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## Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

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**Title 46**  
**PROFESSIONAL AND OCCUPATIONAL STANDARDS**  
**Part LXVI. Radiologic Technologists**

**Chapter 1. Implementation of the  
Medical Radiation Health  
and Safety Act**

**§101. Authority**

A. The Louisiana Medical Radiation Health and Safety Act, R.S. 37:3200 through R.S. 37:3221, provides that, in order to safeguard life and health by preventing excessive and improper exposure to ionizing radiation, any person practicing or offering to practice as a radiologic technologist in this state shall submit evidence that (s)he is qualified to do so and shall be allowed to practice as a radiologic technologist. The Act creates a board of examiners with regulatory authority, dictates the board's composition and qualifications, methods of appointment of office of the board members. The duties of the board are specified in the act and these duties provide for the implementation of the Medical Radiation Health and Safety Act through the adoption of rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:868 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2262 (November 2014).

**§103. Applicability**

A. All persons using radioactive materials or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes shall be responsible for compliance in accordance with the provisions of this Chapter (refers to R.S. 37:3200-3221) and the provisions of these rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technologists Board of Examiners, LR 11:868 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 14:542 (August 1988), LR 40:2262 (November 2014).

**Chapter 3. The Board of Examiners**

**§301. Officers of the Board**

A. The officers of the board shall consist of a chairman, first vice-chairman, second vice-chairman and secretary-treasurer.

B. The officers of the board shall be elected at each annual meeting by a majority vote of those board members

present. The elected officers shall assume office when the new business is begun at this meeting.

C. The duties of the officers shall be as follows.

1. The chairman shall act as the chairman of the board and shall preside at all meetings of the board. The chairman shall not make any motions and shall vote only when necessary to break a tie vote. The chairman shall exercise general supervision of the affairs of the board and shall have the usual powers of such office and any other powers and duties as the board may direct. The chairman shall, with the secretary-treasurer, sign all original licenses issued by the board.

2. The first vice-chairman shall perform the duties of the office of the chairman in the absence of the chairman.

3. The second vice-chairman shall perform the duties of the office of the chairman in the absence of the chairman and the first vice-chairman.

4. The secretary-treasurer shall give notice of all meetings of the board. The secretary-treasurer shall attend all meetings of the board and shall record all votes and the minutes of all proceedings in a book to be kept for that purpose. The secretary-treasurer shall exercise supervision of all monies received by the board, including application fees, license fees, renewal fees, fines, penalties, and other payments. The secretary-treasurer shall be responsible for the preparation of an annual budget of the board, which budget shall be subject to the approval of the board. The secretary-treasurer shall, with the chairman, sign all original licenses issued by the board. The secretary-treasurer shall perform such other duties as may be prescribed by the board under whose supervision (s)he shall be.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3204 and R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:868 (September 1985).

**§303. Official Office of the Board**

A. The domicile of the board shall be Baton Rouge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3203 and R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:868 (September 1985).

**§305. Meetings of the Board**

A. As required by R.S. 37:3205(B), the board shall meet at least every three months and at such other times as may be necessary. The quarterly meetings of the board shall be held

in January, April, July and October. The annual meeting shall be in July.

B. The chairman of the board shall have the authority to call other meetings of the board to carry out the business of the board, provided that written notice of such meetings be mailed to the last known address of all members of the board at least 15 days before such meeting.

C. A majority of the board constitutes a quorum. No action may be taken by the board except by affirmative vote of the majority of the members present and voting. All votes shall be *viva voce* and shall be recorded in the minutes. No proxies shall be allowed.

D. At all regular quarterly meetings the chairman and the secretary-treasurer shall each submit a report to the board.

E. The fiscal year of the board shall run concurrent with that of the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3205 and R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:868 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2262 (November 2014).

### §307. Powers and Duties of the Board

A. R.S. 37:3207 provides that:

1. the board shall:
  - a. formulate rules to govern its action;
  - b. examine, license, and renew licenses of duly qualified applicants for licensure as radiologic technologists;
  - c. promulgate, pursuant to the Administrative Procedure Act, minimum standards for the accreditation of educational programs to train individuals to perform radiologic procedures in the state;
  - d. conduct hearings upon charges calling for discipline of a licensee;
  - e. keep a record of all board proceedings;
  - f. adopt and revise rules and regulations pursuant to the Administrative Procedure Act necessary to enable the board to administer the provisions of the Chapter;
  - g. have all other powers necessary and proper to the performance of its duties.
2. The board may:
  - a. establish, pursuant to the Administrative Procedure Act, a code of ethics for radiologic technologists;
  - b. establish, pursuant to the Administrative Procedure Act, continuing education requirements for license renewal;
  - c. employ legal counsel to represent the board in all matters pertaining to the administration of the Chapter and fix the compensation and define the duties of such counsel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:868 (September 1985).

## Chapter 5. Rules and Regulations; Statements

### §501. Adoption of Rules and Regulations

A. R.S. 37:3207 et seq., provides that the board shall adopt and revise rules and regulations necessary to enable the board to carry into effect the provisions of this Part. In promulgating rules, the board is exercising powers that have been delegated by the Louisiana Legislature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985).

### §503. Definition of Rules and Regulations

A. Statements, guides or requirements of conduct or action that are of general applicability. Rules and regulations of the board implement or interpret the act or describe the organization, procedure or practice of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985).

### §505. Rule Making Process

A. All rules and regulations of the board shall be adopted, revised or repealed in accordance with the Administrative Procedure Act, R.S. 49:950-970.

1. Except in emergency situations, the board shall give at least 15 days notice of its intent to adopt, revise, or repeal rules and regulations. The notice shall be in accordance with statutory requirements and shall be published in the *Louisiana Register*.

2. After adoption, and as soon as possible, the official text of the rules and regulations shall be submitted for publication in the *Louisiana Register*. The rules and regulations become effective on the date of their publication, unless otherwise specified.

3. Any interested person may petition the board, requesting the promulgation, revision or repeal of rules and regulations which would affect that person. The petition shall:

- a. be submitted in writing;
- b. state the name and address of the petitioner;
- c. include an exact statement of the changes sought and the effect of the proposed change on existing practice;
- d. include data, opinions or arguments in support of request.

4. The board shall act on the petition within 90 days after receiving said petition. The board shall either deny the petition, stating reasons therefore, or shall initiate rulemaking proceedings in accordance with its procedure for same.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985).

**§507. Declaratory Statements of the Board**

A. The board may issue a declaratory statement in response to a request for clarification of the effect of rules and regulations of R.S. 37:3200 et seq.

1. A request for a declaratory statement is made in the form of a petition to the board. The petition shall include at least:

- a. the name and address of the petitioner;
- b. specific reference to the statute or rules and regulations to which the petition relates;
- c. a concise statement of the manner in which the petitioner is aggrieved by the rule or statute or by its potential application to her/him, or in which (s)he is uncertain of its effect;
- d. a statement of whether an oral hearing is desired.

2. Said petition shall be considered by the board at its next regularly scheduled meeting provided that the petition has been filed at least 21 days prior to said meeting.

3. The declaratory statement of the board on said petition shall be in writing and mailed to petitioner at the last address furnished to the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985).

**Chapter 7. Actions before the Board**

**§701. Disciplinary Proceedings before the Board**

A. The board has the responsibility to consider and determine the action necessary upon all charges of conduct which fail to conform to R.S. 37:3200 et seq., or to the rules and regulations promulgated to carry out the provisions of this Part.

B. Grounds for disciplinary proceedings against a licensed radiologic technologist as specified in R.S. 37:3219 are:

- 1. guilt of fraud or deceit in the procurement or holding of the license;
- 2. conviction of a felony in a court of competent jurisdiction, either within or outside of this state, unless the conviction, has been reversed and the holder of the license discharged and acquitted; or if the holder has been pardoned

with full restoration of civil rights, in which case the license shall be restored;

3. affliction, past or present, with any medical problem, disability, or addiction which, in the opinion of the board, would impair professional competence;

4. aiding and abetting a person who is not a licensed radiologic technologist or otherwise authorized by this Chapter to perform the duties of a license holder;

5. undertaking or engaging in any practice beyond the scope of duties permitted a license holder under this Chapter;

6. having been found guilty of violations of a code of ethics which the board may establish by regulation;

7. having interpreted a diagnostic image for a licensed practitioner, a patient, the patient's family, or the public;

8. having been found guilty of incompetence or negligence in his performance as a license holder;

9. having applied radiation to humans without a prescription from a licensed practitioner as defined in this Chapter;

10. having applied radiation to humans without the direction and supervision of a licensed practitioner as defined in this Chapter.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3219 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985).

**§703. Procedures for Processing Complaints**

A. A complaint may be initiated by any person, corporation, association, public officer, or by the board on its own initiative.

1. Anonymous sources of complaint against individuals or institutions shall not be recognized as the sole basis for the issuance by the board of a full notice as provided for under §707.A.3. However, the executive director and his/her designee or staff may informally investigate anonymous allegations or complaints received by the board.

2. If the information provided to the board by the complainant is insufficient, the board may request further information by either written correspondence or through an informal proceeding.

B. All complaints received shall be assigned a sequentially ordered complaint code number which shall be utilized in all official references.

C. The board shall act upon all complaints received without unreasonable delay.

D. The board shall take one of the following actions on a complaint:

- 1. no action;

2. informal proceeding/consent order;
3. formal hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 19:1433 (November 1993).

**§705. Informal Proceeding/Consent Order**

A. Informal Proceeding

1. The allegation(s) against a licensee may be concluded through informal proceedings without the necessity of a formal hearing if the board chair and/or designee does not deem the allegation(s) to be sufficiently serious to necessitate the convening of a formal hearing. The informal resolution of the allegation(s) may be accomplished through correspondence between the executive director and the licensee; by conference of the executive director and the licensee; or by consent order between the licensee and the board.

2. The executive director shall be authorized by the board to propose a recommended consent order to the licensee which would outline the details of disciplinary action between the parties as a consequence of the allegations.

B. The proposed consent order offered by the board through its executive director shall not be deemed as absolute and final until such time as the board ratifies the provisions of the said order.

C. A consent order between the board and the licensee or prospective licensee shall describe the disciplinary action which will be taken. The consent order shall be signed by the licensee or prospective licensee, and two board members.

D. If a matter is not concluded by informal proceedings and a formal hearing is deemed necessary by the board chair and/or designee, a formal hearing shall be initiated pursuant to the provisions of §707.A, et seq.

E. If, at any point during investigation or during informal/formal proceedings as described herein, the board finds that public health, safety, or welfare imperatively requires emergency actions, the board is hereby authorized to immediately suspend the license of the licensee during the course of the proceedings. If the board decides to institute a formal hearing, the hearing shall be promptly instituted and conducted at the board's next scheduled hearing date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:869 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 19:1433 (November 1993), LR 29:182 (February 2003), LR 40:2262 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

**§707. Conduct of a Formal Hearing**

A. Initiating the Process

1. The board initiates a formal hearing by issuing full notice of the hearing. A formal hearing may be the result of a complaint made by any manner specified in §§703 and 705 of this Chapter.

2. Once full notice of the formal hearing has been served, no board member or officially designated hearing officer may communicate with any party to a formal hearing or to that party representative concerning any issue of fact or law involved in that formal hearing unless all parties or their representatives are present.

3. Full Notice. The written notice shall recite specific acts which the licensee is alleged to have committed and shall assert that those acts violate a statute or rule of the board.

a. The notice shall include:

i. a statement of the date, time, place, and nature of the hearing;

ii. a statement of the legal authority and jurisdiction under which the hearing is to be held;

iii. a reference to the particular sections of the statutes, rules or ethical standards involved;

iv. a short and plain statement of the matters asserted which shall be the subject of the hearing;

v. a statement of the rights of the parties.

b. Notice shall be given to all parties 30 days in advance of the proceedings to allow a reasonable opportunity for preparation.

c. The notice shall be delivered by registered or certified mail, return receipt requested. If the licensee cannot be found by this or other reasonable methods, the board may hold a hearing in the licensee's absence.

d. The content of the notice limits the scope of the hearing and of the evidence which may be introduced.

e. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Therefore, upon application, a more definite and detailed statement shall be furnished.

4. The chairperson shall appoint a hearing panel, consisting of one or more board members and totaling less than a quorum whose primary role shall be to hear evidence and arguments and to submit written findings, conclusions and recommendations to the board.

a. Any hearing officer appointed who because of bias or interest, is unable to assure a fair hearing, shall be recused from that particular proceeding on his own notice or motion of any member of the board, or motion of any party, if the majority of the board determines the recusal is warranted.

b. At the hearing, the charge shall be prosecuted by the board's personnel who conducted the investigation, who may be assisted by board attorney, and who will present evidence that disciplinary action should be taken against the licensee.

c. Upon motion filed before hearing served on all parties to the proceeding, the hearing officer may, in his discretion, permit any interested person to intervene in the proceedings if the panel determines that such person's interest would be substantially affected by the proceedings and is not adequately represented by another party to the proceedings, and that intervention would not cause serious delay, disruption or otherwise burden the hearing process.

#### B. Prehearing Procedure

##### 1. Discovery

a. Depositions and interrogatories of witnesses may be taken and shall be admissible in the proceedings.

b. Evidence which was not made available to both parties at least five days in advance may be barred from introduction.

c. Evidence not within the scope of the notice may be excluded.

d. When the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

e. Documentary evidence in possession of the board may be received in the form of copies of excerpts, or by incorporation by reference.

f. Official notice may be taken of generally recognized technical or scientific facts. However, parties shall be afforded an opportunity to contest the material so noticed.

2. Subpoenas. The board is empowered by statute to issue subpoenas when requested in writing by any party to the proceedings.

a. The board, or its designated hearing officer, may sign and issue subpoenas when requested in writing by any party to a contested case. The cost of issuance of the subpoena(s) shall be assessed to the requesting party.

b. The information called for by a subpoena shall be reasonable, shall relate to the matter under consideration, and shall not be privileged.

c. If the person fails to comply with a subpoena, the board may apply to the judge of the appropriate district court for rule to show cause why the person should not be requested to comply.

##### 3. Motions

a. A request to the board or the hearing officer by a party for particular action should be made in the form of a motion.

b. A motion may be made before, during or after a hearing.

c. All motions must be made at an appropriate time, according to the nature of the request.

d. Motions are directed to the hearing officer who shall dispose of them appropriately.

e. Motions made before or after the hearing shall be in writing. A motion made during the course of a hearing may be made orally.

f. The hearing officer may refer a motion to the board.

#### C. Hearing Procedure

##### 1. Conduct of the Hearing

a. The hearing officer may refer a motion to the board.

b. The hearing will be conducted in accordance with the Administrative Procedure Act, R.S. 49:955-966.

i. Opportunity shall be afforded all parties to respond and present evidence on all issues of fact involved and argument on all issues of law and policy involved and to conduct such cross-examination as may be required for a full and true disclosure of the facts.

ii. Objections to evidentiary offers may be made and shall be noted in the record.

##### 2. Order of Proceedings

a. The hearing officer calls the session to order, identifies the case, subject of the case and cites the authority for holding the hearing.

b. The hearing officer asks the parties to identify themselves and their counsel.

c. All testimony be given under oath, such oath to be administered by the hearing officer.

d. Customary order of the proceedings shall be followed at the discretion of the hearing officer.

##### 3. Evidence

a. In determining the admissibility of evidence, the hearing officer must follow the rules governing administrative hearings in Louisiana.

b. Constitutional guarantees of due process give the licensee a right to a decision based on evidence presented at the hearing. The hearing officer preparing the recommended decision shall only consider evidence presented at the hearing or officially noted in the record.

##### 4. Records of hearing:

a. all papers filed and served in the proceedings;

b. all documents and other materials accepted as evidence at the hearing;

c. statements of matters officially noticed;

d. notices required by the statutes or rules, including notice of the hearing;

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- e. affidavits of service or receipts for mailing of process or other evidence of service;
- f. stipulations, settlement agreements or consent orders, if any;
- g. records of matters agreed upon at a pre-hearing conference;
- h. reports filed by the hearing officer;
- i. orders of the board and its final decision;
- j. actions taken subsequent to the decision, including requests for reconsideration and rehearing;
- k. a transcript of the proceedings, if one has been made, or a tape or stenographic record.

5. The record of the proceeding shall be retained until the time for any appeal has expired, or until the appeal has been concluded. The record is not transcribed unless a party to the proceeding so requests, and the requesting party pays for the cost of the transcript.

6. Cost for reproduction of the records of the hearing or any part thereof shall be assessed to the requesting party as prescribed by the board.

7. After the hearing is conducted, the hearing officer/panel shall issue a report to the board containing the officer/panel's findings of fact, conclusions of the law, and recommendations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207(6).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:870 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 19:1434 (November 1993), LR 40:2262 (November 2014).

### **§709. The Final Decision of the Board**

A. The board must determine whether the facts in the case support the charges brought against the licensee. It must determine whether the charges are a violation of R.S. 37:3219, the ethical standards of radiologic technology or other rules and regulations of the board.

B. Having considered the report of the hearing officer/panel and having reviewed the record of the proceedings, the board may affirm, adopt, modify, or reject the findings and recommendations of the hearing officer/panel or it may determine findings and recommendations of its own.

C. The board's decision must be accompanied by a statement of the reasons for the decision and must dispose individually of each issue of fact or law necessary from the hearing officer.

D. The vote of the board must be recorded and made a part of the decision. The decision of a majority of a quorum shall be adopted as the final decision of the board. A member of the board who serves as a hearing officer or on a hearing panel, shall not participate in the board's final decision with

respect to the subject matter of such panel, nor shall said member be considered in determining a quorum for a vote on the final decision of the board.

E. The board may assess the licensee with the costs of the hearing.

F. The final decision shall be delivered to each party by registered or certified mail, return receipt requested.

G. The final decision shall be delivered within 30 days of the close of the hearing.

H. The final decision shall become effective 11 days after the receipt of notification of all parties, provided that there is no appeal. Publication shall be withheld until that date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:871 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2263 (November 2014).

### **§711. Appeal of Board Decision**

A. A petition by a party for reconsideration of hearing must be in writing and filed with the board within 10 days after the receipt of the board's final decision. The petition must set forth the grounds for the rehearing which must be one of the following.

1. The board's decision is clearly contrary to the law and the evidence.

2. There is newly discovered evidence, which was not available to the licensee at the time of the hearing and which may be sufficient to reverse the board's action.

3. There is a showing that issues not previously considered ought to be examined in order to dispose of the case properly.

4. It would be in the public interest to further consider the issues and the evidence.

B. If a petition for reconsideration is denied, a party may proceed to seek judicial review of the decision.

C. Judicial review may be initiated by filing a petition in the appropriate district court within 30 days after mailing of notice of the final decision of the hearing or rehearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985).

### **§713. Notification of Final Actions**

A. Upon either completion of the decision, expiration of the time for any appeal, or conclusion of appeals, the board shall notify the following of its actions:

1. radiologic technologist named in disciplinary action;

2. all affected parties; and
3. all affected professional organizations.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

## Chapter 9. General Provisions

### §901. Definitions

A. The following words and terms, when used in this Rule shall have the following meanings, unless the text clearly indicates otherwise.

*ARRT*—the American Registry of Radiologic Technologists.

*Board*—the Radiologic Technology Board of Examiners created pursuant to R.S. 37:3200-3201.

*Department*—the Department of Health and Hospitals (DHH).

*Fusion Technologist*—a person, other than a licensed practitioner, who under the direction and supervision of a licensed practitioner applies radiation while operating fusion technology imaging equipment or uses radioactive materials on humans for diagnostic or therapeutic purposes under prescription of a licensed practitioner.

*Fusion Technology*—the operation of positron emission tomography (PET) and computed tomography (CT) imaging equipment or any other hybrid imaging equipment identified and recognized by the board.

*Ionizing Radiation*—commonly known as x-rays or gamma rays, they remove electrons from the atoms of matter lying in their path (e.g., ionization).

*JRCERT*—the Joint Review Committee on Education in Radiologic Technology.

*License*—a certificate issued by the board authorizing the licensee to use radioactive materials or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes in accordance with the provisions of this Chapter.

*Licensed Practitioner*—a person licensed to practice medicine, dentistry, podiatry, chiropractic, or osteopathy in this state, or an advanced practice registered nurse licensed to practice in this state.

*Licensed Radiologic Technologist (LRT)*—any person licensed pursuant to this Chapter.

*Nuclear Medicine Technologist*—a person, other than a licensed practitioner, who under the direction and supervision of a licensed practitioner uses radioactive materials on humans for diagnostic or therapeutic purposes upon prescription of a licensed practitioner.

*Radiation Therapy Technologist*—a person, other than a licensed practitioner, who under the direction and supervision of a licensed practitioner applies radiation to humans for therapeutic purposes upon prescription of a licensed practitioner.

*Radiographer*—a person, other than a licensed practitioner, who under the direction and supervision of a licensed practitioner applies radiation to humans for diagnostic purposes upon prescription of a licensed practitioner.

*Radiologic Technologist*—any person who is a radiographer, radiation therapy technologist, nuclear medicine technologist, fusion technologist, licensed under this Chapter who under the direction and supervision of a licensed practitioner applies radiation to humans upon prescription of a licensed practitioner.

*Radiologic Technology*—the use of a radioactive substance or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes upon prescription of a licensed practitioner.

*Radiological Physicist*—a person who is certified by the American Board of Radiology in radiological physics or one of the subspecialties of radiological physics or who is eligible for such certification.

*Radiologist*—a physician certified by the American Board of Radiology or the American Osteopathic Board of Radiology, the British Royal College of Radiology, or certified as a radiologist by the Canadian College of Physicians and Surgeons.

*Student*—any person enrolled in and attending a board approved program of radiologic technology who apply ionizing radiation to humans for necessary diagnostic or therapeutic purposes while under the supervision of a licensed practitioner or a licensed radiologic technologist at an approved clinical facilities of the sponsoring institutions.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 23:71 (January 1997), LR 38:97 (January 2012), LR 40:2263 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

### §903. General Provisions

A. Except as hereinafter provided, no person other than a licensed practitioner or the holder of a license as defined in R.S. 37:3200 et seq., shall use radioactive materials or equipment emitting or detecting ionizing radiations on humans for diagnostic or therapeutic purposes.

B. The board shall issue a license pursuant to these rules and regulations provided the applicant for a specific license has met all the requirements as prescribed in R.S. 37:3208.

C. The license of a radiologic technologist may be suspended for a fixed period or may be revoked, or the holder of such a license may be reprimanded or otherwise disciplined in accordance with the provisions and procedures defined in R.S. 37:19.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:19 and 3200 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985).

## Chapter 11. Licensure

### §1101. Scope of Licensure

A. There are four categories of licenses for radiologic technology as defined in R.S. 37:3200 by their area of specialization. The categories are radiographer, radiation therapy technologist, nuclear medicine technologist, and fusion technologist. A radiologic technologist shall be restricted to the use of ionizing radiation by the category that is defined on his license.

B. No person holding a license under these rules and regulations shall 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.

C. No person shall knowingly employ as a radiologic technologist any person required by the provisions of these rules and regulations to hold a license who does not hold a license under these rules and regulations.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:1300, R.S. 37:3207 and R.S. 37:3213.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2263 (November 2014).

### §1103. Necessity of Licensure

A. No person shall assume or use the title or designation "licensed radiologic technologist" unless he holds a current license in accordance with the provisions of these rules and regulations.

B. Every radiologic technologist shall have his license at work. It shall be displayed or shall be on file. The license shall be available for inspection at any time upon request by the board.

C. Students enrolled in and attending board approved program of radiologic technology who apply ionizing radiations to humans for necessary diagnostic or therapeutic purposes while under the supervision of a licensed practitioner or a licensed radiologic technologist at the approved clinical facilities of the sponsoring institutions are exempt from the requirements of licensure by this board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3213 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985).

### §1105. Qualifications of Applicants for Licensure

A. An applicant for licensure under the provision of this Chapter must verify by oath or affirmation that he:

1. is at least 18 years old;
2. is of good moral character;
3. is not in violation of any of the provisions of this Chapter and the rules and regulations adopted hereunder;
4. has successfully completed a course of study in radiography, radiation therapy technology, nuclear medicine technology, or fusion technologist as approved by the board in accordance with standards promulgated by the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3208 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2263 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

### §1107. Licensure by Endorsement; Reciprocity

A. Any person who holds a current certificate from the certifying boards as prescribed in R.S. 37:3210 is exempt from examination. Upon application and the payment of a fee equivalent to that required for the initial licensing fee, the board shall issue a license to such credentialed person.

B. By reciprocity, any person who is licensed as a radiologic technologist under the laws of other states, provided that the standards under which they were examined are at least as stringent as those established by the board, shall be issued a license without examination upon application and payment of a fee equivalent to that required for the initial licensing fee.

C. Application for licensure by endorsement or reciprocity may be made at any time.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3210, R.S. 37:3212 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

### §1109. Licensure by Examination

A. Pursuant to R.S. 37:3207 and 3209, an application for licensure shall be required to pass the written examination of the American Registry of Radiologic Technologists (ARRT), Nuclear Medicine Technology Certification Board (NMTCB), or American Society of Clinical Pathology (ASCP).

1. To be eligible for examination by the board, an applicant shall possess all qualifications for licensure prescribed by R.S. 37:3208, provided, however, that an

applicant who has completed or prior to examination will have completed his/her approved course of study, shall be deemed eligible for examination upon application submission to the board and program director verifies that the applicant will complete or has completed his/her radiologic technology course of study prior to examination and specifying the date of completion.

B. The board establishes as the passing criterion on the ARRT, NMTCB, ASCP written examination the passing score as established by the credentialing agency.

C. The eligible applicant must request and submit application to the ARRT for licensure examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207, R.S. 37:3208 and R.S. 37:3209.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 29:183 (February 2003), LR 40:2263 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2189 (December 2016).

#### **§1111. Application for Initial Licensure for Temporary Work Permit by Examination**

A. Requests for application for initial licensure and for temporary work permit by examination forms shall be requested and submitted to the state board.

B. Pursuant to R.S. 37:3210(C), upon payment a temporary 90-day work permit shall be issued one time only and for the time listed on the temporary work permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and R.S. 37:3209.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 29:183 (February 2003), LR 40:2263 (November 2014).

#### **§1113. Follow-Up to Application Submission**

A. Incomplete Applications. Applications which are received with incomplete data may cause postponement. "Incomplete notices" are mailed to those who did not provide all information requested on the application form.

##### **B. Finding of Ineligibility**

1. If information indicating ineligibility is received, the applicant is notified of the deficiencies. The application is retained on an inactive basis and may be reactivated at the applicant's request whenever the requirements have been met. The application fee is not refundable, however, there is no additional charge for reactivating the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2264 (November 2014), amended by the

Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016).

#### **§1115. Modifications to Submitted Information**

A. Address or Name Changes. If a licensure/temporary work permit applicant must change the mailing address which was entered on the application form, the licensee must inform the board in writing. Changes in the licensee name are to be handled in the same manner, but must be accompanied by documentary evidence of the change (e.g., copy of marriage certificate, legal name change form, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:873 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 29:183 (February 2003), LR 40:2264 (November 2014).

#### **§1117. Re-Examination**

A. An applicant who fails to pass the examination within the issued 90-day time frame of the temporary work permit shall become ineligible for an extension of that temporary work permit. Board will hold original application for licensure up to one year with no additional fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2264 (November 2014).

#### **§1119. Issuance of License**

A. If the qualifications, requirements and procedures prescribed or incorporated by these rules and regulations are met to the satisfaction of the board, the board shall issue to the applicant a license to engage in the practice of radiologic technology in the state of Louisiana. The license shall define the category of radiologic technology practice that the applicant may engage in.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3211 and R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985).

#### **§1121. Renewal of License**

A. Every person licensed by this board shall renew his/her license every two years upon application and payment of a renewal fee in the amount stated in R.S. 37:3218. The board shall, upon verification of the accuracy of the application, issue to the applicant a certificate of renewal.

B. Notification for renewal of license shall be mailed prior to expiration by the board to each person holding a license issued under these rules and regulations. Such notification shall be mailed to the most recent address as reflected in the official records of the board.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3215 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2264 (November 2014).

**§1123. Expiration of License**

A. Every license issued by the board under this Chapter, the expiration date of which is not stated thereon or provided by these rules, shall become null, void and to no effect on May 31, of the second year following the year of issuance.

B. The timely submission of an accurate and complete application for renewal of a license, appropriate documentation of completion of required continuing education hours and payment of appropriate fees shall operate to continue the expiring license in full force and effect pending issuance of the renewal license.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3215 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016).

**§1125. Reinstatement of License**

A. A license which has expired may be reinstated by the board subject to the conditions and procedures hereinafter provided.

1. An application for reinstatement from a radiologic technologist who has not ceased practice in accordance with provisions of R.S. 37:3200-3221 shall be made upon a form supplied by the board accompanied by two letters of character recommendation from physicians of the former licensee's place of employment, together with the applicable renewal fee plus a penalty.

2. An application for reinstatement from a person who has ceased activities as a radiologic technologist for not more than five years may have his license reinstated upon payment of the renewal fee as provided for in R.S. 37:3216 and R.S. 37:3218.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3216 and R.S. 37:3207.

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 40:2264 (November 2014).

**§1127. Temporary and Limited Purpose Permits**

A. The board may, in its discretion, issue temporary or limited purpose permits as are, in its judgment, necessary or appropriate to the particular circumstances of the individual applicants or radiologic technologists who do not meet or possess all of the qualifications or requirements for licensing. Such a permit creates no right or entitlement to licensing or renewal of the permit after its expiration.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 38:98 (January 2012).

**§1129. Fusion Technology Temporary Permit**

A. The board may issue a temporary permit to an applicant seeking to practice fusion technology for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Computed Tomography (CT) certification examination, provided that the applicant:

1. possess a current unrestricted license to practice nuclear medicine technology;
2. has submitted a board approved clinical training agreement to the board;
3. has completed four ARRT/Board approved CE credit hours in contrast media/drug administration;
4. satisfies the applicable fees prescribed in these rules and the Radiologic Technology Practice Act.

B. The temporary permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

1. 12 months from the date on which it was issued;
2. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a license to practice fusion technology;

C. A temporary permit issued under this Section which has expired may be renewed or reissued by the board for one or more successive 12-month periods, not to exceed 3 years, provided that prior to the expiration of the initial temporary permit:

1. the permit holder has performed successfully and competently in the required clinical training;
2. the applicant's clinical training agreement has been renewed;
3. no grounds are known which would provide cause for the board to refuse to renew or to revoke the temporary permit.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 38:98 (January 2012), amended LR 40:2264 (November 2014).

**Chapter 12. Continuing Education Requirements**

**§1201. Definitions**

- ACR*—American College of Radiology.
- AHRA*—American Healthcare Radiology Administrators.
- AMA/CME*—American Medical Association/Continuing Medical Education.

*ANA*—American Nursing Association.

*ARDMS*—American Registry of Diagnostic Medical Sonographers.

*ARRT*—American Registry of Radiologic Technologists.

*ASRT*—American Society of Radiologic Technologists.

*Active Status*—radiologic technologists who maintain their license by submitting appropriate continuing education, paying an initial or renewal fee, and are listed in good standing with the LSRTBE.

*Advanced Level CPR*—category A credit will be awarded for valid advanced level CPR certification. Advanced level CPR certification is limited to the following: advanced cardiac life support (ACLS), or pediatric advanced life support (PALS). Only one certification may be claimed per biennium. Six category A credits will be awarded on the date of certification or re-certification. A copy of a valid certification card issued by the Red Cross, the American Heart Association, or the American Safety and Health Institute will serve as documentation. CPR instructor or instructor trainer no longer receives CE credit, CE credit for basic CPR (BLS, BLS with AED, healthcare provider CPR) is not accepted.

*Approved Academic Course*—a formal course of study offered by an accredited post-secondary educational institution in the biological sciences, physical sciences, radiologic sciences, health and medical sciences, social sciences, communication (verbal and written), mathematics, computers, management or education methodology. Activities meeting the definition of an *approved academic course* will be awarded credit at the rate of 16 CE credits for each academic semester credit and 12 CE credits for each academic quarter credit. An official transcript showing a grade of "C" or better is required to receive CE credit for an academic course. Official transcript must come from a recognized United States Department of Education (USDE) or Council for Higher Education Accreditation (CHEA) institution authorized to grant degrees by the U.S. Congress, state government, or a recognized sovereign Indian tribe.

*Approved Continuing Education Activity*—an educational activity which has received approval through a recognized continuing education evaluation/mechanism.

1. Other activities that meet the definition of an approved continuing education activity are the approved entry-level exams. Examples are:

- a. ARRT examination in radiography;
- b. ARRT or NMTCB examination in nuclear medicine technology;
- c. ARRT examination in radiation therapy technology;
- d. MDCB examination in dosimetry;
- e. ARDMS examination in diagnostic medical sonography; vascular technology or diagnostic cardiac sonography.

2. The advanced-level examinations considered acceptable continuing education activity are:

- a. ARRT examination in cardiovascular-interventional technology;
- b. ARRT examination in mammography;
- c. ARRT examination in computed tomography;
- d. ARRT examination in magnetic resonance imaging;
- e. other ARRT examinations as developed and implemented.

3. Within their licensing period, technologists who pass an entry-level examination for a discipline in which they are not certified and for which they are eligible, or one of the advanced-level examinations that they have not previously passed and for which they are eligible, have met the continuing education requirement for that licensing period.

*CAMRT*—Canadian Association of Medical Radiation Technologists.

*Category A and A+ Credit*—educational activity which is planned, organized, and administered to enhance the knowledge and skills of the licensed individual and provides services to patients, the public, or medical profession.

*Continuing Education (CE)*—educational activities which serve to improve and expand the knowledge and skills underlying professional performance that a radiologic technologist uses to provide services for patients, the public or the medical profession. A contact hour credit is awarded for each 50 to 60 minute educational activity. Activities longer than one hour will be assigned whole or partial CE credit based on the 50-minute hour. Educational activities of 30 to 49 minutes of duration will be awarded 1/2 a credit. An activity that lasts less than 30 minutes will receive no credit.

*Continuing Education (CE) Activity*—a learning activity that is planned, organized, and administered to maintain and enhance the professional knowledge and skills underlying professional performance that a technologist uses to provide services for patients, the public, or the medical profession. Activities meeting this definition may qualify as either category A or A+ credit depending upon whether they have been submitted to review and approval by a recognized continuing education evaluation mechanism (RCEEM or RCEEM+).

1. Continuing education is recognized from the following: Louisiana Society of Radiologic Technologists, American Society of Radiologic Technologists, American Medical Association, American College of Radiology, American Nursing Association, Society of Diagnostic Medical Sonographers, American Society of Medical Dosimetrists, and the Society of Nuclear Medicine Technologists. All of these organizations and societies provide documentation of attendance for activity that they sponsors.

*Continuing Education (CE) Credit*—unit of measurement for CE activities. One CE credit is awarded for one contact hour (50-60 minutes). Activities longer than one hour are assigned whole or partial credits based on the 50-60 minute hour. Educational activities of 30-49 minutes duration will be awarded one-half of one CE credit. CE activities that last 15-29 minutes will receive one-quarter credit. Activities lasting less than 15 minutes receive no CE credit.

*Directed Reading*—reading of recent professional journal articles and self-assessment testing to demonstrate comprehension of the material read. The directed readings must be offered through a post-secondary educational institution or as an approved continuing education activity.

*Documentation*—proof of participation in a particular educational activity. *Documentation* must include: dates of attendance, hand written dates are not accepted; title and content of the activity; number of contact hours for the activity; name of sponsor; signature of the instructor or an authorized representative of the sponsor issuing the documentation; and a reference number, if the activity has been approved by a recognized continuing education evaluation mechanism (RCEEM). Board reserves the right to verify all continuing education documents.

*Educational Activity*—a learning activity which is planned, organized, and administered to enhance professional knowledge and skills. These include, but are not limited to, meetings, seminars, workshops, courses programs.

*Eligible for Renewal Status*—a radiologic technologist who has completed all requirements for the renewal of a Louisiana radiologic technologist license is considered to be eligible for renewal status.

*Expired Status*—a radiologic technologist who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The radiologic technologist shall no longer be considered as holding a valid license in the state of Louisiana.

*Inactive Status*—classification of license where the LSRTBE waives renewal fees to those licensees who confirm in writing to the board that they are not actively employed in the state of Louisiana as radiologic technologists.

*Independent Study*—an educational activity offered by an accredited post-secondary educational institution or a comparable sponsor wherein the participant independently completes the objectives and submits the required assignments for evaluation. *Independent study* may be delivered through various formats such as directed readings, videotapes, audiotapes, computer-assisted instruction and/or learning methods.

*In-Service Education*—a planned and organized educational activity provided by an employer in the work setting.

*Ionizing Radiation*—commonly known as x-rays or gamma rays, they remove electrons from the atoms of matter lying in their path (e.g., ionization).

*LSRT*—Louisiana Society of Radiologic Technologists.

*LSRTBE*—Louisiana State Radiologic Technology Board of Examiners.

*Licensing*—the process of granting a license attesting to the demonstration of qualifications in a profession.

*Licensing Term*—the LSRTBE issues licenses to radiologic technologists for two-year terms. All renewal licenses are issued on June first and expire on May 31 of the second year of its issuance.

*MDCB*—Medical Dosimetry Certification Board.

*NMTCB*—Nuclear Medicine Technology Certification Board.

*Recognized Continuing Education Evaluation Mechanism (RCEEM)*—a mechanism for evaluating the content, quality, and integrity of an educational activity. The evaluation must include review of educational objectives, content selection, faculty qualifications, and educational methods and materials. Among the requirements for qualification as a RCEEM, an organization must be national in scope, non-profit, and willing to evaluate CE activities developed by any technologist within a given discipline. The organization must demonstrate the need for an additional RCEEM and supply evidence of sufficient experience and resources to provide for the valid and reliable evaluation of CE activities. The RCEEM+ has all of the responsibilities of a RCEEM in addition to the evaluation and approval of radiologist extender level (R.R.A.) CE activities. The RCEEM+ is authorized to award both categories A and A+ credit depending on the content level of the activity.

*Reinstatement*—those radiologic technologists on inactive status or those radiologic technologists who have been placed on expired status may be eligible to become licensed again by applying for reinstatement. Reinstatement and the requirements thereof shall be determined by the board on an individual basis.

*SDMS*—Society of Diagnostic Medical Sonographers.

*SNM-TS/VOICE*—Society of Nuclear Medicine Technologist Section/Verification of Involvement in Continuing Education.

*Sponsor*—an organization responsible for the content, quality and integrity of the educational activity, which plans, organizes, supports, endorses, subsidizes and/or administers educational activities. *Sponsors* may be, but are not limited to, state, national, regional and district professional societies, academic institutions, health care agencies, health care facilities, federal or state government agencies. *Sponsors* must apply and receive approval from a RCEEM in order to offer credit for activities.

*Suspension/Suspended*—license status whereby the radiologic technologist is not allowed to practice where a license is required by law.

*Teleconference*—an approved educational activity delivered by electronic means.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:178 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016).

### **§1203. Renewal of License**

A. Effective June 1, 1997, the LSRTBE will require that those licensees applying for renewal of license shall have, in the preceding two-year period, participated in and completed the continuing education requirements, and/or board-approved alternatives as set forth below.

B. After June 1, 2013, every person licensed under the provision of this Chapter shall maintain certification and document on-going compliance through the ARRT, NMTCB, or ASCP.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 40:2265 (November 2014).

### **§1205. Continuing Education Requirements**

A. Twenty-four hours of continuing education credits must be earned per licensing term to meet the continuing education requirements. Credits earned in excess of 24 per licensing term may not be carried over into the next licensing term. The continuing education requirement is independent of the number of licenses held by an individual (i.e., a radiologic technologist certified in both radiography and radiation therapy technology needs only 24 credits).

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:73 (January 1997), LR 40:2265 (November 2014).

### **§1207. Licensing Term Schedule**

A. Since the licensing term is defined as that period from June 1 of the renewal or issuance of license year, to the second May 31 to occur after that date, the continuing education credits must be earned in the two years prior to the second occurrence of May 31.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:73 (January 1997), LR 40:2265 (November 2014).

### **§1209. Renewal of License by Examination**

A. Radiologic technologists who pass one of the advanced-level examinations or entry-level examinations in

a different category within a licensing term are exempt from the continuing education requirement for that licensing term.

B. Subsequent renewal of license will require documentation of 24 hours of active participation in continuing education activities for the following licensing term and every two years thereafter, unless another Board approved examination is passed.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:73 (January 1997), LR 40:2265 (November 2014).

### **§1211. Biannual Application for License Renewal**

A. Notification for the renewal of the license will be mailed to each radiologic technologist whose license to practice radiologic technology will expire that May 31 with the license fee due. Licensee is responsible for renewal in the event of not receiving mailed notification.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:73 (January 1997), LR 40:2265 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016).

### **§1213. Documentation**

A. A licensed radiologic technologist is required to maintain proof of participation in continuing education activities and is required to attest to this participation on the form provided. Said documentation shall be provided by the radiologic technologist to the Louisiana State Radiologic Technology Board of Examiners as part of the renewal process. Failure to provide documentation acceptable to the Louisiana State Radiologic Technology Board of Examiners will result in an expired status. The Louisiana State Radiologic Technology Board of Examiners will accept copies of documents. Original documents shall be kept by the radiologic technologist for two years after the end of the licensing term for the purpose of further verification should the board choose to audit the licensees' submissions.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:74 (January 1997), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2191 (December 2016).

### **§1215. Applicants for Renewal Who Fail to Meet CE Requirements**

A. A radiologic technologist who applies for renewal of license, but who fails to meet the renewal requirements within the previous licensing term, will automatically be transferred to an expired status. Individuals who are listed as having an expired status, due to failure to meet these renewal requirements, status will be published on website by the

Louisiana State Radiologic Technology Board of Examiners and will be reported in response to any inquiries regarding the radiologic technologist's status with the Louisiana State Radiologic Technology Board of Examiners.

B. A radiologic technologists whose license has been placed on expired status for failure to meet continuing education requirements may be returned to an approved status by payment of the appropriate fees and expenses as specified in Section 1217 of this Chapter and performing one or more of the following:

1. passing an advanced level examination recognized by the LSRTBE;
2. passing an entry-level examination recognized by the LSRTBE in a different category;
3. completing the required continuing education hours in the six months (on or before December 31) following the May 31 expiration date and paying delinquency fee.

C. Any hours completed or other requirements met while expired may not be used to meet the continuing education requirements for the subsequent license term.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:181 (February 1995), amended LR 40:2265 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2191 (December 2016).

**§1217. Fee and Expenses**

A. The rules of this Chapter prescribe the fees and costs applicable to the licensing of radiologic technologists.

B. For processing applications for licensure, the following fees shall be payable to the board:

1. initial two year license—\$100;
2. duplicate license—\$25;
3. biennial renewal of license, 2 years—\$100;
4. issuance of 90 day temporary working permit—\$10;
5. delinquency fee in addition to the renewal fee for a license placed on an expired status using a postmark date:
  - a. all or part of June, July, August—\$50;
  - b. all or part of September—\$75;
  - c. all or part of October—\$100;
  - d. all or part of November—\$150;
  - e. all or part of December—\$200;
6. reinstatement fee, in addition to delinquency fee and renewal fee of a license which has expired—\$25 per month;
7. reinstatement of a license that has been revoked or suspended—\$300.

C. The following miscellaneous expenses, fees and charges shall be payable to the board:

1. actual cost plus \$25 processing fee for any check, money order, cashier's check, or other instrument of payment that is dishonored by the financial institution against which it is drawn;
2. actual costs associated with electronic or credit card payments and transactions;
3. photocopies of documents—\$0.25 per page;
4. actual cost for creation and provision of electronic information data or service;
5. official list of all licensed radiologic technologists—\$300;
6. processing and handling a request for the board's endorsement of licensure status to another state for the purpose of reciprocity licensure—\$25;
7. postage, mailing, shipping, handling or other costs in excess of the applicable minimum first class postage;
8. issuance of a subpoena or subpoena duces tecum in addition to the witness fees required by R.S. 49:956—\$15;
9. actual costs of the board related to any administrative hearing, judicial review, or any investigation of charges instituted by the board, unless charges are subsequently dismissed or not proven.

D. Payment to the board of any fees under this Chapter is nonrefundable.

E. Notwithstanding the foregoing, the board may, by majority vote reduce the amount of and/or waive the collection of any such fees.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:3207(B)(2).

**HISTORICAL NOTE:** Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:181 (February 1995), amended LR 40:2266 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2191 (December 2016).

**§1219. Reinstatement of License**

A. If a license lapses or is inactive for a period of less than four years and if the person is otherwise eligible for renewal of license, the person must supply evidence of having met the continuing education requirements and pay the designated standard renewal fee and any other associated fees as required by the board.

B. If a license lapses or is inactive for a period of four or more years and if the person is otherwise eligible for renewal of license, the individual must pass the entry-level examination and pay the designated special reinstatement fee.

C. The following groups of licensees may be exempt from compliance with the continuing education requirement:

1. Louisiana licensees who are unable to fulfill the requirement because of illness or other personal hardship.

The number of hours may be modified by the board on a case-by-case review of supporting documentation, evidence and/or testimony;

2. the board must receive a timely request for an exemption. Such a request shall be considered timely if submitted to the board prior to March 31 of the license renewal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207(B)(2).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:181 (February 1995), amended LR 23:74 (January 1997).

## **Chapter 13. Minimum Standards for the Accreditation of Education Programs**

### **§1301. Minimum Standards for the Accreditation of Education Programs**

A. Pursuant to R.S. 37:3207(3), the board adopts as its standards for education programs and colleges that are programmatic or regionally recognized by the Council for Higher Education Accreditation (CHEA).

B. The program director shall submit evidence of compliance with minimum standards of education for the accreditation of educational programs to the board upon forms provided by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207(B)(2).

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 23:74 (January 1997), LR 40:2266 (November 2014).

## **Chapter 15. Code of Ethics**

### **§1501. Code of Ethics**

A. A code of ethics has been adopted by the board and shall be sent to each licensure candidate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:874 (September 1985).