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SENATE BILL 5775

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State of Washington

52nd Legislature

1991 Regular Session

By Senators L. Kreidler, West and Johnson; by request of Department of Health.

Read first time February 19, 1991. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to the regulation of persons who apply ionizing  
2 radiation to human beings; amending RCW 18.84.010, 18.84.020,  
3 18.84.030, and 18.84.040; adding new sections to chapter 18.84 RCW;  
4 repealing RCW 43.131.349, 43.131.350, and 18.84.900; providing an  
5 effective date; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 18.84.010 and 1987 c 412 s 1 are each amended to read  
8 as follows:

9 It is the intent and purpose of this chapter to protect the public  
10 (~~by setting standards of qualification, education, training, and~~  
11 ~~experience for use~~) by the certification and registration of  
12 practitioners of radiological technology. By promoting high standards  
13 of professional performance, by requiring professional accountability,  
14 and by credentialing those persons who seek to provide radiological  
15 technology under the title of radiological technologists, and by

1 regulating all persons utilizing ionizing radiation on human beings  
2 this chapter identifies those practitioners who have achieved a  
3 particular level of competency. Nothing in this chapter shall be  
4 construed to require that individual or group policies or contracts of  
5 an insurance carrier, health care service contractor, or health  
6 maintenance organization provide benefits or coverage for services and  
7 supplies provided by a person certified under this chapter.

8 The legislature finds and declares that this chapter conforms to  
9 the guidelines, terms, and definitions for the credentialing of health  
10 or health-related professions specified under chapter 18.120 RCW.

11 **Sec. 2.** RCW 18.84.020 and 1987 c 412 s 3 are each amended to read  
12 as follows:

13 Unless the context clearly requires otherwise, the definitions in  
14 this section apply throughout this chapter.

15 (1) "Department" means the department of (~~licensing~~) health.

16 (2) (~~("Director" means the director of licensing)~~) "Secretary"  
17 means the secretary of health.

18 (3) "Licensed practitioner" means a physician or osteopathic  
19 physician licensed under chapter 18.71 or 18.57 RCW, respectively; a  
20 registered nurse licensed under chapter 18.88 RCW; (~~or~~) a  
21 (~~podiatrist~~) podiatric physician and surgeon licensed under chapter  
22 18.22 RCW; a naturopath licensed under chapter 18.36A RCW; a physician  
23 assistant licensed under chapter 18.71A or 18.57A RCW; a dentist  
24 licensed under chapter 18.32 RCW; a dental hygienist licensed under  
25 chapter 18.29 RCW; or a chiropractor licensed under chapter 18.25 RCW.

26 (4) "Radiologic technologist" means an individual certified under  
27 this chapter, other than a licensed practitioner, who practices  
28 radiologic technology as a:

1 (a) Diagnostic radiologic technologist, who is a person who  
2 actually handles x-ray equipment in the process of applying radiation  
3 on a human being for diagnostic purposes (~~((under the supervision))~~) at  
4 the direction of a licensed practitioner; or

5 (b) Therapeutic radiologic technologist, who is a person who uses  
6 radiation-generating equipment for therapeutic purposes on human  
7 subjects at the direction of a licensed practitioner; or

8 (c) Nuclear medicine technologist, who is a person who prepares  
9 radiopharmaceuticals and administers them to human beings for  
10 diagnostic and therapeutic purposes and who performs in vivo and in  
11 vitro detection and measurement of radioactivity for medical purposes  
12 (~~((under the supervision))~~) at the direction of a licensed practitioner.

13 (5) "Advisory committee" means the Washington state radiologic  
14 technology advisory committee.

15 (6) "Approved school of radiologic technology" means a school of  
16 radiologic technology approved by the council on medical education of  
17 the American medical association or a school found to maintain the  
18 equivalent of such a course of study as determined by the department.  
19 Such school may be operated by a medical or educational institution,  
20 and for the purpose of providing the requisite clinical experience,  
21 shall be affiliated with one or more general hospitals.

22 (7) "Radiologic technology" means the use of ionizing radiation  
23 upon a human being for diagnostic or therapeutic purposes.

24 (8) "Radiologist" means a physician certified by the American board  
25 of radiology or the American osteopathic board of radiology.

26 (9) "Registered x-ray technician" means a person who is registered  
27 with the department, and who applies ionizing radiation at the  
28 direction of a licensed practitioner.

1       **Sec. 3.** RCW 18.84.030 and 1987 c 412 s 2 are each amended to read  
2 as follows:

3       No person may (~~represent himself or herself to the public as a~~  
4 ~~certified radiologic technologist without holding a valid certificate~~  
5 ~~to practice under this chapter~~)) practice radiologic technology without  
6 being registered or certified under this chapter, unless that person is  
7 a licensed practitioner as defined in RCW 18.84.020(3). A person  
8 represents himself or herself to the public as a certified radiological  
9 technologist when that person adopts or uses a title or description of  
10 services that incorporates one or more of the following items or  
11 designations:

12       (1) Certified radiologic technologist or CRT, for persons so  
13 certified under this chapter;

14       (2) Certified radiologic therapy technologist, CRTT, or CRT, for  
15 persons certified in the therapeutic field;

16       (3) Certified radiologic diagnostic technologist, CRDT, or CRT, for  
17 persons certified in the diagnostic field; or

18       (4) Certified nuclear medicine technologist, CNMT, or CRT, for  
19 persons certified as nuclear medicine technologists.

20       NEW SECTION. **Sec. 4.** The secretary may issue a registration to  
21 an applicant who submits, on forms provided by the department, the  
22 applicant's name, the address, occupational title, name and location of  
23 business where applicant performs his or her services, and other  
24 information as determined by the secretary, including information  
25 necessary to determine whether there are grounds for denial of  
26 registration under this chapter or chapter 18.130 RCW. Each applicant  
27 shall pay a fee as determined by the secretary as provided in RCW  
28 43.70.250. The secretary shall establish by rule the procedural

1 requirements and fees for registration and for renewal of  
2 registrations.

3 NEW SECTION. **Sec. 5.** The secretary may provide educational  
4 materials and training to registered x-ray technicians, certified  
5 radiologic technologists, licensed practitioners and the public  
6 concerning, but not limited to, health risks associated with ionizing  
7 radiation, proper radiographic techniques, and x-ray equipment  
8 maintenance. The secretary may charge fees to recover the cost of  
9 providing educational materials and training.

10 NEW SECTION. **Sec. 6.** Nothing in this chapter may be construed to  
11 prohibit or restrict the practice of a profession by a person who is  
12 either registered, certified, licensed, or similarly regulated under  
13 the laws of this state who is performing services within the person's  
14 authorized scope of practice.

15 NEW SECTION. **Sec. 7.** Persons required to register under this  
16 chapter must be registered by January 1, 1992.

17 **Sec. 8.** RCW 18.84.040 and 1987 c 412 s 5 are each amended to read  
18 as follows:

19 (1) In addition to any other authority provided by law, the  
20 (~~director~~) secretary may in consultation with the advisory committee:

21 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to  
22 implement this chapter;

23 (b) Set all registration, certification, and renewal fees in  
24 accordance with RCW (~~43.24.086~~) 43.70.250;

25 (c) Establish forms and procedures necessary to administer this  
26 chapter;

1 (d) Evaluate and designate those schools from which graduation will  
2 be accepted as proof of an applicant's eligibility to receive a  
3 certificate;

4 (e) Determine whether alternative methods of training are  
5 equivalent to formal education, and to establish forms, procedures, and  
6 criteria for evaluation of an applicant's alternative training to  
7 determine the applicant's eligibility to receive a certificate;

8 (f) Issue a certificate to any applicant who has met the education,  
9 training, and conduct requirements for certification; and

10 (g) Issue a registration to an applicant who meets the requirement  
11 for a registration.

12 (2) The secretary may hire clerical, administrative, and  
13 investigative staff as needed to implement this chapter.

14 ~~((2))~~ (3) The uniform disciplinary act, chapter 18.130 RCW,  
15 governs the issuance and denial of registrations and certifications,  
16 unregistered and uncertified practice, and the discipline of  
17 registrants and certificants under this chapter. The ~~((director shall~~  
18 be)) secretary is the disciplining authority under this chapter.

19 NEW SECTION. Sec. 9. Sections 4 through 7 of this act are each  
20 added to chapter 18.84 RCW.

21 NEW SECTION. Sec. 10. The following acts or parts of acts are  
22 each repealed:

23 (1) RCW 43.131.349 and 1990 c 6 s 1 & 1987 c 412 s 18;

24 (2) RCW 43.131.350 and 1990 c 6 s 2 & 1987 c 412 s 19; and

25 (3) RCW 18.84.900 and 1987 c 412 s 13.

26 NEW SECTION. Sec. 11. This act is necessary for the immediate  
27 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take  
2 effect July 1, 1991.