

House Bill 571 (AS PASSED HOUSE AND SENATE)

By: Representatives Hawkins of the 27th, Jasperse of the 11th, Dempsey of the 13th, Jackson of the 128th, Silcox of the 53rd, and others

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, assistants, and others, so as to provide for the licensing of radiologist assistants;
3 to provide for continuing education requirements; to repeal a provision relating to radiologist
4 assistant defined; to provide a short title; to provide for definitions; to provide for licensure
5 requirements; to provide for renewal requirements; to prohibit holding oneself out as a
6 radiologist assistant without licensure; to provide for licensure for currently employed
7 radiologist assistants; to provide for the duties and powers of the Georgia Composite Medical
8 Board with respect to radiologist assistants; to provide that radiologists may use the services
9 of licensed radiologist assistants; to prohibit certain practices by radiologist assistants; to
10 provide for an advisory committee; to provide for statutory construction; to provide for
11 related matters; to provide for an effective date; to repeal conflicting laws; and for other
12 purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

14
15 Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians,
16 assistants, and others, is amended by revising subsection (a) of Code Section 43-34-11,
17 relating to continuing education requirement and required training for physicians, as follows:

18 "(a)(1) The board shall be authorized to require persons seeking renewal of a license,
19 certificate, or permit under this chapter to complete board approved continuing education
20 of not less than 40 hours biennially. The board shall be authorized to approve courses
21 offered by institutions of higher learning, specialty societies, or professional
22 organizations, including, but not limited to, the American Medical Association, the
23 National Medical Association, and the American Osteopathic Association, the number
24 of hours required, and the category in which these hours should be earned. This
25 paragraph shall not apply to respiratory care professionals, persons seeking renewal of
26 certification as respiratory care professionals, clinical perfusionists, persons seeking
27 renewal of licensure as a clinical perfusionist, licensed orthotists or prosthetists, persons
28 seeking renewal of licensure as an orthotist or prosthetist, genetic counselors, or persons
29 seeking renewal of licensure as a genetic counselor, radiologist assistants, or persons
30 seeking renewal of licensure as a radiologist assistant.

31 (2) The board shall be authorized to require persons seeking renewal of certification as
32 respiratory care professionals under Article 6 of this chapter to complete board approved
33 continuing education. The board shall be authorized to establish the number of hours of
34 continuing education required biennially for renewal of certification as a respiratory care
35 professional and the categories in which these hours should be earned. The board shall
36 be authorized to approve courses offered by institutions of higher learning, specialty
37 societies, or professional organizations. Any action taken by the board pursuant to this
38 paragraph shall be taken in conformity with the provisions of Code Section 43-34-143.

39 (3) The board shall be authorized to require persons seeking renewal of licensure as
40 clinical perfusionists under Article 7 of this chapter to complete board approved

41 continuing education. The board shall be authorized to establish the number of hours of
42 continuing education required biennially for renewal of licensure as a clinical perfusionist
43 and the categories in which these hours should be earned. The board shall be authorized
44 to approve courses offered by institutions of higher learning, specialty societies, or
45 professional organizations. Any action taken by the board pursuant to this paragraph
46 shall be taken in conformity with the provisions of Code Section 43-34-172.

47 (4) The board shall be authorized to require persons seeking renewal of licensure to
48 practice orthotics or prosthetics under Article 8 of this chapter to complete board
49 approved continuing education. The board shall be authorized to establish the number
50 of hours of continuing education required biennially for renewal of licensure to practice
51 orthotics or prosthetics and the categories in which these hours should be earned,
52 provided that the maximum number of hours of continuing education required for
53 renewal of licensure shall not exceed 40 hours. The board shall be authorized to approve
54 courses offered by institutions of higher learning, specialty societies, or professional
55 organizations. Any action taken by the board pursuant to this paragraph shall be taken
56 in conformity with the provisions of subsection (a) of Code Section 43-34-200.

57 (5) The board shall be authorized to require persons seeking renewal of licensure to
58 practice genetic counseling under Article 12 of this chapter to complete board approved
59 continuing education. The board shall be authorized to establish the number of hours of
60 continuing education required biennially for renewal of licensure to practice genetic
61 counseling and the categories in which these hours should be earned, provided that the
62 number of hours of continuing education required for renewal of licensure shall not be
63 less than 30 hours biennially. The board shall be authorized to approve courses offered
64 by institutions of higher learning, specialty societies, or professional organizations. Any
65 action taken by the board pursuant to this paragraph shall be taken in conformity with the
66 provisions of subsection (b) of Code Section 43-34-313.

67 (6) The board shall be authorized to require persons seeking renewal of licensure to
68 practice as a radiologist assistant under Article 13 of this chapter to complete board
69 approved continuing education. The board shall be authorized to establish the number
70 of hours of continuing education required biennially for renewal of licensure to practice
71 as a radiologist assistant and the categories in which these hours should be earned. The
72 board shall be authorized to approve courses offered by institutions of higher learning,
73 specialty societies, or professional organizations. Any action taken by the board pursuant
74 to this paragraph shall be taken in conformity with the provisions of subsection (b) of
75 Code Section 43-34-334.

76 ~~(6)~~(7) On and after January 1, 2022, all physicians shall be required to receive one-time
77 education and training, for a minimum of two hours, regarding professional boundaries
78 and physician sexual misconduct. Such education and training shall include subject
79 matter relating to how to proceed with basic as well as sensitive or intimate examinations
80 and the communication with patients that is required as a component of such
81 examinations. Such education and training shall be established by the board and shall be
82 informed by members of the public, as best possible."

83 **SECTION 2.**

84 Said chapter is further amended by repealing Code Section 43-34-12, relating to radiologist
85 assistant defined.

86 **SECTION 3.**

87 Said chapter is further amended by adding a new article to read as follows:

88

"ARTICLE 1389 43-34-330.90 This article shall be known and may be cited as the 'Radiologist Assistant Act.'91 43-34-331.92 As used in this article, the term:93 (1) 'Board' means the Georgia Composite Medical Board.94 (2) 'Radiologist' means a physician who is licensed to practice medicine pursuant to
95 Article 2 of this chapter and who is certified by the American Board of Radiology, the
96 American Osteopathic Board of Radiology, or the Royal College of Physicians and
97 Surgeons of Canada.98 (3) 'Radiologist assistant' means an advanced level certified diagnostic radiologic
99 technologist who assists radiologists under the on site direct supervision of a radiologist
100 as defined by the Georgia Composite Medical Board in performing advanced diagnostic
101 imaging procedures as determined by board rule, according to levels of supervision as
102 defined by the Centers for Medicare and Medicaid Services including, but not limited to,
103 enteral and parenteral procedures when performed under the on site direct supervision of
104 the radiologist and may include injecting diagnostic agents to sites other than intravenous,
105 performing diagnostic aspirations and localizations, and assisting radiologists with other
106 invasive procedures, according to levels of supervision as defined by the Centers for
107 Medicare and Medicaid Services. Such radiologist assistant may with general
108 supervision perform other noninvasive procedures unless said procedures are expressly
109 restricted by the board to not be performed by radiologist assistants under general
110 supervision. Such radiologist assistant may also perform other procedures under general
111 supervision as may be authorized by the board.

112 43-34-332.

113 A person shall be qualified for licensure as a radiologist assistant and the board shall issue
114 a license if that person:

115 (1) Has applied in writing in form and substance satisfactory to the board and is at least
116 21 years of age;

117 (2) Has not engaged in conduct or activities which would constitute grounds for
118 discipline under this article;

119 (3) Is registered and credentialed as a radiographer with the American Registry of
120 Radiologic Technologists;

121 (4) Is certified and registered:

122 (A) As a radiologist assistant with the American Registry of Radiologic Technologists;
123 or

124 (B) As a radiology practitioner assistant with the Certification Board for Radiology
125 Practitioner Assistants and the American Registry of Radiologic Technologists;

126 (5) Has paid the fees required by rule; and

127 (6) Has met any other requirements established by rule.

128 43-34-333.

129 (a) Licenses issued by the board pursuant to this article shall be subject to renewal and
130 shall be valid for up to two years unless otherwise specified by this article and shall be
131 renewable biennially on the renewal date established by the board.

132 (b) The board shall be authorized to, in conformance with paragraph (6) of subsection (a)
133 of Code Section 43-34-11:

134 (1) Require persons seeking renewal of licensure under this article to complete board
135 approved continuing education;

136 (2) Establish the number of hours of continuing education to be completed as well as the
137 categories in which the continuing education is to be completed; and

138 (3) Maintain continued certification and registration as a radiologist assistant with the
139 American Registry of Radiologic technologist or radiology practitioner assistant with the
140 Certification Board for Radiology Practitioner Assistants and the American Registry of
141 Radiologic Technologists.

142 (c) A person who has permitted his or her license to expire or who has had his or her
143 license on inactive status may have his or her license restored by:

144 (1) Making application to the board;

145 (2) Filing proof acceptable to the board of his or her fitness to have his or her license
146 restored, including, but not limited to, sworn evidence certifying to active practice in
147 another jurisdiction satisfactory to the board; and

148 (3) Paying the required restoration fee.

149 If the person has not maintained an active practice in another jurisdiction satisfactory to the
150 board, the board shall determine, by an evaluation program established by rule, such
151 person's fitness to resume active status and may require such person to complete a period
152 of evaluated clinical experience and successful completion of an examination.

153 (d) A person who notifies the board on forms prescribed thereby may elect to place his or
154 her license on an inactive status and shall, subject to rules of the board, be excused from
155 payment of renewal fees until he or she notifies the board of his or her desire to resume
156 active status. A person requesting restoration from inactive status shall be required to pay
157 the current renewal fee and shall be required to restore his or her license as provided in
158 subsection (c) of this Code section. A radiologist assistant whose license is on inactive
159 status shall not engage in the scope of practice for radiologist assistants in this state.

160 (e) A person whose license expired while he or she was:

161 (1) In federal service on active duty within the armed forces of the United States or with
162 the state militia and called into service or training; or

163 (2) In training or education under the supervision of the United States preliminary to
164 induction into military service

165 may have his or her license renewed or restored without paying a lapsed renewal fee if,
166 within two years after termination from the service, training, or education except under
167 conditions other than honorable, he or she furnishes the board with satisfactory evidence
168 that he or she has been so engaged and that his or her service, training, or education has
169 been terminated.

170 43-34-334.

171 (a) On and after July 1, 2026, a person shall not engage in the scope of practice for
172 radiologist assistants in this state without a valid license issued by the board pursuant to
173 this article.

174 (b) A person shall not hold himself or herself out as a radiologist assistant unless he or she
175 holds a license issued by the board in accordance with this article. A person not licensed
176 by the board pursuant to this article shall not use in connection with his or her name or
177 place of business the terms 'radiologist assistant' or any words, letters, abbreviations, or
178 insignia indicating or implying that the person holds a license as a radiologist assistant.

179 (c) A person who verifies to the board that he or she is employed in this state as a
180 radiologist assistant as of the effective date of this article shall by operation of law be
181 authorized to practice as a radiologist assistant in this state on or after July 1, 2026,
182 contingent upon such individual having applied with the board for appropriate licensure.

183 43-34-335.

184 (a) A radiologist may use the services of a radiologist assistant under the on site direct
185 supervision of such radiologist, provided that such radiologist assistant is duly qualified
186 and licensed pursuant to this article.

187 (b) Notwithstanding subsection (a) of this Code section, a radiologist assistant may with
188 general supervision perform other noninvasive procedures unless said procedures are
189 expressly restricted by the board to not be performed by radiologist assistants under general

190 supervision. Such radiologist assistant may also perform other procedures under general
191 supervision as may be authorized by the board.

192 (c) A radiologist assistant shall not interpret images, make diagnoses, or prescribe
193 medications or therapies.

194 (d) Any rules and regulations adopted by the board pertaining to the scope of practice as
195 a radiologist assistant in this state shall be consistent with guidelines adopted by the
196 American College of Radiology, the American Society of Radiologic Technologists, the
197 American Registry of Radiologic Technologists, or any other entity deemed appropriate
198 by the board.

199 43-34-336.

200 The board shall have the power and responsibility to:

201 (1) Determine the qualifications and fitness of applicants for licensure and renewal of
202 licensure;

203 (2) Adopt and revise rules consistent with the laws of the State of Georgia that are
204 necessary to conduct its business, carry out its duties, and administer this article;

205 (3) Examine for, approve, issue, deny, revoke, suspend, sanction, and renew the licenses
206 of applicants and radiologist assistants under this article and conduct hearings in
207 connection with these actions;

208 (4) Conduct hearings on complaints concerning violations of this article and the rules
209 adopted under this article and cause the prosecution and enjoinder of the violations;

210 (5) Establish application, examination, and certification fees;

211 (6) Establish continuing education requirements; and

212 (7) Establish the number of radiologist assistants that may be supervised by a radiologist
213 according to levels of supervision as defined by the Centers for Medicare and Medicaid
214 Services.

215 43-34-337.

216 The board shall appoint an advisory committee. The advisory committee shall consist of
217 no fewer than five individuals and shall include at least one licensed physician who
218 practices radiology, three licensed radiologist assistants, and one consumer representative.
219 Members shall receive no compensation for service on the committee. The committee shall
220 have such advisory duties and responsibilities as the board may determine, including, but
221 not limited to, consulting with the board on the issuance, denial, suspension, and revocation
222 of licenses and the promulgation of rules and regulations under this article. The initial
223 members of the advisory committee may include persons eligible for licensing under this
224 article. Subsequent advisory committee members must be licensed pursuant to this article.

225 43-34-338.

226 Nothing in this article shall be construed to prohibit:

227 (1) The performance of any tasks or responsibilities by any student engaged in clinical
228 training in a general hospital, provided such practice is limited to clinical training that
229 shall be carried out under the direct supervision of a radiologist;

230 (2) The performance of any tasks or responsibilities by any person licensed under this
231 title, provided such tasks or responsibilities are permitted by the article governing the
232 profession pursuant to which such person is licensed; or

233 (3) The performance of any tasks or responsibilities by any legally qualified radiologist
234 assistants of any other state or territory who is serving in the armed forces or the Public
235 Health Service of the United States or who is employed by the United States Department
236 of Veterans Affairs, while engaged in the performance of his or her duties."

237 **SECTION 4.**

238 This Act shall become effective upon its approval by the Governor or upon its becoming law
239 without such approval.

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SECTION 5.

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