

NOTICE OF INTENT

Department of Health Radiologic Technology Board of Examiners

Radiologic Technologists
(LAC 46:LXVI.705, 713, 901, 1105, 1107, 1109,
1113, 1123, 1201, 1211, 1213, 1215, and 1217)

Notice is hereby given that the Louisiana State Radiologic Technology Board of Examiners pursuant to the authority of the Louisiana R.S. 37:3207 and in accordance with the provisions of the Louisiana Administrative Procedures Act, R.S. 49:950 et seq., intends to amend its rules governing General Provisions LAC 46:LXVI. The proposed Rule change updates relevant professional language, continuing education, and eliminates a probation period that conflicts with current rules.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXVI. Radiologic Technologists

Chapter 7. Actions before the Board

§705. Informal Proceeding/Consent Order

A. - B. ...

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. - E. ...

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:

§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. - 3. ...

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:

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.

* * *

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:

Chapter 11. Licensure

§1105. Qualifications of Applicants for Licensure

A. - A.3. ...

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:

§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. ...

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:

§1109. Licensure by Examination

A. ...

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. - C. ...

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:

§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. - B.1. ...

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:

§1123. Expiration of License

A. ...

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:

Chapter 12. Continuing Education Requirements

§1201. Definitions

* * *

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 & 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.

* * *

CPR—repealed.

* * *

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.

* * *

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.

* * *

Probational Status—repealed.

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.

* * *

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:

§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

§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:

§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

§1217. Fee and Expenses

A. - B.4. ...

5. delinquency fee in addition to the renewal fee for a license placed on an expired status using calendar 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;

B.6. - E. ...

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

Family Impact Statement

After considering R.S.49:972, it is anticipated that the proposed Rule change will have no effect on the;

1. family stability;
2. authority rights of parents regarding the education and supervision of their children;
3. family function;
4. family earnings and family budget;
5. behavior and personal responsibility of children; or
6. ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

After considering R.S.49:973, it is anticipated that the proposed Rule change will have no effect on the;

1. household income, assets, and financial security,
2. early childhood or education development,
3. employment or workforce development,
4. taxes and tax credits; or
5. child and dependent care, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule change is not anticipated to have an impact on small business as defined in the Regulatory Flexibility Act.

Provider Impact Statement

After considering HCR 170 of the 2014 Regular Legislative Session, it is anticipated that the proposed Rule change will have no effect on the;

1. staffing level requirements or qualifications required to provide the same level of service,
2. total direct and indirect effect on the cost to the provider to provide the same level of service; or
3. overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule to Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, telephone: 504-838-5231. The Executive Director is responsible for responding to inquiries. Written comments will be accepted until 4pm, October 10, 2016.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the board within 20 days of the date of this notice. Should it become necessary to convene a public hearing to receive data, views, arguments, information, or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on October 25, 2016 at 10 a.m. at the office of the Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002. Any person wishing to attend should call to confirm that a hearing is being held by calling 504-838-5231.

Kenneth Jones
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Radiologic Technologists**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs to the Louisiana Radiologic Technology Board of Examiners is approximately \$1,000 in FY 17 for the notice and rule publication in the Louisiana Register. There are no other estimated implementation costs or savings to state and local government units through promulgation of the proposed rules change. The proposed rule change updates relevant professional language, continuing education, and eliminates a probation period that conflicts with the current rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect revenue collections of the State or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will only affect those already licensed by L.R.S 37:3200-3221. The proposed rule change eliminates the probation period and requires all licenses, which are two year licenses, to be renewed by May 31. There will be no costs and/or economic benefits affecting those already licensed or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not affect competition and employment.

Kenneth Jones
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Gregg V. Albrecht
Chief Economist
Louisiana Fiscal Office