

LEGAL SERVICES

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MEMORANDUM

February 10, 2017

SUBJECT: HB 89 Sectional Summary
(Work Order No. 30-LS0072\J)

TO: Representative Chris Tuck
Attn: Kendra Kloster

FROM: Linda Bruce
Legislative Counsel



You have requested a sectional summary of HB 89 concerning licensure of occupations related to radiologic technology, radiation therapy, and nuclear medicine technology. As a preliminary matter, note that this sectional summary should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 adds regulation of radiologic technologists to the list of occupations under AS 08.01, which applies to all occupations regulated by the Department of Commerce, Community, and Economic Development (department).

Section 2 adds to AS 08 a chapter regulating radiologic technologists.

AS 08.89.100 prohibits unlicensed use of radioactive materials or equipment on a human for diagnostic or therapeutic purposes, subject to several exceptions. It provides that a violation of the section is a class A misdemeanor.

AS 08.89.110 prohibits the use of certain titles associated with radiologic technology by persons who do not hold licenses or permits under AS 08.89, or proof of certification by the American Registry of Radiologic Technologists or the Nuclear Medicine Technology Certification Board. It provides that a violation of the section is a class B misdemeanor.

AS 08.89.120 sets out the qualifications for a license to practice as a radiologic technologist, radiation therapist, or nuclear medicine technologist.

AS 08.89.130 requires the department to evaluate educational programs that train persons for licensure and sets criteria for approval of such programs.

AS 08.89.140 sets out the examination requirements for licensure.

AS 08.89.150 sets out the requirements for the licensing of limited radiologic imagers.

AS 08.89.160 provides for the evaluation and approval by the department of training programs for limited radiologic imagers.

AS 08.89.165 sets out the examination requirements for limited radiologic imagers and requires the department to offer the examination at regular intervals to provide maximum access and sufficient opportunity for interested applicants.

AS 08.89.170 provides criteria for the issuance of temporary permits.

AS 08.89.180 sets out requirements for license renewal and continuing education.

AS 08.89.190 requires licensees and permittees to keep the license or permit document or a verified copy of the license or permit document at each place of employment.

AS 08.89.200 requires licensees and permittees to notify the department of name or address changes within 30 days after the change.

AS 08.89.210 prohibits a person whose license or permit has been revoked for a reason other than the nonpayment of fees from applying again for license or permit until a year has elapsed from the date of revocation; the department may require an examination for reinstatement.

AS 08.89.220 lists the items for which the department is to set fees.

AS 08.89.300 prohibits a person required to have a license or permit under AS 08.89 from knowingly using a radioactive substance or equipment on a human for diagnostic or therapeutic purposes unless prescribed by a licensed practitioner. It provides that a violation of the section is a class A misdemeanor.

AS 08.89.310 allows for the imposition of a civil penalty of up to \$5000 on a person required to be licensed or permitted under AS 08.89 who engages in or offers to engage in a type of diagnostic radiologic imaging, radiation therapy, or nuclear medicine technology for which the person is not licensed or permitted.

AS 08.89.320 requires that an application for a license or permit under AS 08.89 be made under oath, and provides that a person who fraudulently obtains or attempts to obtain a license under the chapter, or who forges, counterfeits, or alters a license or permit under this chapter is guilty of a crime.

AS 08.89.330 lists the grounds for which the department may impose a disciplinary sanction or refuse to issue or renew a license or permit.

AS 08.89.340 sets out the disciplinary sanctions that may be imposed if the department finds that a person licensed or holding a permit under AS 08.89 committed an act listed in AS 08.89.330.

AS 08.89.900 provides that for the purpose of setting fees, all persons holding a license under AS 08.89 are considered to be engaged in the same occupation.

AS 08.89.910 requires the department to adopt regulations necessary to implement AS 08.89.

AS 08.89.990 provides definitions for AS 08.89.

Section 3 authorizes the department to adopt regulations to implement AS 08.89, provided that they do not take effect until the effective date of AS 08.89.

Section 4 provides that AS 08.89.100 (prohibition against unlicensed practice) and AS 08.89.310 (civil penalty for unlicensed practice) take effect July 1, 2018.

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Section 5 provides that sec. 3 authorizing the adoption of regulations is effective immediately as provided in AS 01.10.070(c).

Section 6 provides that, except as provided under sec. 4 of this Act, secs. 1 and 2 take effect on July 1, 2017.

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