

Senate Bill 179

By: Senator Williams of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to
2 physicians, physician assistants, and other related professions, so as to provide for licensing
3 of radiographers, radiation therapists, and nuclear medicine technologists; to regulate the
4 practices of performing medical imaging and radiation therapy procedures on humans for
5 diagnostic or therapeutic purposes; to provide penalties for violations; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,
10 physician assistants, and other related professions, is amended by adding a new article to read
11 as follows:

12 "ARTICLE 10

13 43-34-260.

14 As used in this article, the term:

15 (1) 'Approved program' means an educational program approved by the board.

16 (2) 'Board' means the Georgia Composite Medical Board created by Code Section
17 43-34-2.

18 (3) 'License' means a license issued by the board authorizing the licensee to use
19 radioactive materials, medical imaging, or radiation therapy equipment on humans for
20 diagnostic or therapeutic purposes in accordance with the provisions of this article.

21 (4) 'Licensed practitioner' means a person licensed to practice medicine, dentistry,
22 podiatry, chiropractic, or osteopathy in this state.

23 (5) 'Medical imaging' means any procedure intended for use in the diagnosis,
24 visualization, or treatment of disease or other medical conditions and that includes, but
25 is not limited to, diagnostic X-rays, nuclear medicine, and other procedures, and that
26 excludes echocardiography and diagnostic sonography.

27 (6) 'Nuclear medicine technologist' means a person, other than a licensed practitioner,
28 who uses radiopharmaceutical agents on humans for diagnostic or therapeutic purposes.

29 (7) 'Nuclear medicine technology' means the utilization of the nuclear properties of
30 radioactive nuclides to make diagnostic evaluations of the anatomic or physiologic
31 conditions of the body and to provide therapy with unsealed radioactive sources.

32 (8) 'Radiation therapist' means a person, other than a licensed practitioner, who applies
33 radiation to humans for therapeutic purposes.

34 (9) 'Radiation therapy' means any radiation procedure or article intended for the cure,
35 mitigation, or prevention of disease in humans;

36 (10) 'Radiographer' means a person, other than a licensed practitioner, who applies
37 radiation to humans for diagnostic purposes.

38 (11) 'Radiography' means the administration of external ionizing radiation to produce a
39 medical image for the diagnosis or visualization of injury or disease.

40 (12) 'Radiologic technologist' means any person, other than a licensed practitioner, who
41 intentionally performs medical imaging or radiation therapy procedures on other persons
42 for medical purposes and includes radiographers, radiation therapists, and nuclear
43 medicine technologists licensed under this article but does not include diagnostic medical
44 sonographers.

45 (13) 'Supervision' means the procedure is furnished under the licensed practitioner's
46 overall direction and control.

47 43-34-261.

48 (a) On and after July 1, 2016, no person, other than a licensed practitioner, a person acting
49 under authority delegated by a licensed practitioner as provided elsewhere in this title, or
50 a person licensed under this article to perform medical imaging or radiation therapy
51 procedures, shall perform medical imaging or radiation therapy procedures on humans for
52 diagnostic or therapeutic purposes.

53 (b) The board shall establish licensure standards for the radiographer (R), radiation
54 therapist (T), and nuclear medicine technologist (N). Persons holding such licenses shall
55 be recognized by this nomenclature.

56 (c) A person holding a license under this article shall use radioactive substances or
57 equipment for medical imaging and radiation therapy procedures on humans only for
58 diagnostic or therapeutic purposes by prescription of a licensed practitioner and only if the
59 application of a substance or the use of equipment is limited in a manner specified in this
60 article.

61 (d) Nothing in the provisions of this article relating to medical imaging or radiation
62 therapy shall limit, enlarge, or affect the practice of licensed practitioners or persons who

63 are acting under authority delegated by licensed practitioners as provided elsewhere in this
64 title.

65 (e) The requirement of a license shall not apply to a resident physician or a student
66 enrolled in and attending a school or college of medicine, osteopathy, chiropractic,
67 podiatry, dentistry, medical imaging, or radiation therapy who performs medical imaging
68 or radiation therapy procedures on humans while under the supervision of a licensed
69 practitioner or the supervision of a radiographer, radiation therapist, or nuclear medicine
70 technologist holding a license under this article.

71 (f)(1) Individuals licensed to perform radiography may perform computed tomography
72 medical imaging.

73 (2) Individuals licensed to perform radiation therapy shall only perform computed
74 tomography for treatment simulation.

75 (3) Individuals licensed to perform nuclear medicine technology shall only perform
76 computed tomography for attenuation correction.

77 (4) Individuals licensed to perform radiation therapy or nuclear medicine technology
78 who are certified in computed tomography by the American Registry of Radiologic
79 Technologists may perform computed tomography medical imaging.

80 43-34-262.

81 (a) The board shall admit to examination for licensure any applicant who shall pay a
82 nonrefundable fee established by the rule of the board and submit satisfactory evidence,
83 verified by oath or affirmation, that the applicant:

84 (1) At the time of the application is at least 18 years of age; and

85 (2) Has successfully completed a four-year course of study in a secondary school
86 approved by the State Board of Education or passed an approved equivalency test.

87 (b) In addition to the requirements of subsection (a) of this Code section, any person
88 seeking to obtain a license in a specific area of medical imaging or radiation therapy shall
89 comply with the following requirements:

90 (1) Each applicant for a license as a radiographer, radiation therapist, or nuclear medicine
91 technologist shall have satisfactorily completed a course of study in radiography,
92 radiation therapy, or nuclear medicine technology, respectively, or its equivalent to be
93 determined by the board; and

94 (2) The curriculum for each course of study shall be approved by the board and no less
95 stringent than the standards approved by the Joint Review Committee on Education in
96 Radiologic Technology, Joint Review Committee on Educational Programs in Nuclear
97 Medicine Technology, or other appropriate agency approved by the board, provided that
98 the standards are not in conflict with board policy.

99 (c) The board shall establish criteria and standards within this state for educational
100 programs in medical imaging and programs in radiation therapy and shall approve such
101 programs upon finding that such criteria and standards have been met.

102 43-34-263.

103 (a) An approved program of radiography, radiation therapy, or nuclear medicine
104 technology may be offered by a medical facility or educational institution or other public
105 or private agency or institution. Such program shall be affiliated with one or more
106 hospitals or clinics that, in the opinion of the board, shall provide the requisite clinical
107 education.

108 (b) By rule or regulation, the board shall:

109 (1) Adopt procedures for an educational program to follow in making application for
110 approval by the board; and

111 (2) Provide a process for consultation regarding such approval with a recognized
112 regional or national voluntary accrediting organization.

113 43-34-264.

114 (a) Applicants for licensure as a radiographer, radiation therapist, or nuclear medicine
115 technologist shall be required to pass an examination approved by the board.

116 (b) The division shall hold an examination at times and places as the board may approve.

117 (c) An applicant who fails to pass the examination may reapply for the examination,
118 provided that the applicant complies with the regulations established by the board.

119 (d) The board may accept, in lieu of a licensure examination approved by the board,
120 current registration by the American Registry of Radiologic Technologists, Nuclear
121 Medicine Technologist Certification Board, or other recognized national voluntary
122 credentialing bodies, provided that the standards of that body are at least as stringent as
123 those established by the board.

124 (e) The board may accept, in lieu of a licensure examination approved by the board, a
125 current certificate, registration, or license as a person who performs medical imaging or
126 radiation therapy procedures issued by another state, provided that the standards in such
127 other state are at least as stringent as those established by the board.

128 43-34-265.

129 (a) The board may issue a license to each applicant who is qualified under the provisions
130 of this article and has paid the prescribed fees.

131 (b) Holders of a license under this article shall display the official license document or a
132 verified copy in each place of regular employment.

133 (c) The board shall renew a license for a period of two years upon payment of a renewal
134 fee set by the board and upon meeting continuing education requirements set by rule or
135 regulation.

136 (d) A licensee holding a license under this article whose license has lapsed and who has
137 ceased activities as such may apply for relicensure upon payment of a fee set by the board
138 and upon meeting continuing education requirements set by rule or regulation.

139 (e) A licensee holding a license under this article shall notify the board in writing within
140 30 days of any name or address change.

141 43-34-266.

142 (a) The license of a licensee under this article may be suspended or revoked or the licensee
143 may be otherwise sanctioned by the board in accordance with Code Section 43-1-19.

144 (b) No person shall knowingly employ as a radiographer, radiation therapist, nuclear
145 medicine technologist, or any other person to perform medical imaging or radiation therapy
146 procedures who does not hold a license under this article.

147 (c) Violation of any provision of this article shall be a misdemeanor."

148 **SECTION 2.**

149 All laws and parts of laws in conflict with this Act are repealed.