 Radiologic Technologists; or-
 133 f. With respect to an applicant for a specialty
 134 technologist's certificate, demonstrates to the department that
 135 he or she is currently certified or registered by a national
 136 registry that is recognized by the department in an advanced,
 137 postprimary, or specialty area of radiologic technology, such as
 138 computed tomography or positron emission tomography.
 139
 140 The department may not certify any applicant who has committed

141 an offense that would constitute a violation of any of the
 142 provisions of s. 468.3101 or applicable ~~the rules adopted~~
 143 ~~thereunder~~ if the applicant had been certified by the department
 144 at the time of the offense. An ~~No~~ application for a limited
 145 computed tomography certificate may not ~~shall~~ be accepted. A
 146 person ~~All persons~~ holding a valid computed tomography
 147 certificate ~~certificates~~ as of October 1, 1984, is ~~are~~ subject
 148 to ~~the provisions of~~ s. 468.309.

149 Section 5. Section 468.306, Florida Statutes, is amended
 150 to read:

151 468.306 Examinations. An applicant ~~All applicants~~ for
 152 certification as a radiologic technologist, basic X-ray machine
 153 operator, or basic X-ray machine operator-podiatric medicine,
 154 except an applicant ~~those~~ certified pursuant to s. 468.3065,
 155 shall be required to pass an examination. An applicant for
 156 certification as a specialty technologist shall be certified
 157 only in accordance with s. 468.3065. An application for
 158 certification as a specialty technologist by examination may not
 159 be accepted. In lieu of an examination for a radiologist
 160 assistant certificate, the department shall accept a
 161 demonstration by the applicant for such a certificate that he or
 162 she holds a current certificate or registration as a radiologist
 163 assistant granted by the American Registry of Radiologic
 164 Technologists. The department may develop or use examinations
 165 for each type of certificate. The department may require an
 166 applicant who does not pass an examination after five attempts
 167 to complete additional remedial education, as specified by rule
 168 of the department, before admitting the applicant to subsequent

169 examinations.

170 (1) The department may contract with organizations that
 171 develop such test examinations. Examinations may be administered
 172 by the department or the contracting organization.

173 (2) Examinations shall be given for each type of
 174 certificate at least twice a year at such times and places as
 175 the department may determine to be advantageous for applicants.

176 (3) All examinations shall be written and include
 177 positioning, technique, and radiation protection. The department
 178 shall ~~either~~ pass or fail each applicant on the basis of his or
 179 her final grade. The examination for a basic X-ray machine
 180 operator must ~~shall~~ include basic positioning and basic
 181 techniques directly related to the skills necessary to safely
 182 operate radiographic equipment.

183 (4) A nonrefundable fee not to exceed \$75 plus the actual
 184 per-applicant cost for purchasing the examination from a
 185 national organization shall be charged for any subsequent
 186 examination.

187 Section 6. Subsection (3) is added to section 468.3065,
 188 Florida Statutes, to read:

189 468.3065 Certification by endorsement.—

190 (3) The department may issue a certificate by endorsement
 191 to practice as a specialty technologist to an applicant who,
 192 upon applying to the department and remitting a nonrefundable
 193 fee not to exceed \$100, demonstrates to the department that he
 194 or she holds a current certificate, license, or registration
 195 from a national registry that is recognized by the department to
 196 practice in an advanced, postprimary, or specialty area of

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197 radiologic technology, such as computed tomography or positron
198 emission tomography, if the requirements for such certificate,
199 license, or registration are deemed by the department to be
200 substantially equivalent to those established under this part
201 and rules adopted under this part.

202 Section 7. This act shall take effect July 1, 2012.