

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 337
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION**

BY REPRESENTATIVES MARTIN, Gruenberg

Introduced: 1/14/92

Referred: Labor & Commerce, Health, Education & Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act providing for the licensing of radiologic diagnostic technologists and radiologic
2 therapeutic technologists; and providing for an effective date."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 08.01.010 is amended by adding a new paragraph to read:

5 (33) regulation of radiologic technologists (AS 08.89).

6 * **Sec. 2.** AS 08 is amended by adding a new chapter to read:

7 **CHAPTER 89. RADIOLOGIC TECHNOLOGISTS.**

8 **Sec. 08.89.010. QUALIFICATIONS FOR RADIOLOGIC TECHNOLOGIST LICENSE.**

9 (a) The department shall issue a license to an individual as a radiologic diagnostic technologist
10 or as a radiologic therapeutic technologist who

11 (1) is 18 years of age or older;

12 (2) applies on a form provided by the department;

13 (3) pays an application fee prescribed by the department under AS 08.01.065;

14 (4) provides certification to the department that the person

1 (A) has not engaged in conduct that is a ground for imposing discipline
2 under AS 08.89.050;

3 (B) has not voluntarily surrendered a license or had a license suspended
4 or revoked in another jurisdiction for grounds substantially similar to those specified in
5 AS 08.89.050;

6 (C) has completed a course of study in radiologic diagnostic or therapeutic
7 technology approved by the department or has otherwise successfully completed alternate
8 training that meets the criteria established by the department for licensure as a radiologic
9 diagnostic technologist or as a radiologic therapeutic technologist; and

10 (D) has

11 (i) passed an examination provided by the department for licensure
12 as a radiologic diagnostic technologist or as a radiologic therapeutic technologist;
13 or

14 (ii) been licensed by another jurisdiction as a radiologic diagnostic
15 or therapeutic technologist and is at the time of application licensed by the other
16 jurisdiction, if the license was issued on the basis of an examination reasonably
17 equivalent to the examination administered by the department under this section.

18 (b) An individual may be licensed as a radiologic diagnostic technologist and as a
19 radiologic therapeutic technologist if qualified for both licenses under (a) of this section.

20 (c) A license issued under this section shall be renewed biennially by the applicant on
21 a date set by the department by the payment of a renewal fee established under AS 08.01.065.

22 Sec. 08.89.020. DISPLAY OF LICENSE. (a) An individual licensed to practice
23 radiologic technology as a radiologic technologist in the state shall display the license in a
24 prominent place at each place of business of the individual.

25 (b) If an individual licensed to practice radiologic technology has more than one place
26 of business, the department shall, on request and payment of a fee, issue a duplicate license for
27 each place of business of the individual.

28 Sec. 08.89.030. PERMITTED ACTIVITIES. (a) A licensed radiologic diagnostic
29 technologist may select techniques, position patients, and apply radiation to persons for diagnostic
30 purposes under specific direction of a person licensed to prescribe the examination.

31 (b) A licensed radiologic therapeutic technologist may select techniques, position patients,

1 and apply radiation to persons for therapeutic purposes under specific direction of a person
2 licensed to prescribe the treatment.

3 Sec. 08.89.040. EXEMPTIONS. The provisions of this chapter do not apply to

4 (1) a student attending a school or college of medicine, osteopathy, podiatry,
5 dentistry, dental hygiene, chiropractic, or radiation technology if, at the time of application, the
6 unlicensed student is under the direct supervision of a licensed practitioner who is licensed to
7 prescribe the examination or treatment;

8 (2) a licensed practitioner;

9 (3) a dental hygienist licensed under AS 08.32, applying radiation to a person
10 solely for the exposure of radiographs for dental diagnosis while under the direct or indirect
11 supervision of a dentist licensed under AS 08.36;

12 (4) an employee of the United States government who as part of the employee's
13 duties applies radiation to a person for purposes of diagnosis or treatment.

14 Sec. 08.89.050. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANCTIONS.

15 After a hearing, the department may impose a disciplinary sanction under AS 08.01.075 on a
16 radiologic technologist when the department finds that the licensee

17 (1) secured a license through deceit, fraud, or intentional misrepresentation;

18 (2) engaged in deceit, fraud, or intentional misrepresentation in the course of
19 practicing radiologic technology;

20 (3) has been convicted or has pled guilty to a felony or a crime that affects or
21 adversely reflects upon the licensee's ability to continue to practice competently and safely;

22 (4) continued to practice radiologic technology after becoming unfit due to

23 (A) professional incompetence;

24 (B) use of drugs or alcohol in a manner that affects the licensee's ability
25 to practice radiologic technology competently and safely;

26 (C) physical or mental disability;

27 (5) permitted another person to use the licensee's license;

28 (6) failed to comply with a provision of this chapter, a regulation adopted under
29 this chapter, or an order of the department.

30 Sec. 08.89.060. PROHIBITED ACTS. (a) A person who is not licensed under this
31 chapter, or exempt under AS 08.89.040, may not

1 (1) apply radiation to a person for diagnostic or therapeutic purposes;
2 (2) use a title indicating or representing that the person practices as a radiologic
3 technologist.

4 (b) A person who violates this section is guilty of a class B misdemeanor.

5 Sec. 08.89.900. DEFINITIONS. In this chapter,

6 (1) "department" means the Department of Commerce and Economic
7 Development;

8 (2) "license" means a legal authorization to apply radiation to a person;

9 (3) "licensed practitioner" means an individual licensed or otherwise authorized
10 by law to practice medicine, dentistry, podiatry, osteopathy, or chiropractic in the state;

11 (4) "radiation" means ionizing radiation including gamma rays and x-rays, alpha
12 particles, beta particles, electrons, neutrons, protons, and other nuclear particles, but not sound
13 or radio waves or visible, infrared, or ultraviolet light;

14 (5) "radiologic diagnostic technologist" means an individual who applies radiation
15 to persons for diagnostic purposes;

16 (6) "radiologic technology" is the application of radiation to persons for diagnostic
17 or therapeutic purposes;

18 (7) "radiologic therapeutic technologist" means an individual who applies radiation
19 to persons for therapeutic purposes.

20 * Sec. 3. Notwithstanding AS 08.89.010, added by sec. 2 of this Act, the Department of Commerce
21 and Economic Development shall issue a license to an individual who, not later than June 30, 1993,
22 provides certification to the department that the individual has practiced in the state as a radiologic
23 diagnostic or therapeutic technologist for five years before the effective date of this Act, satisfies the
24 requirements of AS 08.89.010(a)(1) - (4)(A) and (B), and has passed an examination provided by the
25 department for licensure as a radiologic diagnostic technologist or as a radiologic therapeutic
26 technologist.

27 * Sec. 4. This Act takes effect July 1, 1992.