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CS/HB 309

2012 Legislature

1  
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:

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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)

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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,

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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

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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

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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

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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.