

CS/HB 309

2012

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

24
25 Be It Enacted by the Legislature of the State of Florida:
26

27 Section 1. Subsection (18) is added to section 468.301,
28 Florida Statutes, to read:

29 468.301 Definitions.—As used in this part, the term:

30 (18) "Specialty technologist" means a person, other than a
 31 licensed practitioner, who is qualified by education and
 32 certification, as set forth in s. 468.304, to use radiation on
 33 human beings under the specific direction and general
 34 supervision of a licensed practitioner.

35 Section 2. Paragraph (h) is added to subsection (2) and
 36 paragraph (i) is added to subsection (3) of section 468.302,
 37 Florida Statutes, to read:

38 468.302 Use of radiation; identification of certified
 39 persons; limitations; exceptions.—

40 (2)

41 (h) A person holding a certificate as a specialty
 42 technologist may use the title "Certified Radiologic
 43 Technologist-X" or the letters "CRT-X" after his or her name,
 44 where "X" represents a single- or multiple-letter designation
 45 signifying the advanced, postprimary, or specialty area of
 46 radiologic technology, such as "CT" for computed tomography or
 47 "PET" for positron emission tomography, in which the person is
 48 certified by a national organization. The department shall
 49 approve these letter designations by rule for each area,
 50 consistent with the designation used by a national organization.

51
 52 No other person is entitled to so use a title or letters
 53 contained in this subsection or to hold himself or herself out
 54 in any way, whether orally or in writing, expressly or by
 55 implication, as being so certified.

56 (3)

57 (i) A person holding a certificate as a specialty
58 technologist may perform the specific duties allowed for a
59 specialty technologist as defined by rule of the department.
60 These duties must fall within the scope of practice for that
61 particular advanced, postprimary, or specialty area as set by a
62 national organization.

63 Section 3. Section 468.304, Florida Statutes, is amended
64 to read:

65 468.304 Certification.—The department shall certify any
66 applicant who meets the following criteria:

67 (1) Pays to the department a nonrefundable fee that may
68 not exceed \$100, plus the actual per-applicant cost to the
69 department for purchasing the examination from a national
70 organization.

71 (2) Submits a completed application on a form specified by
72 the department. An incomplete application expires 6 months after
73 initial filing. The application must include the social security
74 number of the applicant. Each applicant shall notify the
75 department in writing of his or her current mailing address.
76 Notwithstanding any other law, service by regular mail to an
77 applicant's last reported mailing address constitutes adequate
78 and sufficient notice of any official departmental communication
79 to the applicant.

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

82 (a) Is at least 18 years of age at the time of
83 application;

84 (b) Is a high school, vocational school, technical school,

85 or college graduate or has successfully completed the
86 requirements for a graduate equivalency diploma (GED) or its
87 equivalent;

88 (c) Is of good moral character;

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

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

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

100 b. With respect to an applicant for a basic X-ray machine
101 operator-podiatric medicine certificate, has completed a course
102 of study approved by the department, if ~~provided that~~ such
103 course of study is ~~shall be~~ limited to the ~~that~~ information
104 necessary to perform radiographic procedures within the scope of
105 practice of a podiatric physician licensed pursuant to chapter
106 461;

107 c. With respect only to an applicant for a general
108 radiographer's certificate who is a basic X-ray machine operator
109 certificateholder, has completed an educational program or a 2-
110 year training program that takes into account the types of
111 procedures and level of supervision usually and customarily
112 practiced in a hospital, which educational or training program

113 | complies with the rules of the department;

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

121 | e. With respect to an applicant for a radiologist
 122 | assistant's certificate, ~~who~~ demonstrates to the department that
 123 | he or she holds a current certificate or registration as a
 124 | radiologist assistant granted by the American Registry of
 125 | Radiologic Technologists; or

126 | f. With respect to an applicant for a specialty
 127 | technologist's certificate, demonstrates to the department that
 128 | he or she holds a current certificate or registration granted by
 129 | a national organization in a particular advanced, postprimary,
 130 | or specialty area of radiologic technology, such as computed
 131 | tomography or positron emission tomography.

132 | (4) Submits complete documentation of any criminal offense
 133 | in any jurisdiction of which the applicant has been found
 134 | guilty, regardless of whether adjudication of guilt was
 135 | withheld, or to which the applicant has pled guilty or nolo
 136 | contendere.

137 | (5) Submits complete documentation of any final
 138 | disciplinary action taken against the applicant by a licensing
 139 | or regulatory body in any jurisdiction, by a national
 140 | organization, or by a specialty board that is recognized by the

141 department. Disciplinary action includes revocation, suspension,
 142 probation, reprimand, or being otherwise acted against,
 143 including being denied certification or resigning from or
 144 nonrenewal of membership taken in lieu of or in settlement of a
 145 pending disciplinary case.

146
 147 The department may not certify any applicant who has committed
 148 an offense that would constitute a violation of any of the
 149 provisions of s. 468.3101 or applicable ~~the rules adopted~~
 150 ~~thereunder~~ if the applicant had been certified by the department
 151 at the time of the offense. An ~~No~~ application for a limited
 152 computed tomography certificate may not ~~shall~~ be accepted. A
 153 person ~~All persons~~ holding a valid computed tomography
 154 certificate ~~certificates~~ as of October 1, 1984, is ~~are~~ subject
 155 to ~~the provisions of~~ s. 468.309.

156 Section 4. Section 468.306, Florida Statutes, is amended
 157 to read:

158 468.306 Examinations. An applicant ~~All applicants~~ for
 159 certification as a radiologic technologist, basic X-ray machine
 160 operator, or basic X-ray machine operator-podiatric medicine,
 161 except an applicant ~~those~~ certified pursuant to s. 468.3065,
 162 shall be required to pass an examination. An applicant for
 163 certification as a specialty technologist shall be certified
 164 only in accordance with s. 468.3065. An application for
 165 certification as a specialty technologist by examination may not
 166 be accepted. In lieu of an examination for a radiologist
 167 assistant certificate, the department shall accept a
 168 demonstration by the applicant for such a certificate that he or

169 she holds a current certificate or registration as a radiologist
 170 assistant granted by the American Registry of Radiologic
 171 Technologists. The department may develop or use examinations
 172 for each type of certificate. The department may require an
 173 applicant who does not pass an examination after five attempts
 174 to complete additional remedial education, as specified by rule
 175 of the department, before admitting the applicant to subsequent
 176 examinations.

177 (1) The department may contract with organizations that
 178 develop such test examinations. Examinations may be administered
 179 by the department or the contracting organization.

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

183 (3) All examinations must ~~shall~~ be written and must
 184 include positioning, technique, and radiation protection. The
 185 department shall ~~either~~ pass or fail each applicant on the basis
 186 of his or her final grade. The examination for a basic X-ray
 187 machine operator must ~~shall~~ include basic positioning and basic
 188 techniques directly related to the skills necessary to safely
 189 operate radiographic equipment.

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

194 Section 5. Subsection (3) is added to section 468.3065,
 195 Florida Statutes, to read:

196 468.3065 Certification by endorsement.—

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197 (3) The department may issue a certificate by endorsement
198 to practice as a specialty technologist to an applicant who,
199 upon applying to the department and remitting a nonrefundable
200 fee not to exceed \$100, demonstrates to the department that he
201 or she holds a current certificate or registration from a
202 national organization in a particular advanced, postprimary, or
203 specialty area of radiologic technology, such as computed
204 tomography or positron emission tomography.

205 Section 6. This act shall take effect July 1, 2012.