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S. B. No. 324

Senator Huffman

**Cosponsors: Senators Ingram, Romanchuk, Cirino, Hicks-Hudson, Manning,
O'Brien, Reineke, Reynolds, Roegner**

To amend sections 4773.01, 4773.02, 4773.03, and 1
4773.06 of the Revised Code to revise the law 2
governing general X-ray machine operators and 3
other radiation technicians. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4773.01, 4773.02, 4773.03, and 5
4773.06 of the Revised Code be amended to read as follows: 6

Sec. 4773.01. As used in this chapter: 7

(A) "General x-ray machine operator" means an individual 8
who operates ionizing radiation-generating equipment in order to 9
perform standard radiology procedures; whose performance of such 10
procedures is limited to specific body sites; and who does not, 11
to any significant degree, determine procedure positioning or 12
the dosage of radiation to which a patient is exposed. 13

(B) "Chiropractor" means an individual licensed under 14
Chapter 4734. of the Revised Code to practice chiropractic. 15

(C) "Ionizing radiation" means any electromagnetic or 16
particulate radiation that interacts with atoms to produce 17
ionization in matter, including x-rays, gamma rays, alpha and 18

beta particles, high speed electrons, neutrons, and other 19
nuclear particles. 20

(D) "Physician" means an individual authorized under 21
Chapter 4731. of the Revised Code to practice medicine and 22
surgery or osteopathic medicine and surgery. 23

(E) "Podiatrist" means an individual authorized under 24
Chapter 4731. of the Revised Code to practice podiatric medicine 25
and surgery. 26

(F) "Nuclear medicine technologist" means an individual 27
who does all of the following: 28

(1) Prepares and administers radio-pharmaceuticals to 29
human beings; 30

(2) Conducts in vivo or in vitro detection and measurement 31
of radioactivity for medical purposes; 32

(3) Documents orders for radio-pharmaceuticals in patient 33
medical records. 34

(G) "Radiation therapy technologist" means an individual 35
who utilizes ionizing radiation-generating equipment, including 36
therapy simulator radiation-generating equipment, for 37
therapeutic purposes on human beings. 38

"Radiation therapy technologist" is the same as a 39
radiation therapist. 40

(H) "Radiographer" means an individual who does all of the 41
following in order to perform a comprehensive scope of radiology 42
procedures on human beings: 43

(1) Operates ionizing radiation-generating equipment; 44

(2) Administers contrast; 45

(3) Documents orders for contrast in patient medical records; 46
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(4) Determines procedure positioning; 48

(5) Determines the dosage of ionizing radiation. 49

(I) "Mechanotherapist" means an individual who holds a certificate issued under section 4731.15 of the Revised Code authorizing the individual to practice mechanotherapy. 50
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(J) "Certified nurse practitioner" has the same meaning as in section 4723.01 of the Revised Code. 53
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(K) "Physician assistant" means an individual licensed under Chapter 4730. of the Revised Code to practice as a physician assistant. 55
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Sec. 4773.02. (A) Except as provided in division (B) of this section, no person shall practice or hold self out as a general x-ray machine operator, radiographer, radiation therapy technologist, or nuclear medicine technologist without a valid license issued under this chapter for the person's area of practice. 58
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(B) Division (A) of this section does not apply to any of the following: 64
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(1) A physician, podiatrist, mechanotherapist, ~~or~~ chiropractor, certified nurse practitioner, or physician assistant; 66
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(2) An individual licensed under Chapter 4715. of the Revised Code to practice dentistry, to practice as a dental hygienist, or to practice as a dental x-ray machine operator; 69
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(3) As specified in 42 C.F.R. 75, radiologic personnel 72

employed by the federal government or serving in a branch of the 73
armed forces of the United States; 74

(4) Students engaging in any of the activities performed 75
by basic x-ray machine operators, radiographers, radiation 76
therapy technologists, and nuclear medicine technologists as an 77
integral part of a program of study leading to receipt of a 78
license issued under this chapter or Chapter 4715., 4723., 79
4730., 4731., or 4734. of the Revised Code. 80

Sec. 4773.03. (A) Except as provided in division (G) of 81
this section, each individual seeking a license to practice as a 82
general x-ray machine operator, radiographer, radiation therapy 83
technologist, or nuclear medicine technologist shall apply to 84
the department of health on a form the department shall 85
prescribe and provide. The application shall be accompanied by 86
the appropriate license application fee established in rules 87
adopted under section 4773.08 of the Revised Code. 88

(B) Except as provided in division (G) of this section, 89
the department shall review all applications received and issue 90
the appropriate general x-ray machine operator, radiographer, 91
radiation therapy technologist, or nuclear medicine technologist 92
license to each applicant who meets all of the following 93
requirements: 94

(1) Is eighteen years of age or older; 95

(2) Except as provided in division (C) of this section, 96
passes the examination administered under section 4773.04 of the 97
Revised Code for the applicant's area of practice; 98

(3) Complies with any other licensing standards 99
established in rules adopted under section 4773.08 of the 100
Revised Code. 101

(C) An applicant is not required to take a licensing examination if one of the following applies to the applicant:	102 103
(1) The individual is applying for a license as a general x-ray machine operator and holds certification in that area of practice from the American registry of radiologic technologists or the American chiropractic registry of radiologic technologists.	104 105 106 107 108
(2) <u>The individual is applying for a license as a general x-ray machine operator and has successfully passed the anatomy modules examination offered by the American registry of radiologic technologists for the individual's intended practice area in a limited scope of practice in radiology.</u>	109 110 111 112 113
(3) <u>The individual is applying for a license as a radiographer and holds certification in that area of practice from the American registry of radiologic technologists.</u>	114 115 116
(3) (4) The individual is applying for a license as a radiation therapy technologist and holds certification in that area of practice from the American registry of radiologic technologists.	117 118 119 120
(4) (5) The individual is applying for a license as a nuclear medicine technologist and holds certification in that area of practice from the American registry of radiologic technologists or the nuclear medicine technology certification board.	121 122 123 124 125
(5) (6) The individual holds a conditional license issued under section 4773.05 of the Revised Code and has completed the continuing education requirements established in rules adopted under section 4773.08 of the Revised Code.	126 127 128 129
(D) A license issued under this section expires biennially	130

on the license holder's birthday, except for an initial license 131
which expires on the license holder's birthday following two 132
years after it is issued. For an initial license, the fee 133
established in rules adopted under section 4773.08 of the 134
Revised Code may be increased in proportion to the amount of 135
time beyond two years that the license may be valid. 136

A license may be renewed. To be eligible for renewal, the 137
license holder must complete the continuing education 138
requirements specified in rules adopted by the department under 139
section 4773.08 of the Revised Code. Applications for license 140
renewal shall be accompanied by the appropriate renewal fee 141
established in rules adopted under section 4773.08 of the 142
Revised Code. Renewals shall be made in accordance with the 143
standard renewal procedure established under Chapter 4745. of 144
the Revised Code. 145

(E) (1) A license that has lapsed or otherwise become 146
inactive may be reinstated. An individual seeking reinstatement 147
of a license shall apply to the department on a form the 148
department shall prescribe and provide. The application shall be 149
accompanied by the appropriate reinstatement fee established in 150
rules adopted under section 4773.08 of the Revised Code. 151

(2) To be eligible for reinstatement, both of the 152
following apply: 153

(a) An applicant must continue to meet the conditions for 154
receiving an initial license, including the examination or 155
certification requirements specified in division (B) or (C) of 156
this section. In the case of an applicant seeking reinstatement 157
based on having passed an examination administered under section 158
4773.04 of the Revised Code, the length of time that has elapsed 159
since the examination was passed is not a consideration in 160

determining whether the applicant is eligible for reinstatement. 161

(b) The applicant must complete the continuing education 162
requirements for reinstatement established in rules adopted 163
under section 4773.08 of the Revised Code. 164

(F) The department shall refuse to issue, renew, or 165
reinstate and may suspend or revoke a general x-ray machine 166
operator, radiographer, radiation therapy technologist, or 167
nuclear medicine technologist license if the applicant or 168
license holder does not comply with the applicable requirements 169
of this chapter or rules adopted under it. 170

(G) The department shall issue a general x-ray machine 171
operator, radiographer, radiation therapy technologist, or 172
nuclear medicine technologist license in accordance with Chapter 173
4796. of the Revised Code to an applicant if either of the 174
following applies: 175

(1) The applicant holds a license in another state. 176

(2) The applicant has satisfactory work experience, a 177
government certification, or a private certification as 178
described in that chapter as a general x-ray machine operator, 179
radiographer, radiation therapy technologist, or nuclear 180
medicine technologist in a state that does not issue that 181
license. 182

Sec. 4773.06. (A) Except as provided in division (C) of 183
this section, a general x-ray machine operator may perform 184
radiologic procedures only if a physician, podiatrist, 185
mechanotherapist, ~~or~~ chiropractor, certified nurse practitioner, 186
or physician assistant is providing direct supervision. Direct 187
supervision does not require the practitioner to observe each 188
radiologic procedure performed by the operator, but does require 189

~~that~~ the practitioner to be present at the location where the 190
operator is performing radiologic procedures for purposes of 191
consulting with and directing the operator while performing the 192
procedures. A practitioner supervising a general x-ray machine 193
operator may authorize the operator to perform only those 194
radiologic procedures that are within the practitioner's scope 195
of practice as determined by the laws under which the 196
practitioner is authorized to practice. 197

(B) A radiographer, radiation therapy technologist, or 198
nuclear medicine technologist may perform radiologic procedures 199
only if a physician is providing general supervision. General 200
supervision does not require the physician to observe each 201
radiologic procedure performed or to be present at the location 202
where the procedure is being performed, but does require ~~that~~ 203
the physician to be readily available for purposes of consulting 204
with and directing the individual while performing the 205
procedures. 206

(C) A general x-ray machine operator who is licensed under 207
Chapter 4723. of the Revised Code to practice as a registered 208
nurse and is providing occupational health nursing services in 209
an industrial workplace may perform radiologic procedures under 210
a physician's general supervision, as described in division (B) 211
of this section. 212

This division does not subject a registered nurse who is 213
also a certified nurse practitioner to a requirement to be 214
supervised. 215

Section 2. That existing sections 4773.01, 4773.02, 216
4773.03, and 4773.06 of the Revised Code are hereby repealed. 217