

1 for diagnostic purposes.

2 (k) "Radiography" means the use of ionizing radiation on human be-
 3 ings for diagnostic purposes.

4 (l) "Radiologic technologist" means any person who is a radiographer,
 5 radiation therapist or nuclear medicine technologist.

6 (m) "Radiologic technology" means the use of radioactive substance
 7 or equipment emitting or detecting ionizing radiation on humans for di-
 8 agnostic or therapeutic purposes upon prescription of a licensed practi-
 9 tioner. The term includes the practice of radiography, nuclear medicine
 10 technology and radiation therapy, but does not include echocardiography,
 11 diagnostic sonography and magnetic resonance imaging.

12 (n) "Supervisor" means a licensed practitioner or a hospital licensed
 13 pursuant to K.S.A. 65-401 *et. seq.* providing supervision for a registered
 14 x-ray technician pursuant to this act.

15 Sec. 3. (a) On and after ~~January 1, 2005~~, except as otherwise provided
 16 in this act, no person shall perform radiologic technology procedures on
 17 humans for diagnostic or therapeutic purposes unless the person pos-
 18 sesses a valid license issued under this act.

19 (b) A person holding a license under this act shall use radioactive
 20 substances or equipment for radiologic technology procedures on humans
 21 only for diagnostic or therapeutic purposes by prescription of a licensed
 22 practitioner, and only if the application of a substance or the use of equip-
 23 ment is limited in a manner herein specified.

24 (c) No person shall depict one's self orally or in writing, expressly or
 25 by implication, as holder of a license who does not hold a current license
 26 under this act.

27 (d) (1) Only persons licensed under this act as a radiologic technol-
 28 ogist shall be entitled to use the title "radiologic technologist", abbrevi-
 29 ations thereof, or words similar thereto or use the designated letters
 30 "R.T." or "R.T. (R)".

31 (2) Only persons licensed under this act as a radiologic technologist
 32 and who have received additional certification from the American registry
 33 of radiologic technologists (ARRT) or the nuclear medicine technology
 34 certification board (NMTCB) shall be entitled to use the title "radiation
 35 therapist" or "nuclear medicine technologist", abbreviations thereof, or
 36 words similar thereto or use the designated letters R.T. (N)" or "R.T.
 37 (T)".

38 (3) This section shall not prohibit a person who is licensed as a res-
 39 piratory therapist by this state from using any letter or designation indi-
 40 cating that such person is engaged in the practice of respiratory therapy.

41 (e) Except as otherwise provided in this act, no person shall employ
 42 a person to engage in the practice of radiologic technology unless the
 43 person possesses a valid license issued under the provisions of this act.

*July [and make any other
 technical changes to insure
 that the registry and the
 licensure become effective
 after July 1, 2005.*

1 Sec. 4. The following shall be exempt from the provisions of this act
2 and the requirement of a license pursuant to this act:

- 3 (a) A licensed practitioner;
- 4 (b) a resident physician or a student enrolled in and attending a
5 school while under the direct supervision of a licensed practitioner, ra-
6 diographer, radiation therapist or nuclear medicine technologist;
- 7 (c) health care providers in the United States armed forces, public
8 health services, federal facilities and other military service when acting in
9 the line of duty in this state;
- 10 (d) persons rendering assistance in the case of an emergency; and
- 11 (e) a licensed dental hygienist or an unlicensed person working under
12 the supervision of a licensed dentist who has been trained by a licensed
13 dentist on the proper use of dental radiographic equipment for the pur-
14 pose of providing medical imaging for dental diagnostic purposes consis-
15 tent with K.S.A. 65-1422 *et. seq.* and amendments thereto.

16 Sec. 5. (a) An applicant applying for licensure as a radiologic tech-
17 nologist shall file a written application on forms provided by the board,
18 showing to the satisfaction of the board that the applicant meets the
19 following requirements:

- 20 (1) At the time of the application is at least 18 years of age;
- 21 (2) has successfully completed a four-year course of study in a sec-
22 ondary school approved by the state board of education, passed an ap-
23 proved equivalency test or graduated from a secondary school outside
24 Kansas having comparable approval by the state board of education;
- 25 (3) has satisfactorily completed a course of study in radiography
26 which is approved by the board and which contains a curriculum no less
27 stringent than the standards of existing organizations which approve ra-
28 diologic technology programs;
- 29 (4) except as provided in section 6, and amendments thereto, has
30 successfully passed a license examination approved by the board; and
- 31 (5) has paid all fees required for licensure prescribed in this act.
- 32 (b) The board may issue a temporary license to an applicant seeking
33 licensure as a radiologic technologist when such radiologic technologist
34 applies for temporary licensure on a form provided by the board, meets
35 the requirements for licensure or meets all the requirements for licensure
36 except examination and pays to the board the temporary license fee as
37 required under section 12, and amendments thereto. Such temporary
38 license shall expire 180 days from the date of issue or on the date that
39 the board approves the application for licensure, whichever occurs first.
40 No more than one such temporary license shall be permitted to any one
41 person.
- 42 (c) An applicant for renewal of a license shall submit proof of having
43 successfully completed continuing education courses as prescribed by

(f) a licensed physician assistant or a licensed nurse, working under the supervision of a licensed practitioner, who has been trained on the proper use of radiographic equipment for the purpose of performing radiography consistent with K.S.A. 65-2001 et seq., or K.S.A. 65-2801 et seq., and amendments thereto. The board may adopt such rules and regulations as are necessary to assure that persons exempted from licensure under this subsection receive continuing education consistent with their practice authorized herein.

1 rules and regulations.

2 (d) The board may accept, in lieu of its own licensure examination, a
3 current certificate by the American registry of radiologic technologists,
4 nuclear medicine technologist certification board or other recognized na-
5 tional voluntary credentialing bodies, which the board finds was issued
6 on the basis of an examination which meets standards at least as stringent
7 as those established by the board.

8 (e) The board may waive the examination, education or experience
9 requirements and grant licensure to any applicant who presents proof of
10 current licensure as radiologic technologist in another state, the District
11 of Columbia or territory of the United States which requires standards
12 for licensure determined by the board to be equivalent to the require-
13 ments under this act.

14 (f) A person whose license has been revoked may make written ap-
15 plication to the board requesting reinstatement of the license in a manner
16 prescribed by the board, which application shall be accompanied by the
17 fee provided for in section 12, and amendments thereto.

18 (g) A licensee whose license has lapsed and who has ceased activities
19 permitted in this act, may apply for re-licensure upon making a request
20 for renewal upon a form provided by the board and payment of a fee set
21 by the board and satisfactorily meeting the requirements established by
22 rules and regulations of the board.

23 (h) At least 30 days before the expiration of a license issued under
24 this act, the board shall notify the licensee of the expiration date by mail
25 addressed to the licensee's last mailing address as noted upon office
26 records.

27 (i) A licensee holding a license under this act shall notify the board
28 in writing within 30 days of any name or address change.

29 Sec. 6. The board shall waive the education and examination require-
30 ments for an applicant who, on or before January 1, 2005:

31 (a) (1) Has been engaged in the practice of radiologic technology for
32 a period of at least two years of the three years immediately preceding
33 January 1, 2005; (2) is 18 years of age or older; (3) and has successfully
34 completed secondary schooling or its equivalency; or

35 (b) (1) has been engaged in the practice of radiologic technology prior
36 to January 1, 2005; (2) has, at the time of application, a current valid
37 certificate by the American registry of radiologic technologists, nuclear
38 medicine technologist certification board or other recognized national
39 voluntary credentialing bodies, which the board finds was issued on the
40 basis of an examination which meets standards at least as stringent as
41 those established by the board; (3) is 18 years of age or older; and (4) has
42 successfully completed secondary schooling or its equivalency; or

43 (c) (1) has engaged in the practice of radiologic technology prior to

1 January 1, 2005; (2) submits an affidavit from two of the following: A
2 hospital administrator, a radiologist, or a licensed practitioner other than
3 a radiologist attesting to the applicant's competency in the practice of
4 radiologic technology; (3) is 18 years of age or older; and (4) has suc-
5 cessfully completed secondary schooling or its equivalency.

6 ~~Sec. 7. An applicant who does not meet the requirements of this act
7 for licensure as a radiologic technologist may apply for registration as an
8 X ray technician in order to practice limited diagnostic radiography pur-
9 suant to this act. An applicant for registration as a X ray technician shall
10 on forms provided by the board state, among other requirements by the
11 board, the name of the person responsible for supervising the applicant
12 and the areas of practice such applicant for registration has experience in
13 as follows: (a) Chest radiography: Radiography of the thorax, heart, and
14 lungs; (b) extremities radiography: Radiography of the upper and lower
15 extremities; (c) spine radiography: Radiography of the vertebral column;
16 (d) skull/sinus radiography: Radiography of the skull and sinuses; and (e)
17 podiatric radiography: Radiography of the foot and ankle.~~

18 ~~Sec. 8. (a) It shall be unlawful for any person to function as an X ray
19 technician in this state unless such person is licensed as a radiologic tech-
20 nologist under this act or is registered with the board as an X ray tech-
21 nician pursuant to this act. The board may adopt rules and regulations
22 regarding registration of an X ray technician, including requiring an ex-
23 amination, educational standards and continuing education. Such rules
24 and regulations may establish the criteria for a required examination and
25 a passing score. Any examination that the board may approve shall be
26 appropriate to the practice area of the registrant. The board may utilize,
27 in lieu of its own examination, a limited scope radiography examination
28 administered by the American registry of radiologic technologists or other
29 organizations providing such examination as approved by the board.~~

30 ~~(b) All applications for registration shall be made on a form to be
31 prescribed and furnished by the board. Each application for registration
32 shall be accompanied by a registration fee fixed by the board by rule and
33 regulation of not to exceed \$50.~~

34 ~~(c) All persons who are employed as an X ray technician in a Kansas
35 hospital or licensed practitioner's office on the effective date of this act
36 shall be entitled to continue performing the functions of an X ray tech-
37 nician until January 1, 2005, without registering pursuant to the require-
38 ments of this section. On and after January 1, 2005, to perform the func-
39 tions of an X ray technician, such person shall be registered by the board
40 as an X ray technician pursuant to this act.~~

41 ~~(d) Each applicant for renewal of an X ray technician registration
42 shall be made on a form prescribed and furnished by the board and shall
43 be accompanied by a renewal fee fixed by the board by rule and regulation~~

Sec. 7 (a) The board shall maintain a registry of the names of persons who do not meet the requirements of this act for licensure as a radiologic technologist but who practice limited diagnostic radiography as an x-ray technician under the supervision of a licensed practitioner. It shall be unlawful for any person to function as an x-ray technician unless such person is licensed as a radiologic technologist under this act or unless such person's name has been entered on the registry of x-ray technicians.

(b) The board may adopt rules and regulations establishing the registry created herein and may provide for continuing education requirements consistent with the performance of limited diagnostic radiography by x-ray technicians.

(c) No person's name shall be entered on the registry of x-ray technicians unless such person has presented to the board an application signed by such person's supervising licensed practitioner on a form provided by the board which shall contain such information as required by rules and regulations adopted by the board.

Every x-ray technician, within 30 days of obtaining new employment, shall furnish the board notice of the name and address of the new supervising licensed practitioner.

(d) A person whose name appears on the registry shall not hold themselves out as and shall not be entitled to use the titles listed in

1 ~~of not to exceed \$15. Except as otherwise provided in this subsection, the~~
2 ~~application for registration renewal, when accompanied by the renewal~~
3 ~~fee and received by the board on or before the date of expiration of the~~
4 ~~registration, shall have the effect of temporarily renewing the applicant's~~
5 ~~registration until actual issuance or denial of the renewal registration. If~~
6 ~~at the time of filing a proceeding is pending before the board which may~~
7 ~~result in the suspension, probation, revocation or denial of the applicant's~~
8 ~~registration, the board may by emergency order declare that the appli-~~
9 ~~cation for renewal shall not have the effect of temporarily renewing such~~
10 ~~applicant's registration.~~

11 ~~(e) The board may deny an application for issuance or renewal of any~~
12 ~~registration as an X ray technician on any ground which the board is~~
13 ~~authorized to take action against the license of a radiologic technologist~~
14 ~~pursuant to this act;~~

15 ~~(f) Proceedings under this section shall be subject to the Kansas ad-~~
16 ~~ministrative procedure act.~~

17 ~~(g) Every registered X ray technician shall furnish the board notice~~
18 ~~of the name and address of the new employer pursuant to rule and reg-~~
19 ~~ulation of the board.~~

20 ~~(h) Each X ray technician supervisor shall at all times maintain a list~~
21 ~~of the names of X ray technicians employed by the supervisor.~~

22 ~~(i) The board may adopt such rules and regulations as are necessary~~
23 ~~to ensure that X ray technicians are adequately trained as to the nature~~
24 ~~and scope of their lawful duties.~~

25 ~~(j) Only persons registered under this act as x ray technicians shall~~
26 ~~be entitled to use the title "X ray technician", abbreviations thereof, or~~
27 ~~words similar thereto.~~

28 ~~(k) A person registered as an X ray technician shall not hold them-~~
29 ~~selves out as and shall not be entitled to use the titles listed in section 3~~
30 ~~of this act, or abbreviations thereof, or words similar thereto, and amend-~~
31 ~~ments thereto.~~

32 Sec. 9. (a) There is established the radiologic technology council to
33 assist the state board of healing arts in carrying out the provisions of this
34 act. The council shall consist of five members, all citizens and residents
35 of the state of Kansas appointed as follows: The board shall appoint one
36 member who is a physician licensed to practice medicine and surgery
37 who is also certified as a radiologist and one member who is a member
38 of the state board of healing arts. The governor shall appoint three ra-
39 diologic technologists who have at least three years' experience in radiol-
40 ogic technology preceding the appointment and are actively engaged, in
41 this state, in the practice of radiologic technology or the teaching of ra-
42 diologic technology. At least two of the Governor's appointments shall be
43 made from a list of four nominees submitted by the Kansas society of

1 radiologic technologists.

2 (b) The terms of office shall be four years, except that of the members
3 first appointed, one shall be appointed for a term of one year, one for a
4 term of two years, one for a term of three years, and two for a term of
5 four years, with successor members appointed for four years. If a vacancy
6 occurs on the council, the appointing authority of the position which has
7 become vacant shall appoint a person of like qualifications to fill the va-
8 cant position for the unexpired term.

9 (c) Radiologic technologists initially appointed to the council must be
10 eligible for licensure under section 5 and amendments thereto. On and
11 after, January 1, 2005, new appointees shall be licensed under the pro-
12 visions of this act.

13 (d) The council shall meet at least once each year at a time and place
14 of its choosing and at such other times as may be necessary on the chair-
15 person's call or on the request of a majority of the board's members.

16 (e) A majority of the council constitutes a quorum. No action may be
17 taken by the council except by affirmative vote of the majority of the
18 members present and voting.

19 (f) Members of the council attending meetings of the council, or a
20 subcommittee of the council, shall be paid amounts provided in subsec-
21 tion (e) of K.S.A. 75-3223, and amendments thereto, from the healing
22 arts fee fund.

23 Sec. 10. The radiologic technology council shall advise the board
24 regarding:

25 (a) Examination, licensing, registration, and other fees;

26 (b) rules and regulations to be adopted to carry out the provisions of
27 this act;

28 (c) subject areas to be covered during the educational program and
29 on the licensure examination;

30 (d) the number of yearly continuing education hours required to
31 maintain active licensure or registration;

32 (e) changes and new requirements taking place in the area of radiol-
33 ogic technology; and

34 (f) such other duties and responsibilities as the board may assign.

35 Sec. 11. (a) The board, with the advice and assistance of the radiol-
36 ogic technology council, shall pass upon the qualifications of all applicants
37 for examination and licensing; contract for examinations; determine the
38 applicants who successfully pass the examination; duly license or register
39 such applicants; adopt rules and regulations as may be necessary to ad-
40 minister the provisions of this act, and amendments thereto; and pre-
41 scribe forms which shall be issued in the administration of this act.

42 (b) The board, with the advice and assistance of the radiologic tech-
43 nology council, shall establish, by rules and regulations: standards for

1 approval of an educational course of study and clinical experience, con-
2 tinuing education criteria, criteria for registration, procedures for the ex-
3 amination of applicants and standards for professional conduct and dis-
4 cipline of licensees or, if applicable registrants.

5 (c) The board shall keep a record of all proceedings under this act
6 and a roster of all individuals licensed or registered under this act.

7 (d) The board, after obtaining the advice and assistance of the ra-
8 diologic technology council, shall establish by rules and regulations, the
9 effective period for a license or registration under this act and for its
10 expiration at the end of that time unless renewed in a manner prescribed
11 by the board upon payment of the license or registration renewal fee
12 established under this act. The board may establish additional require-
13 ments for license or registration renewal which provide for completing
14 the required number of continuing education courses and any other ev-
15 idence of continued competency the board may require. The board may
16 provide for the late renewal of a license or registration upon the payment
17 of a late fee established by this act but no such late renewal of a license
18 may be granted more than five years after its expiration.

19 (e) After obtaining the advice and assistance of the radiologic tech-
20 nology council, the board shall establish by rules and regulations, proce-
21 dures for reinstatement of expired and revoked licenses.

22 (f) A person whose license is suspended shall not engage in any con-
23 duct or activity in violation of the order by which the license was sus-
24 pended. If a license revoked on disciplinary ground is reinstated, the
25 licensee, as a condition of reinstatement, shall pay the license renewal fee
26 and any other late fee that may be applicable.

27 Sec. 12. (a) The board shall charge and collect in advance fees for
28 radiologic technologists as established by the board by rules and regula-
29 tions, not to exceed:

30 Application for examination	\$200
31 Application for license	\$80
32 Temporary licensing fee	\$40
33 License renewal	\$80
34 Late license renewal	\$80
35 License reinstatement fee	\$80
36 Certified copy of license.....	\$40
37 Verified copy	\$25

38 (b) If the examination is not administered by the board, the board
39 may require that fees paid for any examination under the radiologic tech-
40 nologists practice act be paid directly to the examination service by the
41 person taking the examination.

42 Sec. 13. (a) The license of a licensee may be limited, suspended or
43 revoked, or the licensee may be censured, reprimanded, fined pursuant

1 to K.S.A. 65-2863a, and amendments thereto, or otherwise sanctioned by
2 the board or an application for a license may be denied if it is found that
3 the licensee or applicant:

4 (1) Is guilty of fraud or deceit in the procurement or holding of the
5 license;

6 (2) has been convicted of a felony in a court of competent jurisdiction,
7 either within or outside of this state, unless the conviction has been re-
8 versed and the holder of the license discharged or acquitted or if the
9 holder has been pardoned with full restoration of civil rights in which
10 case the license shall be restored;

11 (3) is addicted to or has distributed intoxicating liquors or drugs for
12 other than lawful purposes;

13 (4) is found to be mentally or physically incapacitated to such a degree
14 that in the opinion of the board continued practice by the licensee would
15 constitute a danger to the public's health and safety;

16 (5) has aided and abetted a person who is not a licensee under this
17 act or is not otherwise authorized to perform the duties of a license holder
18 under this act;

19 (6) has undertaken or engaged in any practice beyond the scope of
20 duties permitted a licensee under this act;

21 (7) has engaged in the practice of radiologic technology under a false
22 or assumed name or impersonated another licensee;

23 (8) has been found guilty of unprofessional conduct under criteria
24 which the board may establish by rules and regulations;

25 (9) has interpreted a diagnostic image for a fee while unlicensed; or
26

27 (10) is, or has been found guilty of incompetence or negligence while
28 performing as a license holder.

29 (b) The denial, refusal to renew, suspension, limitation or revocation
30 of a license

31 may be ordered by the board after notice and hearing on the matter
32 in accordance with the provisions of the Kansas administrative procedure
33 act.

34 Sec. 14. When it appears that any person is violating any provision
35 of this act, the board may bring an action in the name of the state in a
36 court of competent jurisdiction for an injunction against such violation
37 without regard as to whether proceedings have been or may be instituted
38 before the board or whether criminal proceedings have been or may be
39 instituted.

40 Sec. 15. The board shall remit all moneys received by or for the
41 board from fees, charges or penalties to the state treasurer in accordance
42 with the provisions of K.S.A. 75-4215, and amendments thereto. Upon
43 receipt of each such remittance, the state treasurer shall deposit the entire

1 amount in the state treasury. Twenty percent of such amount shall be
2 credited to the state general fund and the balance shall be credited to the
3 healing arts fee fund. All expenditures from the healing arts fee fund shall
4 be made in accordance with appropriation acts upon warrants of the di-
5 rector of accounts and reports issued pursuant to vouchers approved by
6 the president of the board or by a person or persons designated by the
7 president.

8 Sec. 16. Any violation of this act shall constitute a class B misde-
9 meanor.

10 Sec. 17. This act shall take effect and be in force from and after its
11 publication in the statute book.

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