

SENATE FILE 447
BY COMMITTEE ON STATE GOVERNMENT
Formerly SSB 254
Approved 8/1/86 (p. 756)

FILED MAR 14 1985

Passed Senate, Date 3-27-85 (p. 1082) Passed House, Date 2-21-86 (p. 418)
Vote: Ayes 28 Nays 20 Vote: Ayes 22 Nays 22
Approved May 23, 1986
motion to reconsider 3-28
" Loro 4-1-85

A BILL FOR

1 An Act to license operators of radiation emitting equipment.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 447

1 Section 1. The legislature finds that the citizens of the
2 state of Iowa are entitled to the maximum protection
3 practicable from the harmful effects of excessive and improper
4 exposure to ionizing radiation; that the protection can be
5 increased by requiring appropriate education and training of
6 persons operating medical equipment emitting ionizing
7 radiation; and that it is therefore necessary to establish
8 standards of education, training, and experience for these
9 operators and to provide for their appropriate examination and
10 licensure.

11 Sec. 2. Section 136C.1, Code 1985, is amended by adding
12 the following new subsections:

13 NEW SUBSECTION. 8. "Board" means the radiologic
14 technology board of examiners created by section 136C.16.

15 NEW SUBSECTION. 9. "License" means a certificate issued
16 by the board authorizing the licensee to use equipment
17 emitting ionizing radiation on humans for diagnostic or
18 therapeutic purposes in accordance with this chapter.

19 NEW SUBSECTION. 10. "Radiologist" means a physician who
20 has been educated and is skilled in the diagnostic and
21 therapeutic use of X rays and other forms of radiant energy.

22 NEW SUBSECTION. 11. "Radiologic technologist" means a
23 person who is a radiographer, a limited radiographer, a
24 radiation therapy technologist, or a nuclear medicine tech-
25 nologist licensed pursuant to this chapter.

26 NEW SUBSECTION. 12. "Radiologic technology" means the use
27 of equipment or substances emitting ionizing radiation on
28 humans for diagnostic or therapeutic purposes.

29 NEW SUBSECTION. 13. "Radiographer" means a person, other
30 than a licensed professional, whose application of radiation
31 to humans is for diagnostic purposes.

32 NEW SUBSECTION. 14. "Limited radiographer" means a
33 person, other than a licensed professional, whose application
34 of radiation to humans for diagnostic purposes is limited to
35 specific parts of the body as provided in section 136C.15,

1 subsection 5.

2 NEW SUBSECTION. 15. "Nuclear medicine technologist" means
3 a person, other than a licensed professional, whose
4 application of radiopharmaceutical agents is for diagnostic
5 purposes.

6 NEW SUBSECTION. 16. "Radiation therapy technologist"
7 means a person, other than a licensed professional, whose
8 application of radiation to humans is for therapeutic
9 purposes.

10 Sec. 3. NEW SECTION. 136C.15 USE OF RADIATION

11 RESTRICTED, LICENSE REQUIRED.

12 1. Except as provided in this chapter, a person other than
13 a licensed professional or the holder of a license as provided
14 in this chapter shall not use X rays or other forms of
15 ionizing energy on humans.

16 2. A person holding a license as a radiographer may use
17 the title, "licensed radiographer" or the letters L.R. after
18 the person's name. No other person is entitled to use the
19 title or letters or any other title or letters that indicate
20 or imply that the person is a licensed radiographer, nor may a
21 person make any representation, orally or in writing,
22 expressly or by implication, that the person is a licensed
23 radiographer.

24 3. A person holding a license as a radiation therapy
25 technologist may use the title "licensed radiation therapy
26 technologist" or L.R.T.T. after the person's name. No other
27 person is entitled to use the title or letters, or any other
28 title or letters that indicate or imply that the person is a
29 licensed radiation therapy technologist, nor may a person make
30 any representation, orally or in writing, expressly or by
31 implication, that the person is a licensed radiation therapy
32 technologist.

33 4. A person holding a license as a nuclear medicine
34 technologist may use the title "licensed nuclear medicine
35 technologist" or L.N.M.T. after the person's name. No other

1 person is entitled to use the title or letters, or any other
2 title or letters that indicate or imply that the person is a
3 licensed nuclear medicine technologist, nor may a person make
4 any representation, orally or in writing, expressly or by
5 implication, that the person is a licensed nuclear medicine
6 technologist.

7 5. A person holding a license as a limited radiographer
8 may apply X-radiation to the human body for diagnostic pur-
9 poses while under the supervision of a licensed professional
10 in only the regions of the toes to mid-femur, the fingers to
11 mid-humerus and the chest area. The person may use the title
12 "licensed limited radiographer" or L.L.R. after the person's
13 name. No other person is entitled to use the title or
14 letters, or any other title or letters that indicate or imply
15 that the person is a licensed limited radiographer, nor may a
16 person make any representation, orally or in writing, ex-
17 pressly or by implication, that the person is a licensed
18 limited radiographer.

19 6. A person holding a license as provided by this chapter
20 shall use medical equipment or substances emitting ionizing
21 radiation on humans for diagnostic or therapeutic purposes
22 only on a case-by-case basis at the direction of a licensed
23 professional, and only if the application of the equipment or
24 substance is limited in the manner specified.

25 7. This chapter does not apply to licensed professionals.

26 8. The requirement of a license does not apply to a
27 hospital resident specializing in radiology who is not a li-
28 censed professional in the state of Iowa, or to a student
29 enrolled in and attending a school or college of medicine,
30 osteopathy, chiropractic, podiatry, or radiologic technology
31 who applies radiation while under the supervision of a
32 licensed professional.

33 Sec. 4. NEW SECTION. 136C.16 BOARD OF EXAMINERS CREATED.

34 1. A radiologic technology board of examiners is created.
35 The board shall consist of five members appointed by the

1 governor in consultation with appropriate professional
2 organizations and subject to confirmation by the senate. Of
3 the members appointed by the governor all five shall be
4 qualified to be radiologic technologists with at least five-
5 years experience in the practice of radiologic technology,
6 three shall be qualified to be licensed radiographers, one
7 shall be qualified to be a licensed radiation therapy
8 technologist, and one shall be qualified to be a licensed
9 nuclear medicine technologist. The members shall meet the
10 training standards of the department where applicable.
11 Subsequent members of the board shall be holders of current
12 licenses issued pursuant to this chapter. The commissioner or
13 the commissioner's designee shall serve as an ex officio
14 member of the board.

15 2. The terms of office of the members appointed by the
16 governor are three years beginning and expiring as provided in
17 section 69.19. Vacancies shall be filled for an unexpired
18 term only in the manner provided for the original appointment.

19 3. Members of the board shall serve without compensation
20 but shall be reimbursed for their reasonable and necessary
21 traveling and other expenses incurred in the performance of
22 their official duties.

23 4. The commissioner shall designate an officer or employee
24 of the department who is not a member of the board to act as
25 secretary to the board.

26 5. The board shall meet at least once every six months at
27 times and places fixed by the board. At its first meeting in
28 June the board shall organize and elect from its members a
29 chairperson. Special meetings may be held at times and places
30 that the majority of the board may fix, or at the call of the
31 chairperson or the commissioner. A written and timely notice
32 of the time, place, and purpose of a special meeting shall be
33 mailed by the secretary to all members of the board.

34 6. A majority of the members of the board is a quorum for
35 the transaction of business at any meeting.

1 Sec. 5. NEW SECTION. 136C.17 LICENSE -- EXAMINATION FEE
2 -- STANDARDS -- COURSE OF STUDY.

3 1. The board shall admit to examination for licensing, any
4 applicant who pays to the department a nonrefundable fee
5 established by rule of the board and submits satisfactory
6 evidence, verified by oath or affirmation, that the applicant:

7 a. At the time of application is at least eighteen years
8 of age.

9 b. Has successfully completed a course of study in a
10 secondary school approved by the state board of education, or
11 passed an approved equivalency test.

12 2. In addition to the requirements of subsection 1, a per-
13 son seeking to obtain a license in a specific area of
14 radiologic technology must comply with the following require-
15 ments:

16 a. An applicant for a license as a radiographer or limited
17 radiographer must have satisfactorily completed a course of
18 study in radiography approved by the board, or its equivalent
19 as determined by the board.

20 b. An applicant for a license as a radiation therapy
21 technologist must have satisfactorily completed a course of
22 study in radiation therapy technology approved by the board or
23 its equivalent as determined by the board.

24 c. The program of nuclear medicine technology shall be a
25 course of study approved by the board or its equivalent as
26 determined by the board, in addition to education required for
27 entrance to a nuclear medicine educational program.

28 The essentials and curriculum for the courses prescribed
29 under paragraphs "a", "b" and "c" may follow the committee on
30 allied health education and accreditation (CAHEA) standards
31 provided that the standards are not in conflict with board
32 policies.

33 3. The board shall establish criteria and standards for
34 programs of study for radiography, limited radiography, radia-
35 tion therapy technology, or nuclear medicine technology and

1 approve these programs upon a finding that the standards and
2 criteria have been met.

3 4. An approved program of radiologic technology may be of-
4 fered by a medical or educational institution or other public
5 or private agency or institution, and, for the purpose of pro-
6 viding the requisite clinical experience, shall be affiliated
7 with one or more hospitals that, in the opinion of the board,
8 are equipped to provide the requisite experience.

9 Sec. 6. NEW SECTION. 136C.18 LICENSE ISSUED ON
10 EXAMINATION OR EQUIVALENT.

11 1. An applicant is required to pass a license examination
12 designated and approved by the board for the applicable
13 specialty.

14 2. The board shall hold an examination for each type of
15 license at least every six months at times and places as the
16 board may determine.

17 3. An applicant who fails to pass the examination may re-
18 apply for the examination provided the applicant complies with
19 the conditions established by the board.

20 4. The board may accept, in lieu of its own examination, a
21 current certificate of a recognized credentialing body, issued
22 on the basis of an examination satisfactory to the board,
23 provided that the standards of that agency are at least as
24 stringent as those established by the board.

25 5. The board shall accept, in lieu of its own examination,
26 a current certificate, registration, or license as a
27 radiologic technologist issued by another state, provided that
28 the standards in the other state are at least as stringent as
29 those established by the board.

30 6. The board shall accept, in lieu of its own examination,
31 a current license of a licensed practitioner, provided that
32 the licensed professional can provide evidence of instruction
33 and competency in the operation of radiation emitting
34 equipment and substances.

35 Sec. 7. NEW SECTION. 136C.19 LICENSE ISSUED -- TEMPORARY

1 AND CONDITIONAL LICENSE -- RENEWAL AND REISSUANCE.

2 1. The board shall issue a license to a candidate who has
3 paid the prescribed fee and has either successfully passed the
4 examination, or has qualified under subsection 4, 5, or 6 of
5 section 136C.18.

6 2. The board may issue a temporary license to a person
7 whose license or relicense is pending and in whose case the
8 issuance of a temporary license is justified by reason of
9 special circumstances. A temporary license shall be issued
10 only if the board finds that its issuance will not violate the
11 purposes of this chapter nor tend to endanger the public
12 health and safety. A temporary license shall expire ninety
13 days after the date of the next examination if the applicant
14 is required to take the examination, or if the applicant does
15 not take the examination, then on the date of the examination.
16 In all other cases, a temporary license shall expire when the
17 determination is made either to issue or deny the applicant a
18 regular license and a temporary license shall not be issued
19 for a period longer than one hundred eighty days.

20 3. The board, at its discretion, may issue a conditional
21 license to a person upon individual application when the board
22 finds to its satisfaction that there is substantial evidence
23 that the people in the locality of the state in which the
24 conditional license is sought would be denied adequate health
25 care because of unavailability of appropriately licensed
26 persons under the standards of this chapter. A conditional
27 permit shall be issued only if the board finds that its
28 issuance will not violate the purposes of this chapter nor
29 tend to endanger the public health and safety. A conditional
30 license shall expire one hundred eighty days after issuance
31 and may be renewed upon application.

32 4. A radiologic technologist shall display a current
33 license at the technologist's place of employment.

34 5. A license is renewable on December 31 of each year
35 following the year of issuance. A license shall be renewed by

1 the board for a period of one year upon payment of a renewal
2 fee in an amount to be determined by rule of the commissioner
3 and the certified completion of at least fifteen hours of
4 continuing education relevant to the profession, as determined
5 by the board.

6 6. A radiologic technologist who has been duly licensed in
7 this state and whose license has not been revoked or
8 suspended, and who has temporarily ceased activities as a
9 radiologic technologist for no more than five years, may apply
10 for the reissuance of a license upon compliance with the
11 application provisions of this chapter, including payment of
12 fees required by the board.

13 Sec. 8. NEW SECTION. 136C.20 SUSPENSION OF LICENSE --
14 HEARING.

15 1. The license of a radiologic technologist may be
16 suspended for a fixed period, or may be revoked, or the
17 technologist may be censured, reprimanded, or otherwise
18 disciplined, in accordance with this chapter, if after due
19 hearing it is determined that the technologist:

20 a. Is guilty of fraud or deceit in activities as a
21 radiologic technologist or in procuring a license.

22 b. Has been convicted in a court of competent
23 jurisdiction, either within or without this state, of a crime
24 involving moral turpitude, except that if the conviction has
25 been reversed and the holder of the license discharged or
26 acquitted, or if the holder has been pardoned or the person's
27 civil rights restored, the license may be restored.

28 c. Is or has been afflicted with any medical problem,
29 disability, or addiction which, in the opinion of the board,
30 would impair professional competence.

31 d. Has aided and abetted a person who is not a licensed
32 radiologic technologist or otherwise authorized pursuant to
33 this chapter in engaging in the activities of a radiologic
34 technologist.

35 e. Has undertaken or engaged in a practice beyond the

- 1 scope of the authorized activities of a radiologic
2 technologist pursuant to this chapter.
- 3 f. Has falsely impersonated a duly licensed or formerly
4 duly licensed radiologic technologist or is engaging in the
5 activities of a radiologic technologist under an assumed name.
- 6 g. Has been guilty of unethical conduct as defined by
7 rules adopted by the board.
- 8 h. Has continued to practice without obtaining a license
9 renewal as required by this chapter.
- 10 i. Has applied ionizing radiation to humans without the
11 specific direction of a duly licensed professional, or to any
12 person or part of the human body outside the scope of the
13 technologist's specific authorization.
- 14 j. Has expressed to a member of the public an
15 interpretation of a diagnostic X-ray film or fluorescent
16 image.
- 17 k. Has been found guilty of incompetence or negligence in
18 activities as a radiologic technologist.
- 19 2. Proceedings against a radiologic technologist under
20 this section shall be instituted by filing with the board a
21 written charge under oath against the technologist. The
22 charge may be filed by any person, or by the board in the
23 first instance. A copy of the charge, together with a report
24 of an investigation as the board deems proper, shall be
25 referred to the commissioner for its recommendation to the
26 commissioner. If the commissioner decides that the charges
27 should be heard, the commissioner shall designate three or
28 more members of the board as a committee to hear and report on
29 the charges and shall set a time and place for the hearing. A
30 copy of the charges, together with a notice of the time and
31 place of hearing shall be served upon the person charged
32 either personally or by registered mail at least fifteen days
33 before the date fixed for the hearing, and that person shall
34 be given an opportunity to appear and answer the charges
35 either personally or by counsel, to cross-examine witnesses

1 against the person and to produce evidence and witnesses in
2 defense. For the purpose of this section, the board or its
3 committee may issue subpoenas for the appearance of witnesses,
4 and may take testimony under oath. Upon the conclusion of the
5 hearing the committee shall make a written report of its
6 findings and recommendations to the commissioner. If the
7 commissioner finds that the charges have not been proved, the
8 commissioner shall order them dismissed. If the charges are
9 found to be true, the commissioner may issue an order
10 suspending or revoking the license of the accused, or
11 otherwise disciplining the accused.

12 3. When the license of any person has been revoked or
13 annulled, the board may accept an application for restoration
14 of the license after the expiration of two years.

15 Sec. 9. NEW SECTION. 136C.21 EMPLOYMENT OF UNLICENSED
16 RADIATION TECHNOLOGIST PROHIBITED.

17 A person shall not knowingly employ as a radiologic
18 technologist, a person who requires and does not possess a
19 valid license to engage in the practice of radiologic
20 technology.

21 Sec. 10. Section 136C.3, subsection 2, Code 1985, is
22 amended by striking the subsection.

23 Sec. 11. The board shall admit to examination for
24 licensing, for two years after the effective date of this Act,
25 any person meeting the requirements of subsection 1 of section
26 5 of this Act who has been actively employed as a
27 radiographer, limited radiographer, radiation therapy
28 technologist, or nuclear medicine technologist for a minimum
29 of three of the last five years.

30 EXPLANATION

31 This bill provides for examination and licensing of persons
32 using radiologic technology for therapeutic or diagnostic
33 purposes. Radiologic technologists are categorized as
34 radiographers, limited radiographers, radiation therapy
35 technologists, and nuclear medicine technologists. Once

1 licensed they may use the titles after their names or the
2 letters L.R., L.L.R., L.R.T.T., and L.N.M.T. respectively.
3 Radiologists, licensed practitioners, hospital residents not
4 licensed in Iowa specializing in radiology, and students
5 enrolled in a school or college of medicine, osteopathy,
6 chiropractic, podiatry, or radiologic technology under
7 supervision of a licensed practitioner are exempt.

8 A radiation technology board of examiners is created to
9 administer examinations every six months, to set standards for
10 applications for examination, to set standards for courses of
11 study, issue licenses, and discipline licensees. The board
12 will consist of three licensed radiographers, one licensed
13 radiation therapy technologist, and one licensed nuclear
14 medicine technologist. The commissioner of public health or
15 the commissioner's designee will serve as an ex officio
16 member.

17 To qualify for an examination a person must be at least
18 eighteen and have completed a four-year course of study in a
19 secondary school approved by the state board of education. An
20 applicant must also have completed a course of study approved
21 by the board in the specialty for which a license is sought.
22 Provision is made to admit to examination those persons
23 currently operating as radiologic technologists. The board
24 may accept a license or certificate issued by another state or
25 other recognized credentialing body if the standards of
26 issuance are at least as stringent as those of the board
27 itself. Temporary licenses may be issued to expire ninety
28 days after the next examination date. Conditional licenses
29 may be issued in case of hardship.

30 Disciplinary proceedings may be initiated against a
31 licensed technologist by filing charges of misconduct with the
32 board. The commissioner will review the charges and if on the
33 commissioner's decision the charges should be heard, a
34 committee of board members will convene for a hearing at which
35 the accused may be present and witnesses heard. A

1 technologist may be censured, reprimanded, have a license
2 suspended or revoked, or otherwise be disciplined as the board
3 decides.

4 New sections 136C.15 through 136C.21 are created and
5 referred to within this bill.

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FISCAL NOTE

In compliance with a written request received March 18, 1985, a fiscal note for SENATE FILE 447 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 447 provides for examination and licensure of persons using radiologic technology for therapeutic or diagnostic purposes. To accomplish this a radiation technology board of examiners will be established to administer examinations every six months, to set standards for applications for examination, to set standards for courses of study, to issue licenses, and to discipline licensees.

ASSUMPTIONS: Under Senate File 447 the following assumptions would be established:

- a. There are approximately 2200 radiation operators.
- b. For figuring the fiscal note the license fee will be \$45/individual/year.
- c. The current program figures are based upon the fact that current programming is totally supported by the General Fund since the existing Chapter 136C only authorizes the collection of fees for the registration and inspection of equipment.

FISCAL EFFECT: Under Senate File 447 the following fiscal effect would be established:

	<u>FY86</u>			<u>FY87</u>		
	Current Law	Proposed Law	Incr or Decr	Current Law	Proposed Law	Incr or Decr
REVENUE						
License Fee	\$ 0	\$99,000	\$99,000	\$ 0	\$99,000	\$99,000
EXPENDITURES						
Salaries	\$ 7,940	\$65,700	\$57,760	\$ 8,734	\$72,450	\$63,716
Support	3,200	12,400	9,200	3,360	13,020	9,660
Start-up	0	19,300	19,300	0		
Total	\$ 11,140	\$97,400	\$86,260	\$ 12,094	\$85,470	\$73,376
NET EFFECT	<u>\$-11,140</u>	<u>\$ 1,600</u>	<u>\$12,740</u>	<u>\$-12,094</u>	<u>\$13,530</u>	<u>\$25,624</u>

Source: Department of Health

(LSB 2460S, RRS)

S-3319

SENATE FILE 447

1 Amend Senate File 447 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 147.1, subsections 2 and 3,
5 Code 1985, are amended to read as follows:
6 2. "Licensed" or "certified" when applied to a
7 physician and surgeon, podiatrist, osteopath,
8 osteopathic physician and surgeon, psychologist or
9 associate psychologist, chiropractor, nurse, dentist,
10 dental hygienist, optometrist, speech pathologist,
11 audiologist, pharmacist, physical therapist,
12 occupational therapist, radiologic technologist,
13 practitioner of cosmetology, practitioner of
14 barbering, funeral director or social worker means a
15 person licensed under this title.
16 3. "Profession" means medicine and surgery,
17 podiatry, osteopathy, osteopathic medicine and
18 surgery, psychology, chiropractic, nursing, dentistry,
19 dental hygiene, optometry, speech pathology,
20 audiology, pharmacy, physical therapy, occupational
21 therapy, radiology, cosmetology, barbering, mortuary
22 science or social work.
23 Sec. 2. Section 147.2, Code 1985, is amended to
24 read as follows:
25 147.2 LICENSE REQUIRED.
26 No person shall engage in the practice of medicine
27 and surgery, podiatry, osteopathy, osteopathic
28 medicine and surgery, psychology, chiropractic,
29 physical therapy, nursing, dentistry, dental hygiene,
30 optometry, speech pathology, audiology, occupational
31 therapy, pharmacy, cosmetology, radiology, barbering
32 or mortuary science as defined in the following
33 chapters of this title, unless the person has obtained
34 from the state department of health a license for that
35 purpose.
36 Sec. 3. Section 147.3, Code 1985, is amended to
37 read as follows:
38 147.3 QUALIFICATIONS.
39 An applicant for a license to practice a profession
40 under this title is not ineligible because of age,
41 citizenship, sex, race, religion, marital status or
42 national origin, although the application form may
43 require citizenship information. Any board may
44 consider the past felony record of an applicant only
45 if the felony conviction relates directly to the
46 practice of medicine, podiatry, osteopathy, osteopathy
47 and surgery, chiropractic, nursing, psychology,
48 optometry, speech pathology, audiology, pharmacy,
49 physical therapy, occupational therapy, radiology,
50 cosmetology, barbering, mortuary science or social

1 work for which the applicant requests to be licensed.
2 Character references may be required, but shall not be
3 obtained from licensed members of the profession.

4 Sec. 4. Section 147.13, Code 1985, is amended to
5 read as follows:

6 147.13 DESIGNATION OF BOARDS.

7 The examining boards provided in section 147.12
8 shall be designated as follows: For medicine and
9 surgery, and osteopathy, and osteopathic medicine and
10 surgery, medical examiners; for psychology, psychology
11 examiners; for podiatry, podiatry examiners; for
12 chiropractic, chiropractic examiners; for physical
13 therapists and occupational therapists, physical and
14 occupational therapy examiners; for nursing, board of
15 nursing; for dentistry and dental hygiene, dental
16 examiners; for optometry, optometry examiners; for
17 speech pathology and audiology, speech pathology and
18 audiology examiners; for radiology, radiologic
19 technology examiners; for cosmetology, cosmetology
20 examiners; for barbering, barber examiners; for
21 pharmacy, pharmacy examiners; for mortuary science,
22 mortuary science examiners; for social workers, social
23 work examiners.

24 Sec. 5. Section 147.14, Code 1985, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 11. For radiologic technology
27 examiners, five members licensed as radiologic
28 technologists and two members who are not licensed to
29 practice radiology and who shall represent the general
30 public. A majority of the members of the board
31 constitutes a quorum.

32 Sec. 6. Section 147.25, unnumbered paragraph 4,
33 Code 1985, is amended to read as follows:

34 In addition to any other fee provided by law, a fee
35 may be set by the respective examining boards for each
36 license and renewal of a license to practice medicine,
37 surgery, podiatry, osteopathy, osteopathic medicine
38 and surgery, chiropractic, nursing, dentistry, dental
39 hygiene, optometry, pharmacy, physical therapy,
40 occupational therapy, radiology, social work, and
41 veterinary medicine, which fee shall be based on the
42 annual cost of collecting information for use by the
43 department of health in the administration of the
44 system of health personnel statistics established by
45 this section. The fee shall be collected, transmitted
46 to the treasurer of state and deposited in the general
47 fund of the state in the manner in which license and
48 renewal fees of the respective professions are
49 collected, transmitted, and deposited in the general
50 fund.

1 Sec. 7. Section 147.74, Code 1985, is amended by
2 adding the following new unnumbered paragraphs:

3 NEW UNNUMBERED PARAGRAPH. A radiographer licensed
4 under chapter 154D and this chapter may use the words
5 "licensed radiographer" after the person's name or
6 signify the title by the use of the letters "L.R."
7 after the person's name.

8 NEW UNNUMBERED PARAGRAPH. A radiation therapy
9 technologist licensed under chapter 154D and this
10 chapter may use the words "licensed radiation therapy
11 technologist" after the person's name or signify the
12 title by the use of the letters "L.R.T.T." after the
13 person's name.

14 NEW UNNUMBERED PARAGRAPH. A nuclear medicine
15 technologist licensed under chapter 154D and this
16 chapter may use the words "licensed nuclear medicine
17 technologist" after the person's name or signify the
18 title by the use of the letters "L.N.M.T." after the
19 person's name.

20 NEW UNNUMBERED PARAGRAPH. A limited radiographer
21 licensed under chapter 154D and this chapter may use
22 the words "licensed limited radiographer" after the
23 person's name or signify the same by the use of the
24 letters "L.L.R." after the person's name.

25 Sec. 8. Section 147.76, Code 1985, is amended to
26 read as follows:

27 147.76 RULES PROMULGATED.

28 The examining boards for the various professions
29 shall ~~promulgate~~ adopt all necessary and proper rules
30 to implement and interpret ~~the provisions of~~ this
31 chapter and chapters 148, 148A, 148C, 149, 150, 150A,
32 151, 152, 153, 154, 154A, 154B, 154D, 155 and 156.

33 Sec. 9. Section 147.80, Code 1985, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 18A. License to practice
36 radiology as defined in section 154D.1, subsection 17,
37 issued on the basis of an examination by the board of
38 radiologic technology examiners, or license to
39 practice radiology issued under a reciprocal
40 agreement, or renewal of a license to practice
41 radiology.

42 Sec. 10. NEW SECTION. 154D.1 PURPOSE.

43 The legislature finds that the citizens of the
44 state of Iowa are entitled to the maximum protection
45 practicable from the harmful effects of excessive and
46 improper exposure to ionizing radiation; that the
47 protection can be increased by requiring appropriate
48 education and training of persons operating medical
49 equipment emitting ionizing radiation; and that it is
50 therefore necessary to establish standards of

S-3319 page 4

1 education, training, and experience for these
2 operators and to provide for their appropriate
3 examination and licensure.

4 Sec. 11. NEW SECTION. 154D.2 DEFINITIONS.

5 1. "Board" means the radiologic technology board
6 of examiners created by section 147.13.

7 2. "License" means a certificate issued by the
8 board authorizing the licensee to use equipment
9 emitting ionizing radiation on humans for diagnostic
10 or therapeutic purposes in accordance with this
11 chapter.

12 3. "Radiologist" means a physician who has been
13 educated and is skilled in the diagnostic and
14 therapeutic use of X rays and other forms of radiant
15 energy.

16 4. "Radiologic technologist" means a person who is
17 a radiographer, a limited radiographer, a radiation
18 therapy technologist, or a nuclear medicine tech-
19 nologist licensed pursuant to this chapter.

20 5. "Radiologic technology" means the use of
21 equipment or substances emitting ionizing radiation on
22 humans for diagnostic or therapeutic purposes.

23 6. "Radiographer" means a person, other than a
24 licensed professional, whose application of radiation
25 to humans is for diagnostic purposes.

26 7. "Limited radiographer" means a person, other
27 than a licensed professional, whose application of
28 radiation to humans for diagnostic purposes is limited
29 to only the regions of the toes to mid-femur, the
30 fingers to mid-humerus and the chest area.

31 8. "Nuclear medicine technologist" means a person,
32 other than a licensed professional, whose application
33 of radiopharmaceutical agents is for diagnostic
34 purposes.

35 9. "Radiation therapy technologist" means a
36 person, other than a licensed professional, whose
37 application of radiation to humans is for therapeutic
38 purposes.

39 10. "Practice of radiology" means engaging in any
40 of the professions licensed under this chapter.

41 Sec. 12. NEW SECTION. 154D.3 EXEMPTIONS AND
42 PERMITTED PRACTICES.

43 1. A person holding a license as provided by this
44 chapter shall use medical equipment or substances
45 emitting ionizing radiation on humans for diagnostic
46 or therapeutic purposes only on a case-by-case basis
47 at the direction of a licensed professional, and only
48 if the application of the equipment or substance is
49 limited in the manner specified.

50 2. This chapter does not apply to licensed

1 professionals.

2 3. The requirement of a license does not apply to
3 a hospital resident specializing in radiology who is
4 not a licensed professional in the state of Iowa, or
5 to a student enrolled in and attending a school or
6 college of medicine, osteopathy, chiropractic,
7 podiatry, or radiologic technology who applies
8 radiation while under the supervision of a licensed
9 professional.

10 4. Professions covered by this chapter are exempt
11 from the requirements of section 136C.3, subsection 2.

12 Sec. 13. NEW SECTION. 154D.4 LICENSE
13 REQUIREMENTS.

14 1. The board shall admit to examination for
15 licensing, any applicant who pays to the department a
16 nonrefundable fee established by rule of the board and
17 submits satisfactory evidence, verified by oath or
18 affirmation, that the applicant:

19 a. At the time of application is at least eighteen
20 years of age.

21 b. Has successfully completed a course of study in
22 a secondary school approved by the state board of
23 education, or passed an approved equivalency test.

24 2. In addition to the requirements of subsection
25 1, a person seeking to obtain a license in a specific
26 area of radiologic technology must comply with the
27 following requirements:

28 a. An applicant for a license as a radiographer or
29 limited radiographer must have satisfactorily
30 completed a course of study in radiography approved by
31 the board, or its equivalent as determined by the
32 board.

33 b. An applicant for a license as a radiation
34 therapy technologist must have satisfactorily
35 completed a course of study in radiation therapy
36 technology approved by the board or its equivalent as
37 determined by the board.

38 c. The program of nuclear medicine technology
39 shall be a course of study approved by the board or
40 its equivalent as determined by the board, in addition
41 to education required for entrance to a nuclear
42 medicine educational program.

43 The essentials and curriculum for the courses
44 prescribed under paragraphs "a", "b" and "c" may
45 follow the committee on allied health education and
46 accreditation (CAHEA) standards provided that the
47 standards are not in conflict with board policies.

48 3. The board shall establish criteria and
49 standards for programs of study for radiography,
50 limited radiography, radiation therapy technology, or

S-3319 page 6

1 nuclear medicine technology and approve these programs
2 upon a finding that the standards and criteria have
3 been met.

4 4. An approved program of radiologic technology
5 may be offered by a medical or educational institution
6 or other public or private agency or institution, and,
7 for the purpose of providing the requisite clinical
8 experience, shall be affiliated with one or more
9 hospitals that, in the opinion of the board, are
10 equipped to provide the requisite experience.

11 Sec. 14. NEW SECTION. 154D.5 EMPLOYMENT OF
12 UNLICENSED RADIATION TECHNOLOGIST PROHIBITED.

13 A person shall not knowingly employ as a radiologic
14 technologist, a person who requires and does not
15 possess a valid license to engage in the practice of
16 radiologic technology.

17 Sec. 15. The board shall admit to examination for
18 licensing, for two years after the effective date of
19 this Act, any person meeting the requirements of
20 subsection 1 of section 13 of this Act who has been
21 actively employed as a radiographer, limited radio-
22 grapher, radiation therapy technologist, or nuclear
23 medicine technologist for a minimum of three of the
24 last five years."

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27

28 ROBERT M. CARR

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31 S-3319 Filed

32 March 14, 1985

33 *Adopted as amended by 3516, 3517 3/27 (y. 1985)*

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1 Amend Senate File 447 as follows:
 2 1. Page 4, by striking lines 3 through 11 and
 3 inserting the following: "the members appointed by
 4 the governor, one shall be a radiologist; two shall be
 5 qualified to be radiologic technologists with at least
 6 five years experience in the practice of radiologic
 7 technology, one of whom shall be qualified to be a
 8 nuclear medicine technologist; and two shall be
 9 persons representing the general public. The members,
 10 except the public members, shall meet the training
 11 standards of the department where applicable.
 12 Subsequent members of the board, except the public
 13 members, shall be holders of current".

S-3431 Filed March 20, 1985 By HOLDEN
Placed o/c 3/27 (p. 1082)

S-3434

SENATE FILE 447

1 Amend Senate File 447 as follows:
 2 1. Page 6, by inserting after line 34 the
 3 following:
 4 "7. The board shall issue a license, in lieu of
 5 the other requirements specified in this chapter, to
 6 an applicant who furnishes proof of having been an
 7 active practitioner of one of the licensed radiology
 8 professions for at least the past five years."

S-3434 Filed March 21, 1985 By HESTER
Placed o/c 3/27 (p. 1082)

S-3433

SENATE FILE 447

1 Amend amendment S-3319 to Senate File 447 as
 2 follows:
 3 1. Page 5, by inserting after line 47 the
 4 following:
 5 "d. An applicant who furnishes proof to the board
 6 of having been actively engaged in the practice of
 7 radiology for at least the past five years shall be
 8 granted a license in lieu of any of the other
 9 qualifications specified in this chapter."

S-3433 Filed March 21, 1985 By HESTER
Placed o/c 3/26 (p. 1043)

S-3428

CORRECTED
SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
2 follows:
- 3 1. Page 1, line 21, by striking the word
4 "radiology" and inserting the word "radiography".
 - 5 2. Page 1, line 31, by striking the word
6 "radiology" and inserting the word "radiography".
 - 7 3. Page 1, line 49, by striking the word
8 "radiology" and inserting the word "radiography".
 - 9 4. Page 2, line 18, by striking the words
10 "radiology, radiologic" and inserting the words
11 "radiography, radiographic".
 - 12 5. Page 2, line 26, by striking the word
13 "radiologic" and inserting the word "radiographic".
 - 14 6. Page 2, line 27, by striking the word
15 "radiologic" and inserting the word "radiographic".
 - 16 7. Page 2, line 29, by striking the word
17 "radiology" and inserting the word "radiography".
 - 18 8. Page 2, line 40, by striking the word
19 "radiology" and inserting the word "radiography".
 - 20 9. Page 3, line 36, by striking the word
21 "radiology" and inserting the word "radiography".
 - 22 10. Page 3, line 38, by striking the word
23 "radiologic" and inserting the word "radiographic".
 - 24 11. Page 3, line 39, by striking the word
25 "radiology" and inserting the word "radiography".
 - 26 12. Page 3, line 41, by striking the word
27 "radiology" inserting the word "radiography".
 - 28 13. Page 4, line 16, by striking the word
29 "Radiologic" and inserting the word "radiographic".
 - 30 14. Page 4, line 20, by striking the word
31 "Radiologic" and inserting the word "Radiographic".
 - 32 15. Page 4, by striking lines 29 and 30 and
33 inserting the following: "to one specific body part
34 except when qualified pursuant to rules of the
35 department to apply radiation to both the chest and
36 extremities or when qualified pursuant to rules of the
37 department to perform other permitted radiographic
38 procedures."
 - 39 16. Page 4, line 39, by striking the word
40 "radiology" and inserting the word "radiography".
 - 41 17. Page 5, line 26, by striking the word
42 "radiologic" and inserting the word "radiographic".
 - 43 18. Page 6, line 4, by striking the word
44 "radiologic" and inserting the word "radiographic".
 - 45 19. Page 6, line 13, by striking the word
46 "radiologic" and inserting the word "radiographic".
 - 47 20. Page 6, line 16, by striking the word
48 "radiologic" and inserting the word "radiographic".

1 Amend Senate File 447 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Chapter 136C, Code 1985, is amended by
5 adding the following new section:

6 NEW SECTION. 136C.15 CERTIFICATION.

7 1. A person certified by the department as a
8 "general diagnostic radiographer" pursuant to rules of
9 the department may use the title "licensed
10 radiographer" or the letters L.R. after the person's
11 name. No other person is entitled to use the title or
12 letters or any other title or letters that indicate or
13 imply that the person is a licensed radiographer, nor
14 may a person make any representation, orally or in
15 writing, expressly or by implication, that the person
16 is a licensed radiographer.

17 2. A person certified by the department as a
18 "limited diagnostic radiographer" pursuant to rules of
19 the department may use the title "licensed limited
20 radiographer" or the letters L.L.R. after the person's
21 name. No other person is entitled to use the title or
22 letters, or any other title or letters that indicate
23 or imply that the person is a licensed limited
24 radiographer, nor may a person make any
25 representation, orally or in writing, expressly or by
26 implication, that the person is a licensed limited
27 radiographer.

28 3. A person certified by the department as a
29 "radiation therapy technologist" pursuant to rules of
30 the department may use the title "licensed radiation
31 therapy technologist" or the letters L.R.T.T. after
32 the person's name. No other person is entitled to use
33 the title or letters or any other title or letters
34 that indicate or imply that the person is a licensed
35 radiation therapy technologist, nor may a person make
36 any representation, orally or in writing, expressly or
37 by implication, that the person is a licensed
38 radiation therapy technologist.

39 4. A person certified by the department as a
40 "nuclear medicine technologist" pursuant to rules of
41 the department may use the title "licensed nuclear
42 medicine technologist" or the letters L.N.M.T. after
43 the person's name. No other person is entitled to use
44 the title or letters, or any other title or letters
45 that indicate or imply that the person is a licensed
46 nuclear medicine technologist nor may a person make
47 any representation, orally or in writing, expressly or
48 by implication, that the person is a licensed nuclear
medicine technologist."

S-3486

SENATE FILE 447

1 Amend amendment S-3319 to Senate File 447 as
2 follows:

3 1. Page 5, by inserting after line 47 the
4 following:

5 "d. An applicant who furnishes proof to the board
6 of having been actively engaged in the practice of
7 radiography for at least the past five years shall be
8 granted a license in lieu of any of the other
9 qualifications specified in this chapter."

S-3486 Filed March 26, 1985

By HESTER

Loan 3/26 (p. 1043)

S-3487

SENATE FILE 447

1 Amend the amendment S-3434 to Senate File 447 as
2 follows:

3 1. Page 1, line 7, by striking the word
4 "radiology" and inserting the word "radiography".

S-3487 Filed March 26, 1985

By HESTER

Placed o/o 3/27 (p. 1082)

S-3497

SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 2, line 27, by striking the word "five"
- 4 and inserting the following: "three".
- 5 2. Page 2, lines 28 and 29, by striking the words
- 6 "who are not licensed to practice radiology" and
- 7 inserting the following: ", one of whom is a
- 8 licensed radiologist,".

S-3497 Filed March 26, 1985

By WELSH

Placed o/c 3/27 (p. 1082)

S-3504

SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 4, by striking lines 29 and 30, and
- 4 inserting the following: "to only the chest and
- 5 extremities."

S-3504 Filed March 26, 1985

By HOLDEN & HALL

Placed o/c 3/27 (p. 1082)

1 Amend the amendment S-3319 to Senate File 447 as
2 follows:

3 1. By striking page 1, line 4 through page 6,
4 line 24 and inserting the following:

5 "Section 1. Chapter 136C, Code 1985, is amended by
6 adding the following new section:

7 NEW SECTION. 136C.15 CERTIFICATION.

8 1. A person certified by the department as a
9 "general diagnostic radiographer" pursuant to rules of
10 the department may use the title "licensed
11 radiographer" or the letters L.R. after the person's
12 name. No other person is entitled to use the title or
13 letters or any other title or letters that indicate or
14 imply that the person is a licensed radiographer, nor
15 may a person make any representation, orally or in
16 writing, expressly or by implication, that the person
17 is a licensed radiographer.

18 2. A person certified by the department as a
19 "limited diagnostic radiographer" pursuant to rules of
20 the department may use the title "licensed limited
21 radiographer" or the letters L.L.R. after the person's
22 name. No other person is entitled to use the title or
23 letters, or any other title or letters that indicate
24 or imply that the person is a licensed limited
25 radiographer, nor may a person make any
26 representation, orally or in writing, expressly or by
27 implication, that the person is a licensed limited
28 radiographer.

29 3. A person certified by the department as a
30 "radiation therapy technologist" pursuant to rules of
31 the department may use the title "licensed radiation
32 therapy technologist" or the letters L.R.T.T. after
33 the person's name. No other person is entitled to use
34 the title or letters, or any other title or letters
35 that indicate or imply that the person is a licensed
36 radiation therapy technologist, nor may a person make
37 any representation, orally or in writing, expressly or
38 by implication, that the person is a licensed
39 radiation therapy technologist.

40 4. A person certified by the department as a
41 "nuclear medicine technologist" pursuant to rules of
42 the department may use the title "licensed nuclear
43 medicine technologist" or the letters L.N.M.T. after
44 the person's name. No other person is entitled to use
45 the title or letters, or any other title or letters
46 that indicate or imply that the person is a licensed
47 nuclear medicine technologist, nor may a person make
48 any representation, orally or in writing, expressly or
49 by implication, that the person is a licensed nuclear
50 medicine technologist."

S-3517

SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 5, line 7, by inserting after the word .
- 4 "podiatry," the following: "dentistry, dental hygiene,
- 5 nursing, optometry, physical and occupational therapy,
- 6 speech pathology and audiology, pharmacy".

S-3517 Filed March 27, 1985

By HOLDEN

Adopted 3/27 (p. 1082)

S-3518

SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 5, by inserting after line 11 the
- 4 following:
- 5 "5. This chapter does not apply to persons
- 6 authorized pursuant to regulations adopted by the
- 7 department of health under section 136C.3 to apply X-
- 8 radiation as a conditional diagnostic radiographer,
- 9 general diagnostic radiographer or limited diagnostic
- 10 radiographer, and a person so authorized may provide
- 11 radiographic services as authorized by rules of the
- 12 department of health."
- 13 2. Page 6, by striking lines 11 through 16.
- 14 3. By renumbering as necessary.

S-3518 Filed March 27, 1985

By HOLDEN

Placed o/c 3/27 (p. 1082)

S-3576

SENATE FILE 447

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 5, by inserting after line 9 the
- 4 following:
- 5 "4. The requirement of a license does not apply to
- 6 any of the following:
- 7 a. A person licensed as a dental hygienist by the
- 8 board of dental examiners.
- 9 b. A person holding a valid certificate of
- 10 qualification in dental radiography issued by the
- 11 board of dental examiners.
- 12 c. A person enrolled in a program or course of
- 13 study approved by the state department of health who
- 14 applies radiation to humans as a part of the program
- 15 or course of study."
- 16 2. By renumbering as necessary.

S-3576 Filed April 1, 1985

By HOLDEN

Placed o/c 4/1/85 (p. 1160)

S-3516

SENATE FILE 447

1 Amend the amendment S-3319 to Senate File 447 as
2 follows:

3 1. Page 1, line 21, by striking the word
4 "radiology" and inserting the word "radiography."

5 2. Page 1, line 31, by striking the word
6 "radiology" and inserting the word "radiography".

7 3. Page 1, line 49, by striking the word
8 "radiology" and inserting the word "radiography".

9 4. Page 2, line 18, by striking the words
10 "radiology, radiologic" and inserting the words
11 "radiography, radiographic".

12 5. Page 2, line 26, by striking the word
13 "radiologic" and inserting the word "radiographic".

14 6. Page 2, by striking line 27 and inserting the
15 following: "examiners, three members licensed as
16 radiographic".

17 7. Page 2, lines 28 and 29, by striking the words
18 "to practice radiology" and inserting the following:
19 "as radiographic technologists, one of whom is a
20 licensed radiologist".

21 8. Page 2, line 40, by striking the word
22 "radiology" and inserting the word "radiography".

23 9. Page 3, line 36, by striking the word
24 "radiology" and inserting the word "radiography".

25 10. Page 3, line 38, by striking the word
26 "radiologic" and inserting the word "radiographic".

27 11. Page 3, line 39, by striking the word
28 "radiology" and inserting the word "radiography".

29 12. Page 3, line 41, by striking the word
30 "radiology" inserting the word "radiography".

31 13. Page 4, line 16, by striking the word
32 "Radiologic" and inserting the word "Radiographic".

33 14. Page 4, line 20, by striking the word
34 "Radiologic" and inserting the word "Radiographic".

35 15. Page 4, by striking lines 29 and 30 and
36 inserting the following: "to one specific body part
37 except when qualified pursuant to rules of the
38 department to apply radiation to both the chest and
39 extremities or when qualified pursuant to rules of the
40 department to perform other permitted radiographic
41 procedures."

42 16. Page 4, line 39, by striking the word
43 "radiology" and inserting the word "radiography".

44 17. Page 5, line 26, by striking the word
45 "radiologic" and inserting the word "radiographic".

46 18. Page 6, line 4, by striking the word
47 "radiologic" and inserting the word "radiographic".

48 19. Page 6, line 13, by striking the word
49 "radiologic" and inserting the word "radiographic".

50 20. Page 6, line 16, by striking the word

Page 2

1 "radiologic" and inserting the word "radiographic".

State Government: Blanshan, Chair: Cochran, Hanson, Renken and Teaford.

Amend per 50921 to Pass 2/12/86 (p. 310)

SENATE FILE

447

BY COMMITTEE ON STATE GOVERNMENT

(AS AMENDED AND PASSED BY THE SENATE MARCH 27, 1985)

Passed Senate, Date Jan 6/85 Passed House, Date 2-21-86 (p. 418)

Vote: Ayes _____ Nays _____ Vote: Ayes 72 Nays 23

Approved May 23, 1986

Motion to reconsider (p. 420) w/d 3/3 (p. 523)

A BILL FOR

1 An Act to license operators of radiation emitting equipment.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Conference Committee Appointed 5/1/86

*Senators Carr (chair), Horn, Dickman, Peterson, Ockersiegel (p. 1532)
Representatives Blanshan (chair), Cochran, Teaford, Hanson, Renken (p. 1981)*

ALL New Language
by the Senate

Passed for Conference Committee Report

Senate 5-2-86 (p. 1569)
40-4

House 5-2-86 (p. 2066)
89-0

5092
100

1 Section 1. Section 147.1, subsections 2 and 3, Code 1985,
2 are amended to read as follows:

3 2. "Licensed" or "certified" when applied to a physician
4 and surgeon, podiatrist, osteopath, osteopathic physician and
5 surgeon, psychologist or associate psychologist, chiropractor,
6 nurse, dentist, dental hygienist, optometrist, speech
7 pathologist, audiologist, pharmacist, physical therapist,
8 occupational therapist, radiologic technologist, practitioner
9 of cosmetology, practitioner of barbering, funeral director
10 or social worker means a person licensed under this title.

11 3. "Profession" means medicine and surgery, podiatry,
12 osteopathy, osteopathic medicine and surgery, psychology,
13 chiropractic, nursing, dentistry, dental hygiene, optometry,
14 speech pathology, audiology, pharmacy, physical therapy,
15 occupational therapy, radiography, cosmetology, barbering,
16 mortuary science or social work.

17 Sec. 2. Section 147.2, Code 1985, is amended to read as
18 follows:

19 147.2 LICENSE REQUIRED.

20 No person shall engage in the practice of medicine and
21 surgery, podiatry, osteopathy, osteopathic medicine and
22 surgery, psychology, chiropractic, physical therapy, nursing,
23 dentistry, dental hygiene, optometry, speech pathology,
24 audiology, occupational therapy, pharmacy, cosmetology,
25 radiography, barbering or mortuary science as defined in the
26 following chapters of this title, unless the person has
27 obtained from the state department of health a license for
28 that purpose.

29 Sec. 3. Section 147.3, Code 1985, is amended to read as
30 follows:

31 147.3 QUALIFICATIONS.

32 An applicant for a license to practice a profession under
33 this title is not ineligible because of age, citizenship, sex,
34 race, religion, marital status or national origin, although
35 the application form may require citizenship information. Any

1 board may consider the past felony record of an applicant only
2 if the felony conviction relates directly to the practice of
3 medicine, podiatry, osteopathy, osteopathy and surgery,
4 chiropractic, nursing, psychology, optometry, speech
5 pathology, audiology, pharmacy, physical therapy, occupational
6 therapy, radiography, cosmetology, barbering, mortuary
7 science or social work for which the applicant requests to be
8 licensed. Character references may be required, but shall not
9 be obtained from licensed members of the profession.

10 Sec. 4. Section 147.13, Code 1985, is amended to read as
11 follows:

12 147.13 DESIGNATION OF BOARDS.

13 The examining boards provided in section 147.12 shall be
14 designated as follows: For medicine and surgery, and
15 osteopathy, and osteopathic medicine and surgery, medical
16 examiners; for psychology, psychology examiners; for podiatry,
17 podiatry examiners; for chiropractic, chiropractic examiners;
18 for physical therapists and occupational therapists, physical
19 and occupational therapy examiners; for nursing, board of
20 nursing; for dentistry and dental hygiene, dental examiners;
21 for optometry, optometry examiners; for speech pathology and
22 audiology, speech pathology and audiology examiners; for
23 radiography, radiographic technology examiners; for
24 cosmetology, cosmetology examiners; for barbering, barber
25 examiners; for pharmacy, pharmacy examiners; for mortuary
26 science, mortuary science examiners; for social workers,
27 social work examiners.

28 Sec. 5. Section 147.14, Code 1985, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 11. For radiographic technology
31 examiners, three members licensed as radiographic
32 technologists and two members who are not licensed as
33 radiographic technologists, one of whom is a licensed
34 radiologist and who shall represent the general public. A
35 majority of the members of the board constitutes a quorum.

1 Sec. 6. Section 147.25, unnumbered paragraph 4, Code 1985,
2 is amended to read as follows:

3 In addition to any other fee provided by law, a fee may be
4 set by the respective examining boards for each license and
5 renewal of a license to practice medicine, surgery, podiatry,
6 osteopathy, osteopathic medicine and surgery, chiropractic,
7 nursing, dentistry, dental hygiene, optometry, pharmacy,
8 physical therapy, occupational therapy, radiography, social
9 work, and veterinary medicine, which fee shall be based on the
10 annual cost of collecting information for use by the
11 department of health in the administration of the system of
12 health personnel statistics established by this section. The
13 fee shall be collected, transmitted to the treasurer of state
14 and deposited in the general fund of the state in the manner
15 in which license and renewal fees of the respective
16 professions are collected, transmitted, and deposited in the
17 general fund.

18 Sec. 7. Section 147.74, Code 1985, is amended by adding
19 the following new unnumbered paragraphs:

20 NEW UNNUMBERED PARAGRAPH. A radiographer licensed under
21 chapter 154D and this chapter may use the words "licensed
22 radiographer" after the person's name or signify the title by
23 the use of the letters "L.R." after the person's name.

24 NEW UNNUMBERED PARAGRAPH. A radiation therapy technologist
25 licensed under chapter 154D and this chapter may use the words
26 "licensed radiation therapy technologist" after the person's
27 name or signify the title by the use of the letters "L.R.T.T."
28 after the person's name.

29 NEW UNNUMBERED PARAGRAPH. A nuclear medicine technologist
30 licensed under chapter 154D and this chapter may use the words
31 "licensed nuclear medicine technologist" after the person's
32 name or signify the title by the use of the letters "L.N.M.T."
33 after the person's name.

34 NEW UNNUMBERED PARAGRAPH. A limited radiographer licensed
35 under chapter 154D and this chapter may use the words

1 "licensed limited radiographer" after the person's name or
2 signify the same by the use of the letters "L.L.R." after the
3 person's name.

4 Sec. 8. Section 147.76, Code 1985, is amended to read as
5 follows:

6 147.76 RULES PROMULGATED.

7 The examining boards for the various professions shall
8 promulgate adopt all necessary and proper rules to implement
9 and interpret ~~the provisions of~~ this chapter and chapters 148,
10 148A, 148C, 149, 150, 150A, 151, 152, 153, 154, 154A, 154B,
11 154D, 155 and 156.

12 Sec. 9. Section 147.80, Code 1985, is amended by adding
13 the following new subsection:

14 NEW SUBSECTION. 18A. License to practice radiography as
5136 15 defined in section 154D.1, subsection 17, issued on the basis
16 of an examination by the board of radiographic technology
17 examiners, or license to practice radiography issued under a
18 reciprocal agreement, or renewal of a license to practice
19 radiography.

20 Sec. 10. NEW SECTION. 154D.1 PURPOSE.

21 The legislature finds that the citizens of the state of
22 Iowa are entitled to the maximum protection practicable from
23 the harmful effects of excessive and improper exposure to
24 ionizing radiation; that the protection can be increased by
25 requiring appropriate education and training of persons
26 operating medical equipment emitting ionizing radiation; and
27 that it is therefore necessary to establish standards of
28 education, training, and experience for these operators and to
29 provide for their appropriate examination and licensure.

30 Sec. 11. NEW SECTION. 154D.2 DEFINITIONS.

31 1. "Board" means the radiologic technology board of
32 examiners created by section 147.13.

33 2. "License" means a certificate issued by the board
34 authorizing the licensee to use equipment emitting ionizing
35 radiation on humans for diagnostic or therapeutic purposes in

1 accordance with this chapter.

2 3. "Radiologist" means a physician who has been educated
3 and is skilled in the diagnostic and therapeutic use of X rays
4 and other forms of radiant energy.

5 4. "Radiographic technologist" means a person who is a
6 radiographer, a limited radiographer, a radiation therapy
7 technologist, or a nuclear medicine technologist licensed
8 pursuant to this chapter.

9 5. "Radiographic technology" means the use of equipment or
10 substances emitting ionizing radiation on humans for
11 diagnostic or therapeutic purposes.

12 6. "Radiographer" means a person, other than a licensed
13 professional, whose application of radiation to humans is for
14 diagnostic purposes.

15 7. "Limited radiographer" means a person, other than a
16 licensed professional, whose application of radiation to
17 humans for diagnostic purposes is limited to one specific body
18 part except when qualified pursuant to rules of the department
19 to apply radiation to both the chest and extremities or when
20 qualified pursuant to rules of the department to perform other
21 permitted radiographic procedures.

22 8. "Nuclear medicine technologist" means a person, other
23 than a licensed professional, whose application of
24 radiopharmaceutical agents is for diagnostic purposes.

25 9. "Radiation therapy technologist" means a person, other
26 than a licensed professional, whose application of radiation
27 to humans is for therapeutic purposes.

28 10. "Practice of radiography" means engaging in any of the
29 professions licensed under this chapter.

30 Sec. 12. NEW SECTION. 154D.3 EXEMPTIONS AND PERMITTED
31 PRACTICES.

32 1. A person holding a license as provided by this chapter
33 shall use medical equipment or substances emitting ionizing
34 radiation on humans for diagnostic or therapeutic purposes
35 only on a case-by-case basis at the direction of a licensed

1 professional, and only if the application of the equipment or
2 substance is limited in the manner specified.

3 2. This chapter does not apply to licensed professionals.

4 3. The requirement of a license does not apply to a
5 hospital resident specializing in radiology who is not a
6 licensed professional in the state of Iowa, or to a student
7 enrolled in and attending a school or college of medicine,
8 osteopathy, chiropractic, podiatry, dentistry, dental hygiene,
9 nursing, optometry, physical and occupational therapy, speech
10 pathology and audiology, pharmacy or radiologic technology who
11 applies radiation while under the supervision of a licensed
12 professional.

13 4. Professions covered by this chapter are exempt from the
14 requirements of section 136C.3, subsection 2.

15 Sec. 13. NEW SECTION. 154D.4 LICENSE REQUIREMENTS.

16 1. The board shall admit to examination for licensing, any
17 applicant who pays to the department a nonrefundable fee
18 established by rule of the board and submits satisfactory
19 evidence, verified by oath or affirmation, that the applicant:

20 a. At the time of application is at least eighteen years
21 of age.

22 b. Has successfully completed a course of study in a
23 secondary school approved by the state board of education, or
24 passed an approved equivalency test.

25 2. In addition to the requirements of subsection 1, a
26 person seeking to obtain a license in a specific area of
27 radiographic technology must comply with the following
28 requirements:

29 a. An applicant for a license as a radiographer or limited
30 radiographer must have satisfactorily completed a course of
31 study in radiography approved by the board, or its equivalent
32 as determined by the board.

33 b. An applicant for a license as a radiation therapy
34 technologist must have satisfactorily completed a course of
35 study in radiation therapy technology approved by the board or

1 its equivalent as determined by the board.

2 c. The program of nuclear medicine technology shall be a
3 course of study approved by the board or its equivalent as
4 determined by the board, in addition to education required for
5 entrance to a nuclear medicine educational program.

6 The essentials and curriculum for the courses prescribed
7 under paragraphs "a", "b" and "c" may follow the committee on
8 allied health education and accreditation (CAHEA) standards
9 provided that the standards are not in conflict with board
10 policies.

11 3. The board shall establish criteria and standards for
12 programs of study for radiography, limited radiography,
13 radiation therapy technology, or nuclear medicine technology
14 and approve these programs upon a finding that the standards
15 and criteria have been met.

16 4. An approved program of radiographic technology may be
17 offered by a medical or educational institution or other
18 public or private agency or institution, and, for the purpose
19 of providing the requisite clinical experience, shall be
20 affiliated with one or more hospitals that, in the opinion of
21 the board, are equipped to provide the requisite experience.

22 Sec. 14. NEW SECTION. 154D.5 EMPLOYMENT OF UNLICENSED
23 RADIATION TECHNOLOGIST PROHIBITED.

24 A person shall not knowingly employ as a radiographic
25 technologist, a person who requires and does not possess a
26 valid license to engage in the practice of radiographic
27 technology.

28 Sec. 15. The board shall admit to examination for
29 licensing, for two years after the effective date of this Act,
30 any person meeting the requirements of subsection 1 of section
31 13 of this Act who has been actively employed as a
32 radiographer, limited radiographer, radiation therapy
33 technologist, or nuclear medicine technologist for a minimum
34 of three of the last five years.

35

SENATE FILE 447

H-5092

Amend Senate File 447, as amended, passed and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting the following:

"Section 1. Section 136C.3, subsection 2, Code 1985, is amended to read as follows:

2. Establish minimum training standards including continuing education requirements, and administer examinations and disciplinary procedures for operators of radiation machines and users of radioactive materials. A state of Iowa license to practice medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, or veterinary medicine satisfies the minimum training standards for operation of radiation machines only.

Sec. 2. Section 136C.10, Code 1985, is amended to read as follows:

136C.10 FEES.

The department shall establish and collect fees for the licensing and amendment of licenses for radioactive materials, the registration of radiation machines, and the periodic inspection of radiation machines and radioactive materials, and the implementation of section 136C.3, subsection 2. Fees shall be in amounts sufficient to defray the cost of administering this chapter. The license fee may include the cost of environmental surveillance activities to assess the radiological impact of activities conducted by licensees. Fees collected shall be remitted to the treasurer of state who shall deposit the funds in the general fund of the state. When a registrant or licensee fails to pay the applicable fee the department may suspend or revoke the registration or license or may issue an appropriate order. Fees for the license, amendment of a license, and inspection of radioactive material shall not exceed the fees prescribed by the United States nuclear regulatory commission."

2. Title page, by striking line 1 and inserting the following:

"An Act relating to the minimum training standards imposed upon operators of radiation emitting equipment."

H-5092 FILED FEBRUARY 13, 1986 BY COMMITTEE ON STATE GOVERNMENT

Adopted as amended by 5142 2/21 (p 418)
Motion to Revisit (p 42) 2/23/86
SENATE FILE 447

H-5106

Amend Senate File 447 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 8, by striking the word "radiologic" and inserting the word "radiographic".

2. Page 4, line 15, by striking the words "section 154D.1, subsection 17" and inserting the following: "section 154D.2, subsection 10".

H-5106 FILED FEBRUARY 17, 1986 BY BLANSHAN of Greene

Placed on order 2/21 (p 418)

SENATE FILE 447

H-5125

1 Amend Senate File 447 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 6, by inserting after line 12 the
4 following:

5 "4. The requirement of a license does not apply to
6 any of the following:

7 a. A person who holds a valid certificate of
8 qualification in dental radiography issued by the
9 board of dental examiners.

10 b. A person who is enrolled in a program or course
11 of study approved by the state department of health
12 which includes the application of radiation to
13 humans."

14 2. By renumbering as necessary.

BY CARPENTER of Polk

H-5125 FILED FEBRUARY 19, 1986

BLANSHAN of Greene

Placed out of order 2/21 (p 418)

SENATE FILE 447

H-5123

1 Amend the amendment H-5092 to Senate File 447, as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 13, by inserting after the word
5 "medicine" the following: ", or certification as a
6 physician's assistant as defined in section 148C.1,
7 subsection 6,".

H-5123 FILED FEBRUARY 19, 1986 BY GRONINGA of Cerro Gordo

W/D 2/21 (p 417)

SENATE FILE 447

H-5142

1 Amend the amendment H-5092 to Senate File 447, as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, line 13, by inserting after the word
5 "medicine" the following: ", or certification as a
6 physician's assistant as defined in section 148C.1,
7 subsection 6, or certification by the board of dental
8 examiners in dental radiography, or enrollment in a
9 program or course of study approved by the state
10 department of health which includes the application of
11 radiation to humans".

BY BLANSHAN of Greene

GRONINGA of Cerro Gordo

CARPENTER of Polk

H-5142 FILED FEBRUARY 21, 1986

ADOPTED *(p. 417)*

HOUSE AMENDMENT TO
SENATE FILE 447

S-5254

1 Amend Senate File 447, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 "Section 1. Section 136C.3, subsection 2, Code
6 1985, is amended to read as follows:

7 2. Establish minimum training standards including
8 continuing education requirements, and administer
9 examinations and disciplinary procedures for operators
10 of radiation machines and users of radioactive
11 materials. A state of Iowa license to practice
12 medicine, osteopathy, chiropractic, podiatry,
13 dentistry, dental hygiene, or veterinary medicine, or
14 certification as a physician's assistant as defined in
15 section 148C.1, subsection 6, or certification by the
16 board of dental examiners in dental radiography, or
17 enrollment in a program or course of study approved by
18 the state department of health which includes the
19 application of radiation to humans satisfies the
20 minimum training standards for operation of radiation
21 machines only.

22 Sec. 2. Section 136C.10, Code 1985, is amended to
23 read as follows:

24 136C.10 FEES.

25 The department shall establish and collect fees for
26 the licensing and amendment of licenses for
27 radioactive materials, the registration of radiation
28 machines, and the periodic inspection of radiation
29 machines and radioactive materials, and the
30 implementation of section 136C.3, subsection 2. Fees
31 shall be in amounts sufficient to defray the cost of
32 administering this chapter. The license fee may
33 include the cost of environmental surveillance
34 activities to assess the radiological impact of
35 activities conducted by licensees. Fees collected
36 shall be remitted to the treasurer of state who shall
37 deposit the funds in the general fund of the state.
38 When a registrant or licensee fails to pay the
39 applicable fee the department may suspend or revoke
40 the registration or license or may issue an
41 appropriate order. Fees for the license, amendment of
42 a license, and inspection of radioactive material
43 shall not exceed the fees prescribed by the United
44 States nuclear regulatory commission."

45 2. Title page, by striking line 1 and inserting
46 the following:

47 "An Act relating to the minimum training standards
48 imposed upon operators of radiation emitting
49 equipment."

S-5254 Filed March 4, 1986

REC'D FROM THE HOUSE

Senate refused to concur 4/1 (p. 966) Motion to reconsider 4/2 (pg 994-1012)

Have wanted 5/1 (p. 1187)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 447

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the difference between the Senate and the House of Representatives on Senate File 447, a bill for an Act to license operators of radiation emitting equipment, respectfully make the following report:

1. That the House amendment, S-5254, to Senate File 447, as passed by the Senate, is amended as follows:

1. Page 1, by inserting after line 21 the following:

"The department shall establish a technical advisory committee made up of two radiologic technologists, two physicians, including one radiologist and one private practitioner, and a representative of the department. The advisory committee shall assist the department in developing and establishing criteria for continuing education and examinations."

ON THE PART OF THE HOUSE:

BLANSHAN, CHAIR
COCHRAN
TEAFORD
HANSON
RENKEN

Adopted 5/2 (p. 2666)

ON THE PART OF THE SENATE:

CARR, CHAIR
DIELEMAN
HORN
RITSEMA
SCHWENGELS

Adopted 5/2 (p. 1549)

*New
SF 447*

*SSB 254
St. Govt.*

SENATE/HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL)

SSB 254

STATE GOVERNMENT: Welsh, Chair; Horn, C. Miller, Corning and Schwengels

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act to license operators of radiation emitting equipment.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. The legislature finds that the citizens of the
2 state of Iowa are entitled to the maximum protection
3 practicable from the harmful effects of excessive and improper
4 exposure to ionizing radiation; that the protection can be
5 increased by requiring appropriate education and training of
6 persons operating medical equipment emitting ionizing
7 radiation; and that it is therefore necessary to establish
8 standards of education, training, and experience for these
9 operators and to provide for their appropriate examination and
10 licensure.

11 Sec. 2. Section 136C.1, Code 1985, is amended by adding
12 the following new subsections:

13 NEW SUBSECTION. 8. "Board" means the radiologic
14 technology board of examiners created by section 135C.22.

15 NEW SUBSECTION. 9. "License" means a certificate issued
16 by the board authorizing the licensee to use equipment
17 emitting ionizing radiation on humans for diagnostic or
18 therapeutic purposes in accordance with this chapter.

19 NEW SUBSECTION. 10. "Radiologist" means a physician who
20 has been educated and is skilled in the diagnostic and
21 therapeutic use of X rays and other forms of radiant energy.

22 NEW SUBSECTION. 11. "Radiologic technologist" means a
23 person who is a radiographer, a limited radiographer, a
24 radiation therapy technologist, or a nuclear medicine tech-
25 nologist licensed pursuant to this chapter.

26 NEW SUBSECTION. 12. "Radiologic technology" means the use
27 of equipment or substances emitting ionizing radiation on
28 humans for diagnostic or therapeutic purposes.

29 NEW SUBSECTION. 13. "Radiographer" means a person, other
30 than a licensed professional, whose application of radiation
31 to humans is for diagnostic purposes.

32 NEW SUBSECTION. 14. "Limited radiographer" means a
33 person, other than a licensed professional, whose application
34 of radiation to humans for diagnostic purposes is limited to
35 specific parts of the body as provided in section 135C.22,

1 subsection 5.

2 NEW SUBSECTION. 15. "Nuclear medicine technologist" means
3 a person, other than a licensed professional, whose
4 application of radiopharmaceutical agents is for diagnostic
5 purposes.

6 NEW SUBSECTION. 16. "Radiation therapy technologist"
7 means a person, other than a licensed professional, whose
8 application of radiation to humans is for therapeutic
9 purposes.

10 Sec. 3. NEW SECTION. 135C.21 USE OF RADIATION

11 RESTRICTED, LICENSE REQUIRED.

12 1. Except as provided in this chapter, a person other than
13 a licensed professional or the holder of a license as provided
14 in this chapter shall not use X rays or other forms of
15 ionizing energy on humans.

16 2. A person holding a license as a radiographer may use
17 the title, "licensed radiographer" or the letters L.R. after
18 the person's name. No other person is entitled to use the
19 title or letters or any other title or letters that indicate
20 or imply that the person is a licensed radiographer, nor may a
21 person make any representation, orally or in writing,
22 expressly or by implication, that the person is a licensed
23 radiographer.

24 3. A person holding a license as a radiation therapy
25 technologist may use the title "licensed radiation therapy
26 technologist" or L.R.T.T. after the person's name. No other
27 person is entitled to use the title or letters, or any other
28 title or letters that indicate or imply that the person is a
29 licensed radiation therapy technologist, nor may a person make
30 any representation, orally or in writing, expressly or by
31 implication, that the person is a licensed radiation therapy
32 technologist.

33 4. A person holding a license as a nuclear medicine
34 technologist may use the title "licensed nuclear medicine
35 technologist" or L.N.M.T. after the person's name. No other

1 person is entitled to use the title or letters, or any other
2 title or letters that indicate or imply that the person is a
3 licensed nuclear medicine technologist, nor may a person make
4 any representation, orally or in writing, expressly or by
5 implication, that the person is a licensed nuclear medicine
6 technologist.

7 5. A person holding a license as a limited radiographer
8 may apply x-radiation to the human body for diagnostic pur-
9 poses while under the supervision of a licensed professional
10 in only the regions of the toes to mid-femur, the fingers to
11 mid-humerus and the chest area. The person may use the title
12 "licensed limited radiographer" or L.L.R. after the person's
13 name. No other person is entitled to use the title or
14 letters, or any other title or letters that indicate or imply
15 that the person is a licensed limited radiographer, nor may a
16 person make any representation, orally or in writing, ex-
17 pressly or by implication, that the person is a licensed
18 limited radiographer.

19 6. A person holding a license as provided by this chapter
20 shall use medical equipment or substances emitting ionizing
21 radiation on humans for diagnostic or therapeutic purposes
22 only on a case-by-case basis at the direction of a licensed
23 professional, and only if the application of the equipment or
24 substance is limited in the manner specified.

25 7. This chapter does not apply to licensed professionals.

26 8. The requirement of a license does not apply to a
27 hospital resident specializing in radiology who is not a li-
28 censed professional in the state of Iowa, or to a student
29 enrolled in and attending a school or college of medicine,
30 osteopathy, chiropractic, podiatry, or radiologic technology
31 who applies radiation while under the supervision of a
32 licensed professional.

33 Sec. 4. NEW SECTION. 135C.22 BOARD OF EXAMINERS CREATED.

34 1. A radiologic technology board of examiners is created.
35 The board shall consist of five members appointed by the

1 governor in consultation with appropriate professional
2 organizations and subject to confirmation by the senate. Of
3 the members appointed by the governor all five shall be
4 qualified to be radiologic technologists with at least five-
5 years experience in the practice of radiologic technology,
6 three shall be qualified to be licensed radiographers, one
7 shall be qualified to be a licensed radiation therapy
8 technologist, and one shall be qualified to be a licensed
9 nuclear medicine technologist. The members shall meet the
10 training standards of the department where applicable.
11 Subsequent members of the board shall be holders of current
12 licenses issued pursuant to this chapter. The commissioner or
13 the commissioner's designee shall serve as an ex officio
14 member of the board.

15 2. The terms of office of the members appointed by the
16 governor are three years beginning and expiring as provided in
17 section 69.19. Vacancies shall be filled for an unexpired
18 term only in the manner provided for the original appointment.

19 3. Members of the board shall serve without compensation
20 but shall be reimbursed for their reasonable and necessary
21 traveling and other expenses incurred in the performance of
22 their official duties.

23 4. The commissioner shall designate an officer or employee
24 of the department who is not a member of the board to act as
25 secretary to the board.

26 5. The board shall meet at least once every six months at
27 times and places fixed by the board. At its first meeting in
28 June the board shall organize and elect from its members a
29 chairperson. Special meetings may be held at times and places
30 that the majority of the board may fix, or at the call of the
31 chairperson or the commissioner. A written and timely notice
32 of the time, place, and purpose of a special meeting shall be
33 mailed by the secretary to all members of the board.

34 6. A majority of the members of the board is a quorum for
35 the transaction of business at any meeting.

1 Sec. 5. NEW SECTION. 135C.23 LICENSE -- EXAMINATION FEE
2 -- STANDARDS -- COURSE OF STUDY.

3 1. The board shall admit to examination for licensing, any
4 applicant who pays to the department a nonrefundable fee
5 established by rule of the board and submits satisfactory
6 evidence, verified by oath or affirmation, that the applicant:

7 a. At the time of application is at least eighteen years
8 of age.

9 b. Has successfully completed a course of study in a
10 secondary school approved by the state board of education, or
11 passed an approved equivalency test.

12 2. In addition to the requirements of subsection 1, a per-
13 son seeking to obtain a license in a specific area of
14 radiologic technology must comply with the following require-
15 ments:

16 a. An applicant for a license as a radiographer or limited
17 radiographer must have satisfactorily completed a course of
18 study in radiography approved by the board, or its equivalent
19 as determined by the board.

20 b. An applicant for a license as a radiation therapy
21 technologist must have satisfactorily completed a course of
22 study in radiation therapy technology approved by the board or
23 its equivalent as determined by the board.

24 c. The program of nuclear medicine technology shall be a
25 course of study approved by the board or its equivalent as
26 determined by the board, in addition to education required for
27 entrance to a nuclear medicine educational program.

28 The essentials and curriculum for the courses prescribed
29 under paragraphs "a", "b" and "c" may follow the committee on
30 allied health education and accreditation (CAHEA) standards
31 provided that the standards are not in conflict with board
32 policies.

33 3. The board shall establish criteria and standards for
34 programs of study for radiography, limited radiography, radia-
35 tion therapy technology, or nuclear medicine technology and

1 approve these programs upon a finding that the standards and
2 criteria have been met.

3 4. An approved program of radiologic technology may be of-
4 fered by a medical or educational institution or other public
5 or private agency or institution, and, for the purpose of pro-
6 viding the requisite clinical experience, shall be affiliated
7 with one or more hospitals that, in the opinion of the board,
8 are equipped to provide the requisite experience.

9 Sec. 6. NEW SECTION. 135C.24 LICENSE ISSUED ON
10 EXAMINATION OR EQUIVALENT.

11 1. An applicant is required to pass a license examination
12 designated and approved by the board for the applicable
13 specialty.

14 2. The board shall hold an examination for each type of
15 license at least every six months at times and places as the
16 board may determine.

17 3. An applicant who fails to pass the examination may re-
18 apply for the examination provided the applicant complies with
19 the conditions established by the board.

20 4. The board may accept, in lieu of its own examination, a
21 current certificate of a recognized credentialing body, issued
22 on the basis of an examination satisfactory to the board,
23 provided that the standards of that agency are at least as
24 stringent as those established by the board.

25 5. The board shall accept, in lieu of its own examination,
26 a current certificate, registration, or license as a
27 radiologic technologist issued by another state, provided that
28 the standards in the other state are at least as stringent as
29 those established by the board.

30 6. The board shall accept, in lieu of its own examination,
31 a current license of a licensed practitioner, provided that
32 the licensed professional can provide evidence of instruction
33 and competency in the operation of radiation emitting
34 equipment and substances.

35 Sec. 7. NEW SECTION. 135C.25 LICENSE ISSUED -- TEMPORARY

1 AND CONDITIONAL LICENSE -- RENEWAL AND REISSUANCE.

2 1. The board shall issue a license to a candidate who has
3 paid the prescribed fee and has either successfully passed the
4 examination, or has qualified under subsection 4, 5, or 6 of
5 section 135C.24.

6 2. The board may issue a temporary license to a person
7 whose license or relicense is pending and in whose case the
8 issuance of a temporary license is justified by reason of
9 special circumstances. A temporary license shall be issued
10 only if the board finds that its issuance will not violate the
11 purposes of this chapter nor tend to endanger the public
12 health and safety. A temporary license shall expire ninety
13 days after the date of the next examination if the applicant
14 is required to take the examination, or if the applicant does
15 not take the examination, then on the date of the examination.
16 In all other cases, a temporary license shall expire when the
17 determination is made either to issue or deny the applicant a
18 regular license and a temporary license shall not be issued
19 for a period longer than one hundred eighty days.

20 3. The board, at its discretion, may issue a conditional
21 license to a person upon individual application when the board
22 finds to its satisfaction that there is substantial evidence
23 that the people in the locality of the state in which the
24 conditional license is sought would be denied adequate health
25 care because of unavailability of appropriately licensed
26 persons under the standards of this chapter. A conditional
27 permit shall be issued only if the board finds that its
28 issuance will not violate the purposes of this chapter nor
29 tend to endanger the public health and safety. A conditional
30 license shall expire one hundred eighty days after issuance
31 and may be renewed upon application.

32 4. A radiologic technologist shall display a current
33 license at the technologist's place of employment.

34 5. A license is renewable on December 31 of each year
35 following the year of issuance. A license shall be renewed by

1 the board for a period of one year upon payment of a renewal
2 fee in an amount to be determined by rule of the commissioner
3 and the certified completion of at least fifteen hours of
4 continuing education relevant to the profession, as determined
5 by the board.

6 6. A radiologic technologist who has been duly licensed in
7 this state and whose license has not been revoked or
8 suspended, and who has temporarily ceased activities as a
9 radiologic technologist for no more than five years, may apply
10 for the reissuance of a license upon compliance with the
11 application provisions of this chapter, including payment of
12 fees required by the board.

13 Sec. 8. NEW SECTION. 135C.26 SUSPENSION OF LICENSE --
14 HEARING.

15 1. The license of a radiologic technologist may be
16 suspended for a fixed period, or may be revoked, or the
17 technologist may be censured, reprimanded, or otherwise
18 disciplined, in accordance with this chapter, if after due
19 hearing it is determined that the technologist:

20 a. Is guilty of fraud or deceit in activities as a
21 radiologic technologist or in procuring a license.

22 b. Has been convicted in a court of competent
23 jurisdiction, either within or without this state, of a crime
24 involving moral turpitude, except that if the conviction has
25 been reversed and the holder of the license discharged or
26 acquitted, or if the holder has been pardoned or the person's
27 civil rights restored, the license may be restored.

28 c. Is or has been afflicted with any medical problem,
29 disability, or addiction which, in the opinion of the board,
30 would impair professional competence.

31 d. Has aided and abetted a person who is not a licensed
32 radiologic technologist or otherwise authorized pursuant to
33 this chapter in engaging in the activities of a radiologic
34 technologist.

35 e. Has undertaken or engaged in a practice beyond the

1 scope of the authorized activities of a radiologic
2 technologist pursuant to this chapter.

3 f. Has falsely impersonated a duly licensed or formerly
4 duly licensed radiologic technologist or is engaging in the
5 activities of a radiologic technologist under an assumed name.

6 g. Has been guilty of unethical conduct as defined by
7 rules adopted by the board.

8 h. Has continued to practice without obtaining a license
9 renewal as required by this chapter.

10 i. Has applied ionizing radiation to humans without the
11 specific direction of a duly licensed professional, or to any
12 person or part of the human body outside the scope of the
13 technologist's specific authorization.

14 j. Has expressed to a member of the public an
15 interpretation of a diagnostic X ray film or fluorescent
16 image.

17 k. Has been found guilty of incompetence or negligence in
18 activities as a radiologic technologist.

19 2. Proceedings against a radiologic technologist under
20 this section shall be instituted by filing with the board a
21 written charge under oath against the technologist. The
22 charge may be filed by any person, or by the board in the
23 first instance. A copy of the charge, together with a report
24 of an investigation as the board deems proper, shall be
25 referred to the commission for its recommendation to the
26 commissioner. If the commissioner decides that the charges
27 should be heard, the commissioner shall designate three or
28 more members of the board as a committee to hear and report on
29 the charges and shall set a time and place for the hearing. A
30 copy of the charges, together with a notice of the time and
31 place of hearing shall be served upon the person charged
32 either personally or by registered mail at least fifteen days
33 before the date fixed for the hearing, and that person shall
34 be given an opportunity to appear and answer the charges
35 either personally or by counsel, to cross-examine witnesses

1 against the person and to produce evidence and witnesses in
2 defense. For the purpose of this section, the board or its
3 committee may issue subpoenas for the appearance of witnesses,
4 and may take testimony under oath. Upon the conclusion of the
5 hearing the committee shall make a written report of its
6 findings and recommendations to the commissioner. If the
7 commissioner finds that the charges have not been proved, the
8 commissioner shall order them dismissed. If the charges are
9 found to be true, the commissioner may issue an order
10 suspending or revoking the license of the accused, or
11 otherwise disciplining the accused.

12 3. When the license of any person has been revoked or
13 annulled, the board may accept an application for restoration
14 of the license after the expiration of two years.

15 Sec. 9. NEW SECTION. 135C.27 EMPLOYMENT OF UNLICENSED
16 RADIATION TECHNOLOGIST PROHIBITED.

17 A person shall not knowingly employ as a radiologic
18 technologist, a person who requires and does not possess a
19 valid license to engage in the practice of radiologic
20 technology.

21 Sec. 10. Section 136C.3, subsection 2, Code 1985, is
22 amended by striking the subsection.

23 Sec. 11. The board shall admit to examination for
24 licensing, for two years after the effective date of this Act,
25 any person meeting the requirements of subsection 1 of this
26 section who has been actively employed as a radiographer,
27 limited radiographer, radiation therapy technologist, or
28 nuclear medicine technologist for a minimum of three of the
29 last five years.

30

EXPLANATION

31 This bill provides for examination and licensing of persons
32 using radiologic technology for therapeutic or diagnostic
33 purposes. Radiologic technologists are categorized as
34 radiographers, limited radiographers, radiation therapy
35 technologists, and nuclear medicine technologists. Once

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1 licensed they may use the titles after their names or the
2 letters L.R., L.L.R., L.R.T.T., and L.N.M.T. respectively.
3 Radiologists, licensed practitioners, hospital residents not
4 licensed in Iowa specializing in radiology, and students
5 enrolled in a school or college of medicine, osteopathy,
6 chiropractic, podiatry, or radiologic technology under
7 supervision of a licensed practitioner are exempt.

8 A radiation technology board of examiners is created to
9 administer examinations every six months, to set standards for
10 applications for examination, to set standards for courses of
11 study, issue licenses, and discipline licensees. The board
12 will consist of three licensed radiographers, one licensed
13 radiation therapy technologist, and one licensed nuclear
14 medicine technologist. The commissioner of public health or
15 the commissioner's designee will serve as an ex officio
16 member.

17 To qualify for an examination a person must be at least
18 eighteen and have completed a four-year course of study in a
19 secondary school approved by the state board of education. An
20 applicant must also have completed a course of study approved
21 by the board in the specialty for which a license is sought.
22 Provision is made to admit to examination those persons
23 currently operating as radiologic technologists. The board
24 may accept a license or certificate issued by another state or
25 other recognized credentialing body if the standards of
26 issuance are at least as stringent as those of the board
27 itself. Temporary licenses may be issued to expire ninety
28 days after the next examination date. Conditional licenses
29 may be issued in case of hardship.

30 Disciplinary proceedings may be initiated against a
31 licensed technologist by filing charges of misconduct with the
32 board. The commissioner will review the charges and if on the
33 commissioner's decision the charges should be heard, a
34 committee of board members will convene for a hearing at which
35 the accused may be present and witnesses heard. A

1 technologist may be censured, reprimanded, have a license
2 suspended or revoked, or otherwise be disciplined as the board
3 decides.

4 New sections 135C.21 through 135C.27 are created and
5 referred to within this bill.

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SENATE FILE 447

AN ACT
RELATING TO THE MINIMUM TRAINING STANDARDS IMPOSED UPON
OPERATORS OF RADIATION EMITTING EQUIPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 136C.3, subsection 2, Code 1985, is amended to read as follows:

2. Establish minimum training standards including continuing education requirements, and administer examinations and disciplinary procedures for operators of radiation machines and users of radioactive materials. A state of Iowa license to practice medicine, osteopathy, chiropractic, podiatry, dentistry, dental hygiene, or veterinary medicine, or certification as a physician's assistant as defined in section 148C.1, subsection 6, or certification by the board of dental examiners in dental radiography, or enrollment in a program or course of study approved by the state department of health which includes the application of radiation to humans satisfies the minimum training standards for operation of radiation machines only.

The department shall establish a technical advisory committee made up of two radiologic technologists, two physicians, including one radiologist and one private practitioner, and a representative of the department. The advisory committee shall assist the department in developing and establishing criteria for continuing education and examinations.

Sec. 2. Section 136C.10, Code 1985, is amended to read as follows:

136C.10 FEES.

The department shall establish and collect fees for the licensing and amendment of licenses for radioactive materials, the registration of radiation machines, and the periodic inspection of radiation machines and radioactive materials.

and the implementation of section 136C.3, subsection 2. Fees shall be in amounts sufficient to defray the cost of administering this chapter. The license fee may include the cost of environmental surveillance activities to assess the radiological impact of activities conducted by licensees. Fees collected shall be remitted to the treasurer of state who shall deposit the funds in the general fund of the state. When a registrant or licensee fails to pay the applicable fee the department may suspend or revoke the registration or license or may issue an appropriate order. Fees for the license, amendment of a license, and inspection of radioactive material shall not exceed the fees prescribed by the United States nuclear regulatory commission.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 447, Seventy-first General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 23, 1986

TERRY E. BRANSTAD
Governor

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