**South Carolina General Assembly**

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**S. 36**

**STATUS INFORMATION**

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Currently residing in the Senate Committee on **Medical Affairs**

Summary: Radiologic technologists

**HISTORY OF LEGISLATIVE ACTIONS**

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12/10/2008 Senate Referred to Committee on **Medical Affairs**

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**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\36_20081210.docx)

**A** **BILL**

TO AMEND SECTIONS 44‑74‑20 AND 44‑74‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE CERTIFICATION AND SCOPE OF PRACTICE OF RADIOLOGIC TECHNOLOGISTS, SO AS TO ALSO PROVIDE FOR THE CERTIFICATION AND SCOPE OF PRACTICE OF RADIOLOGIST ASSISTANTS; TO AMEND SECTION 44‑74‑40, RELATING TO QUALIFICATIONS TO BE CERTIFIED AS A RADIOLOGIC TECHNOLOGIST, SO AS TO ALSO PROVIDE QUALIFICATIONS FOR AN INITIAL CERTIFICATION AS A RADIOLOGIST ASSISTANT AND FOR LICENSURE AS A RADIOLOGIST ASSISTANT; AND TO AMEND SECTION 44‑74‑60, RELATING TO THE SOUTH CAROLINA RADIATION QUALITY STANDARDS ASSOCIATION BOARD, ITS MEMBERS, POWERS, AND DUTIES, SO AS TO PROVIDE FOR TWO RADIOLOGIST ASSISTANT MEMBERS ON THE BOARD, TO PROVIDE THAT MEMBERS MUST BE APPOINTED BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL UPON THE RECOMMENDATION OF ENUMERATED RADIOLOGIC HEALTH PROFESSIONAL ORGANIZATIONS, AND TO PROVIDE THAT MEMBERS SHALL SERVE TERMS OF FOUR YEARS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 44‑74‑20 of the 1976 Code, is amended by adding at the end:

“(12) ‘Radiologist’ means a physician specializing in radiology certified by or board‑eligible for the American Board of Radiology or the American Osteopathic Board of Radiology, the British Royal College of Radiology or the Canadian College of Physicians and Surgeons.

(13) ‘Radiologist assistant’ means a person, other than a licensed practitioner or a radiologic technologist, who is certified by the American Registry of Radiologic Technologists or the South Carolina Radiation Quality Standards Association or who has obtained a certificate acceptable to the South Carolina Radiation Quality Standards Association.”

SECTION 2. Section 44‑74‑30 of the 1976 Code is amended to read:

“Section 44‑74‑30. (A) No person, other than a licensed practitioner or a radiologist assistant or a radiologic technologist possessing a certificate from the South Carolina Radiation Quality Standards Association, may use ionizing radiation or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes.

(B) No person knowingly may employ or designate as a radiologist assistant or a radiologic technologist a person who does not hold a certificate issued by the South Carolina Radiation Quality Standards Association.

(C) No person holding a certificate issued by the South Carolina Radiation Quality Standards Association may use radioactive substances or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes unless under the direction and supervision of a licensed practitioner and unless so directed by prescription of a licensed practitioner.

(D) ~~No~~ A person ~~who is not~~ must be certified by the South Carolina Radiation Quality Standards Association ~~shall~~ to take, use, or exhibit the title of ‘limited practice radiographer’, ‘podiatric limited practice radiographer’, ‘limited chest radiographer’, ‘radiographer’, ‘radiation therapist’, ~~or~~ ‘nuclear medicine technologist’, ‘radiologist assistant’, or any other title, sign, display, or declaration that tends to lead the public to believe that the person is authorized to apply ionizing radiation on humans for diagnostic or therapeutic purposes.

(E) No person, other than a licensed practitioner, may operate any x‑ray machinery in ~~the~~ a health care setting, including a hospital, a mobile or temporary health care setting, or the office of a person licensed to practice any health care profession pursuant to ~~any chapter of~~ Title 40 ~~of the Code of Laws of South Carolina~~, without possessing a current valid certificate from the South Carolina Radiation Quality Standards Association.”

SECTION 3. Section 44‑74‑40 of the 1976 Code is amended to read:

“Section 44‑74‑40. (A) A radiologic technologist who is certified by the American Registry of Radiologic Technologists is deemed to have met the qualifications for certification by the South Carolina Radiation Quality Standards Association and, upon application, must be issued an initial certification without examination.

(B)(1) A radiologist assistant who is certified by the American Registry of Radiologic Technologists is deemed to have met the qualifications for certification by the South Carolina Radiation Quality Standards Association and, upon application, must be issued an initial certification without examination.

(2) In addition to the requirements of subsection (B)(1) an applicant for licensure as a radiologist assistant:

(a) must be licensed as a radiographer in this State;

(b) must be satisfactorily completed an advanced academic program encompassing a nationally recognized radiologist assistant curriculum that culminates in the award of a baccalaureate degree, post baccalaureate certificate, or graduate degree and that incorporates a radiologist‑directed clinical preceptorship;

(c) must be certified in advanced cardiac life support;

(d) must be certified as a radiologist assistant by the American Registry of Radiologic Technologists.

(3) The specific duties allowed for a radiologist assistant must be defined by the South Carolina Radiation Quality Standards Association by regulation. These regulations must be consistent with guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists.

(4) A radiologist assistant may not interpret images, make diagnoses or prescribe medications or therapies.

(C) Nothing in this chapter limits, enlarges, or affects the practice of a licensed practitioner.

~~(C)~~(D) A resident physician or a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, radiologic technology, or a curriculum approved by the South Carolina Radiation Quality Standards Association who applies ionizing radiation to humans while under the supervision of a licensed practitioner or direct supervision of a certified radiologist assistant or a certified radiologic technologist appropriately trained to supervise the specific procedure is not required to be certified under this chapter.”

SECTION 4. Section 44‑74‑60 of the 1976 Code is amended to read:

“Section 44‑74‑60. (A) The South Carolina Radiation Quality Standards Association must be registered with the South Carolina Secretary of State’s Office as a nonprofit corporation and recognized as a tax exempt organization under Section 501(C) of the federal Internal Revenue Code.

(B) The Board of the South Carolina Radiation Quality Standards Association must be composed of ~~thirteen~~ the following members ~~from the below listed trade associations as follows~~:

(1) one member ~~shall~~ must be a representative ~~from~~ recommended by the South Carolina Society of Medical Assistants, Incorporated, who is also a certified limited practice radiographer and a certified medical assistant;

(2) one member ~~shall~~ must be a consumer ~~from~~ recommended by the South Carolina Radiation Standards Association;

(3) two members must be radiologist assistants recommended by the South Carolina Society of Radiologic Technologists;

(4) two members ~~shall~~ must be radiologic technologists ~~from~~ recommended by the South Carolina Society of Radiologic Technologists ~~(SCSRT)~~, one of whom ~~is~~ must be employed by a hospital ~~and~~ from the South Carolina Health Care Alliance;

(5) one member ~~shall~~ must be a radiologic technologist educator ~~from~~ recommended by the ~~SCSRT~~ South Carolina Society of Radiologic Technologists;

(6) one member ~~shall~~ must be a radiologic technologist of nuclear medicine ~~from~~ recommended by the South Carolina Society of Nuclear Medicine;

(7) one member ~~shall~~ must be a radiation therapist ~~from~~ recommended by the ~~SCSRT~~ South Carolina Society of Radiologic Technologists;

(8) three members ~~shall~~ must be medical doctors~~, one doctor shall~~; one of whom must be a licensed family physician ~~from~~ recommended by the South Carolina Academy of Family Physicians~~, one doctor shall~~; one of whom must be a licensed radiologist from the South Carolina Radiological Society~~, and one doctor shall~~; and one of whom must be a medical doctor of another specialty ~~from~~ recommended by the South Carolina Medical Association;

(9) one member ~~shall~~ must be a chiropractor ~~from~~ recommended by the South Carolina Chiropractic Association;

(10) one member ~~shall~~ must be a podiatrist ~~from~~ recommended by the South Carolina Podiatric Medical Association; and

(11) one member ~~shall~~ must be a ~~nonvoting~~ representative from the radiological health component of the South Carolina Department of Health and Environmental Control, who shall serve as a nonvoting, ex officio~~, and from the Radiological Health Branch~~ member.

(C) The members of the board ~~shall~~ must be ~~appointees from the above listed trade associations and the members of the board shall serve for a term to be established by the board~~ appointed by the director of the Department of Health and Environmental Control, upon the recommendation of the organizations enumerated in subsection (B), for terms of four years and until their successors are appointed. The members of the board shall serve without compensation. However, the board may ~~establish rates~~ provide for mileage, subsistence, and per diem to be paid to board members at rates not to exceed the usual payments for mileage, subsistence, and per diem as provided by law for members of state boards, committees, and commissions.

(D) The board is authorized to:

(1) establish certification qualifications for radiologist assistants and for each category of radiological technologist;

(2) conduct certification examinations;

(3) certify qualified radiologist assistants and radiological technologists;

(4) establish and collect fees necessary to conduct certification examinations and administer the board; and

(5) establish continuing education requirements and terms of recertification.”

SECTION 5. Members serving on the Board of the South Carolina Radiation Quality Standards Association on this act’s effective date shall continue to serve until their terms expire at which time members appointed to succeed them shall serve terms of four years.

SECTION 6. This act takes effect upon approval by the Governor.

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