

By Senator Flores

38-00396A-12

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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

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

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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  
85 Statutes, is amended to read:

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

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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 application;

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

95 (c) Is of good moral character;

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

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

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

107 b. With respect to an applicant for a basic X-ray machine  
108 operator-podiatric medicine certificate, has completed a course  
109 of study approved by the department, provided that such course  
110 of study shall be limited to that information necessary to  
111 perform radiographic procedures within the scope of practice of  
112 a podiatric physician licensed pursuant to chapter 461;

113 c. With respect only to an applicant for a general  
114 radiographer's certificate who is a basic X-ray machine operator  
115 certificateholder, has completed an educational program or a 2-  
116 year training program that takes into account the types of

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117 procedures and level of supervision usually and customarily  
118 practiced in a hospital, which educational or training program  
119 complies with the rules of the department;

120 d. With respect only to an applicant for a nuclear medicine  
121 technologist's certificate who is a general radiographer  
122 certificateholder, has completed an educational program or a 2-  
123 year training program that takes into account the types of  
124 procedures and level of supervision usually and customarily  
125 practiced in a hospital, which educational or training program  
126 complies with the rules of the department; ~~or~~

127 e. With respect to an applicant for a radiologist  
128 assistant's certificate who demonstrates to the department that  
129 he or she holds a current certificate or registration as a  
130 radiologist assistant granted by the American Registry of  
131 Radiologic Technologists; or-

132 f. With respect to an applicant for a specialty  
133 technologist's certificate, demonstrates to the department that  
134 he or she is currently certified or registered by a national  
135 registry that is recognized by the department in an advanced,  
136 postprimary, or specialty area of radiologic technology, such as  
137 computed tomography or positron emission tomography.

138  
139 The department may not certify any applicant who has committed  
140 an offense that would constitute a violation of any of the  
141 provisions of s. 468.3101 or applicable ~~the rules adopted~~  
142 ~~thereunder~~ if the applicant had been certified by the department  
143 at the time of the offense. An ~~No~~ application for a limited  
144 computed tomography certificate may not ~~shall~~ be accepted. A  
145 person ~~All persons~~ holding a valid computed tomography

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146 certificate ~~certificates~~ as of October 1, 1984, is ~~are~~ subject  
147 to ~~the provisions of~~ s. 468.309.

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

150 468.306 Examinations.—An applicant ~~All applicants~~ for  
151 certification as a radiologic technologist, basic X-ray machine  
152 operator, or basic X-ray machine operator-podiatric medicine,  
153 except an applicant ~~those~~ certified pursuant to s. 468.3065,  
154 shall be required to pass an examination. An applicant for  
155 certification as a specialty technologist shall be certified  
156 only in accordance with s. 468.3065. An application for  
157 certification as a specialty technologist by examination may not  
158 be accepted. In lieu of an examination for a radiologist  
159 assistant certificate, the department shall accept a  
160 demonstration by the applicant for such a certificate that he or  
161 she holds a current certificate or registration as a radiologist  
162 assistant granted by the American Registry of Radiologic  
163 Technologists. The department may develop or use examinations  
164 for each type of certificate. The department may require an  
165 applicant who does not pass an examination after five attempts  
166 to complete additional remedial education, as specified by rule  
167 of the department, before admitting the applicant to subsequent  
168 examinations.

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

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

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

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

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

188 468.3065 Certification by endorsement.—

189 (3) The department may issue a certificate by endorsement  
190 to practice as a specialty technologist to an applicant who,  
191 upon applying to the department and remitting a nonrefundable  
192 fee not to exceed \$100, demonstrates to the department that he  
193 or she holds a current certificate, license, or registration  
194 from a national registry that is recognized by the department to  
195 practice in an advanced, postprimary, or specialty area of  
196 radiologic technology, such as computed tomography or positron  
197 emission tomography, if the requirements for such certificate,  
198 license, or registration are deemed by the department to be  
199 substantially equivalent to those established under this part  
200 and rules adopted under this part.

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