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Bill Analysis
Legislative Service Commission

H.B. 398

127th General Assembly
(As Introduced)

Reps. Bacon, R. McGregor, Raussen, J. McGregor, Harwood, Batchelder, Stebelton

BILL SUMMARY

- Creates licensure requirements for radiologist assistants.
- Authorizes a licensed radiologist assistant to perform certain radiologic procedures under the direct supervision of a physician specializing in radiology.
- Requires the Public Health Council to adopt rules to implement the licensure of radiologist assistants through the Department of Health.

CONTENT AND OPERATION

Radiologist assistants

(R.C. 4774.08(A))

The bill creates a process for licensing radiologist assistants. Under the bill, a licensed radiologist assistant may do all of the following:

- (1) Perform fluoroscopic procedures;
- (2) Assess and evaluate the physiologic and psychological responsiveness of patients undergoing radiologic procedures;
- (3) Evaluate image quality, make initial image observations, and communicate observations to the supervising radiologist;
- (4) Administer contrast media or other medications prescribed by the supervising radiologist;

(5) Perform any other procedures consistent with guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists.

Direct supervision by a radiologist

(R.C. 4774.01 and 4774.08(A) and (C))

The bill requires a licensed radiologist assistant to practice under the direct supervision of a radiologist. "Radiologist" is defined by the bill as a doctor of medicine and surgery or osteopathic medicine and surgery who specializes in the field of radiology. "Radiology" is defined as the branch of medicine that deals with the use of radioactive substance in diagnosis and treatment of disease.

The supervising radiologist may authorize a radiologist assistant to perform only those radiologic procedures described above. The bill requires a supervising radiologist to be present at the location where the radiologist assistant performs the radiologic procedures. The supervising radiologist must consult with the assistant and direct the assistant's performance of the radiologic procedures. The bill specifies, however, that the supervising radiologist is not required to observe each radiologic procedure the assistant performs.

Excluded activities

(R.C. 4774.08(B))

The bill prohibits a licensed radiologist assistant from interpreting images, making diagnoses, or prescribing medications or therapies.

Prohibitions against unlicensed practice

(R.C. 4774.02 and 4774.99)

The bill prohibits a person from practicing as a radiologist assistant without holding a radiologist assistant license. The bill exempts from this prohibition persons who are engaging in their scope of practice or performing a task as part of an advanced academic program encompassing the curriculum necessary to obtain a radiologist assistant license.

The bill also prohibits a person from holding himself or herself out in any manner as a radiologist assistant without a radiologist assistant license. Specifically, the bill prohibits an unlicensed person from using any sign, advertisement, card, letterhead, circular, or other writing, document, or design, the evident purpose of which is to induce others to believe the person is authorized to practice as a radiologist assistant.

Under the bill, whoever violates either prohibition is subject to criminal penalties. On a first offense, the person is guilty of a misdemeanor of the first degree. On each subsequent offense, a felony of the fifth degree.

Qualifications for licensure

(R.C. 4774.04)

To obtain a license as a radiologist assistant, a person must meet all of the following requirements:

- (1) Be at least 18 years of age and of good moral character;
- (2) Be licensed as a radiographer¹ under existing law (Revised Code Chapter 4773.);
- (3) Have a baccalaureate degree or post-baccalaureate certificate from an advanced academic program that encompasses a nationally recognized radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship;
- (4) Be certified in advanced cardiac life support;
- (5) Have satisfied any other requirements established in rules to be adopted by the Public Health Council.²

License application and issuance procedures

(R.C. 4774.04 and 4774.06)

The bill requires each person seeking to practice as a radiologist assistant to apply in writing to the Department of Health for a radiologist assistant license. The application must be made on a form prescribed by the Department and be accompanied by the license fee established in rules to be adopted by the Public Health Council. The Department must issue a license to each applicant who meets the qualifications for licensure specified in the bill and pays the required fee.

¹ "Radiographer" is defined under current law (R.C. 4773.01) as an individual who performs a comprehensive scope of diagnostic radiologic procedures employing equipment that emits ionizing radiation, exposes radiographs, and performs other procedures that contribute significantly to determining the site or dosage of ionizing radiation to which a patient is exposed.

² The Public Health Council is part of the Ohio Department of Health. The Council is responsible for adopting statewide rules and standards for the preservation and maintenance of public health.

License renewal; continuing education

(R.C. 4774.06)

The bill provides that a radiologist assistant license is valid for the length of time specified in rules to be adopted by the Public Health Council. The bill permits the Department of Health to renew a license and to impose continuing education requirements in accordance with rules to be adopted by the Council.

Rulemaking authority

(R.C. 4774.10)

The bill requires the Public Health Council to adopt rules to implement and administer the licensure of radiologist assistants. The bill requires the rules to be consistent with guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists, where applicable. The rules are to establish all of the following:

- (1) Standards and fees for issuing and renewing radiologist assistant licenses, including the length of time a license is valid;
- (2) Procedures and grounds for denying applications for licensure;
- (3) Procedures and grounds for revoking or suspending licenses or taking other disciplinary actions;
- (4) Continuing education requirements for radiologist assistants;
- (5) Any other requirements the Council considers appropriate to the licensure and regulation of radiologist assistants.

HISTORY

ACTION	DATE
Introduced	11-21-07

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