

By the Committee on Health Regulation; and Senator Flores

588-01849-12

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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. 468.303, F.S.;  
15          authorizing the Department of Health to adopt rules  
16          for recognizing certain national organizations that  
17          certify, license, or register specialty technologists;  
18          amending s. 468.304, F.S.; providing criteria for  
19          certification as a specialty technologist; amending s.  
20          468.306, F.S.; providing for an applicant for  
21          certification as a specialty technologist to be  
22          certified only by endorsement rather than by  
23          examination; amending s. 468.3065, F.S.; authorizing  
24          the department to issue a certificate by endorsement  
25          to practice as a specialty technologist to an  
26          applicant who meets certain criteria; providing an  
27          effective date.

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29   Be It Enacted by the Legislature of the State of Florida:

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

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

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

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

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

(2)

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

No other person is entitled to so use a title or letters contained in this subsection or to hold himself or herself out

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59 in any way, whether orally or in writing, expressly or by  
60 implication, as being so certified.

61 (3)

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

68 Section 3. Section 468.303, Florida Statutes, is amended to  
69 read:

70 468.303 Rules.—

71 (1) The department may ~~is authorized to~~ make such rules,  
72 not inconsistent with law, as may be necessary to carry out the  
73 provisions of this part. The department may ~~is authorized to~~  
74 establish by rule fees to be paid for application, examination,  
75 reexamination, certification, and renewal, and for recordmaking  
76 and recordkeeping, provided that no fee shall exceed the amounts  
77 provided in this part. Fees shall be based on department  
78 estimates of the revenue required to implement the provisions of  
79 this part. The department may, based upon estimates of revenue  
80 required to implement this part, establish separate fee  
81 schedules for application, examination, reexamination,  
82 certification, and renewal for the different categories of  
83 certification.

84 (2) The department may adopt rules for recognizing national  
85 organizations that certify, license, or register specialty  
86 technologists under educational and examination requirements  
87 that demonstrate technical and safety competencies for the scope

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88 of practice for that specialty.

89 Section 4. Section 468.304, Florida Statutes, is amended to  
90 read:

91 468.304 Certification.—The department shall certify any  
92 applicant who meets the following criteria:

93 (1) Pays to the department a nonrefundable fee that may not  
94 exceed \$100, plus the actual per-applicant cost to the  
95 department for purchasing the examination from a national  
96 organization.

97 (2) Submits a completed application on a form specified by  
98 the department. An incomplete application expires 6 months after  
99 initial filing. The application must include the social security  
100 number of the applicant. Each applicant shall notify the  
101 department in writing of his or her current mailing address.  
102 Notwithstanding any other law, service by regular mail to an  
103 applicant's last reported mailing address constitutes adequate  
104 and sufficient notice of any official departmental communication  
105 to the applicant.

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

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

109 (b) Is a high school, vocational school, technical school,  
110 or college graduate or has successfully completed the  
111 requirements for a graduate equivalency diploma (GED) or its  
112 equivalent;

113 (c) Is of good moral character;

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

116 (e)1. Has successfully completed an educational program,

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117 which program may be established in a hospital licensed pursuant  
118 to chapter 395 or in an accredited postsecondary academic  
119 institution which is subject to approval by the department as  
120 maintaining a satisfactory standard; or

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

125 b. With respect to an applicant for a basic X-ray machine  
126 operator-podiatric medicine certificate, has completed a course  
127 of study approved by the department, if ~~provided that~~ such  
128 course of study is ~~shall be~~ limited to the ~~that~~ information  
129 necessary to perform radiographic procedures within the scope of  
130 practice of a podiatric physician licensed pursuant to chapter  
131 461;

132 c. With respect only to an applicant for a general  
133 radiographer's certificate who is a basic X-ray machine operator  
134 certificateholder, has completed an educational program or a 2-  
135 year training program that takes into account the types of  
136 procedures and level of supervision usually and customarily  
137 practiced in a hospital, which educational or training program  
138 complies with the rules of the department;

139 d. With respect only to an applicant for a nuclear medicine  
140 technologist's certificate who is a general radiographer  
141 certificateholder, has completed an educational program or a 2-  
142 year training program that takes into account the types of  
143 procedures and level of supervision usually and customarily  
144 practiced in a hospital, which educational or training program  
145 complies with the rules of the department; ~~or~~

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146 e. With respect to an applicant for a radiologist  
147 assistant's certificate, ~~who~~ demonstrates to the department that  
148 he or she holds a current certificate or registration as a  
149 radiologist assistant granted by the American Registry of  
150 Radiologic Technologists; or-

151 f. With respect to an applicant for a specialty  
152 technologist's certificate, demonstrates to the department that  
153 he or she is currently certified by or registered with a  
154 national organization that is recognized by the department in an  
155 advanced, postprimary, or specialty area of radiologic  
156 technology, such as computed tomography or positron emission  
157 tomography.

158 (4) Submits complete documentation of any criminal offense  
159 in any jurisdiction of which the applicant has been found  
160 guilty, regardless of whether adjudication of guilt was  
161 withheld, or to which the applicant has pled guilty or nolo  
162 contendere.

163 (5) Submits complete documentation of any final  
164 disciplinary action taken against the applicant by a licensing  
165 or regulatory body in any jurisdiction, by a national  
166 organization, or by a specialty board that is recognized by the  
167 department. Disciplinary action includes revocation, suspension,  
168 probation, reprimand, or being otherwise acted against,  
169 including being denied certification or resigning from or  
170 nonrenewal of membership taken in lieu of or in settlement of a  
171 pending disciplinary case.

172  
173 The department may not certify any applicant who has committed  
174 an offense that would constitute a violation of any of the

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175 provisions of s. 468.3101 or applicable ~~the~~ rules ~~adopted~~  
176 ~~thereunder~~ if the applicant had been certified by the department  
177 at the time of the offense. An ~~No~~ application for a limited  
178 computed tomography certificate may not ~~shall~~ be accepted. A  
179 person ~~All persons~~ holding a valid computed tomography  
180 certificate ~~certificates~~ as of October 1, 1984, is ~~are~~ subject  
181 to ~~the provisions of~~ s. 468.309.

182 Section 5. Section 468.306, Florida Statutes, is amended to  
183 read:

184 468.306 Examinations.—An applicant ~~All applicants~~ for  
185 certification as a radiologic technologist, basic X-ray machine  
186 operator, or basic X-ray machine operator-podiatric medicine,  
187 except an applicant ~~those~~ certified pursuant to s. 468.3065,  
188 shall be required to pass an examination. An applicant for  
189 certification as a specialty technologist shall be certified  
190 only in accordance with s. 468.3065. An application for  
191 certification as a specialty technologist by examination may not  
192 be accepted. In lieu of an examination for a radiologist  
193 assistant certificate, the department shall accept a  
194 demonstration by the applicant for such a certificate that he or  
195 she holds a current certificate or registration as a radiologist  
196 assistant granted by the American Registry of Radiologic  
197 Technologists. The department may develop or use examinations  
198 for each type of certificate. The department may require an  
199 applicant who does not pass an examination after five attempts  
200 to complete additional remedial education, as specified by rule  
201 of the department, before admitting the applicant to subsequent  
202 examinations.

203 (1) The department may contract with organizations that

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204 develop such test examinations. Examinations may be administered  
205 by the department or the contracting organization.

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

209 (3) All examinations must ~~shall~~ be written and must include  
210 positioning, technique, and radiation protection. The department  
211 shall ~~either~~ pass or fail each applicant on the basis of his or  
212 her final grade. The examination for a basic X-ray machine  
213 operator must ~~shall~~ include basic positioning and basic  
214 techniques directly related to the skills necessary to safely  
215 operate radiographic equipment.

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

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

222 468.3065 Certification by endorsement.—

223 (3) The department may issue a certificate by endorsement  
224 to practice as a specialty technologist to an applicant who,  
225 upon applying to the department and remitting a nonrefundable  
226 fee not to exceed \$100, demonstrates to the department that he  
227 or she holds a current certificate, license, or registration  
228 from a national organization that is recognized by the  
229 department to practice in an advanced, postprimary, or specialty  
230 area of radiologic technology, such as computed tomography or  
231 positron emission tomography.

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