



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR 08-17-040 ; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Chapter 246-926 WAC, amending to add licensure requirements for Radiologist Assistants, an advanced level radiologic technologist.

Hearing location(s): Department of Health
310 Israel Road SE Room 152
Tumwater, WA 98501

Date: January 22, 2010

Time: 3:00 pm

Submit written comments to:

Name: Susan Gragg
Address: Department of Health
PO Box 47852
Olympia, WA 98504-7852
Website: <http://www3.doh.wa.gov/policyreview/>
fax (360) 236-2406 by (date) 01/20/2010

Assistance for persons with disabilities: Contact

Susan Gragg by 01/20/2010

TTY (800) 833-6388 or () 711

Date of intended adoption: 02/12/2010

(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Department of Health is proposing new rules to implement the new Radiologist Assistant (RA) profession created by the 2009 Substitute Senate Bill 6439, now codified in Chapter 18.84 RCW. The proposed rules will establish enforceable standards of practice, education and examination requirements, and licensing fees.

Reasons supporting proposal:

The proposed rules will ensure the people of this state are protected by setting the scope of practice for the Radiologist Assistant profession and licensing only appropriately educated and trained individuals.

Statutory authority for adoption:

RCW 18.84.040

Statute being implemented:

Chapter 18.84 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE 12/01/09

NAME (type or print)

Mary C. Selecky

SIGNATURE

TITLE

Secretary

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 01, 2009

TIME: 5:10 PM

WSR 09-24-101

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization)

Department of Health, Radiologic Technology Program

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Susan Gragg	PO Box 47852, Olympia, WA 98504-7852	360-236-4941
Implementation.... Susan Gragg	PO Box 47852, Olympia, WA 98504-7852	360-236-4941
Enforcement..... Susan Gragg	PO Box 47852, Olympia, WA 98504-7852	360-236-4941

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Susan Gragg

Address: PO Box 47852

Olympia, WA 98504-7852

phone 350-236-4941

fax 360-236-2406

e-mail susan.gragg@doh.wa.gov

No: Please explain:

AMENDATORY SECTION (Amending WSR 06-01-104, filed 12/21/05, effective 1/21/06)

WAC 246-926-020 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

~~(1) ("Unprofessional conduct" as used in this chapter means the conduct described in RCW 18.130.180.~~

~~(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.~~

~~(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.~~

~~(4) "Department" means the department of health.~~

~~(5) "Radiological technologist" means a person certified under chapter 18.84 RCW.~~

~~(6) "Registered X-ray technician" means a person who is registered with the department, and who applies ionizing radiation at the direction of a licensed practitioner.~~

~~(7) "Direct supervision" means the appropriate licensed practitioner is on the premises and is quickly and easily available.~~

~~(8) "Mentally or physically disabled" means a radiological technologist or X-ray technician who is currently mentally incompetent or mentally ill as determined by a court, or who is unable to practice with reasonable skill and safety to patients by reason of any mental or physical condition and who continues to practice while so impaired.)~~ "ARRT" means the American Registry of Radiologic Technologists.

(2) "Department" means the department of health.

(3) "Direct supervision" means the appropriate licensed practitioner is on the premises and is quickly and easily available.

(a) For a diagnostic, therapeutic, or nuclear medicine radiologic technologist, the appropriate licensed practitioner is a physician licensed under chapter 18.71 or 18.57 RCW.

(b) For a radiologist assistant, the appropriate licensed practitioner is a radiologist.

(4) "General supervision" for a radiologist assistant means the procedure is furnished under the supervising radiologist's overall direction and control. The supervising radiologist must be on-call or be available for consultation.

(5) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(6) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(7) "Personal supervision" for a radiologist assistant means the supervising radiologist must be in the room during the

performance of the procedure.

(8) "Radiological technologist" means a person certified under chapter 18.84 RCW.

(9) "Radiologist" means a licensed physician licensed under chapter 18.71 or 18.57 RCW and certified by the American Board of Radiology or the American Osteopathic Board of Radiology.

(10) "Radiologist assistant" means an advanced-level diagnostic radiologic technologist certified under chapter 18.84 RCW.

(11) "Registered X-ray technician" means a person who is registered with the department, and who applies ionizing radiation at the direction of a licensed practitioner.

(12) "Unprofessional conduct" as used in this chapter means the conduct described in RCW 18.130.180.

AMENDATORY SECTION (Amending WSR 06-01-104, filed 12/21/05, effective 1/21/06)

WAC 246-926-140 Approved schools for diagnostic, therapeutic, or nuclear medicine radiologic technologists. Approved schools and standards of instruction for diagnostic radiologic technologist, therapeutic radiologic technologist, and nuclear medicine technologist are those recognized as radiography, radiation therapy technology, and nuclear medicine technology educational programs that have obtained accreditation from the Joint Review Committee on Education in Radiologic Technology, the Joint Review Committee for Educational Programs in Nuclear Medicine Technology or the former American Medical Association Committee on Allied Health Education and Accreditation.

AMENDATORY SECTION (Amending Order 237, filed 2/7/92, effective 2/19/92)

WAC 246-926-150 Certification designation for diagnostic, therapeutic, or nuclear medicine radiologic technologists. A certificate shall be designated in a particular field of radiologic technology by:

(1) The educational program completed; diagnostic radiologic technologist - radiography program; therapeutic radiologic technologist - radiation therapy technology program; and nuclear medicine technologist - nuclear medicine technology program; or

(2) By meeting the alternative training requirements established in WAC 246-926-100((7)) and 246-926-110, 246-926-120, or 246-926-130.

AMENDATORY SECTION (Amending WSR 06-01-104, filed 12/21/05, effective 1/21/06)

WAC 246-926-180 Parenteral procedures for diagnostic or therapeutic radiologic technologists. (1) A certified diagnostic or therapeutic radiologic technologist may administer diagnostic and therapeutic agents under the direct supervision of a physician licensed under chapter 18.71 or 18.57 RCW. Diagnostic and therapeutic agents may be administered via intravenous, intramuscular, or subcutaneous injection. In addition to direct supervision, before the radiologic technologist may administer diagnostic and therapeutic agents, the following guidelines must be met:

(a) The radiologic technologist has had the prerequisite training and thorough knowledge of the particular procedure to be performed;

(b) Appropriate facilities are available for coping with any complication of the procedure as well as for emergency treatment of severe reactions to the diagnostic or therapeutic agent itself, including readily available appropriate resuscitative drugs, equipment, and personnel; and

(c) After parenteral administration of a diagnostic or therapeutic agent, competent personnel and emergency facilities must be available to the patient for at least thirty minutes in case of a delayed reaction.

(2) A certified radiologic technologist may perform venipuncture under the direct supervision of a physician licensed under chapter 18.71 or 18.57 RCW.

AMENDATORY SECTION (Amending WSR 06-01-104, filed 12/21/05, effective 1/21/06)

WAC 246-926-190 State examination/examination waiver/examination application deadline for diagnostic, therapeutic, or nuclear medicine radiologic technologists. (1) The (~~American Registry of Radiologic Technologists~~) ARRT certification examinations for radiography, radiation therapy technology, and nuclear medicine technology are the state examinations for certification as a radiologic technologist.

(2) The examination shall be conducted in accordance with the (~~American Registry of Radiologic Technologists~~) ARRT security measures and contract.

(3) Applicants taking the state examination must submit the

application, supporting documents, and fees to the department of health for approval prior to being scheduled to take the examination.

(4) Examination candidates shall be advised of the results of their examination in writing by the department of health.

(5) The examination candidate must have a minimum scaled score of seventy-five to pass the examination.

NEW SECTION

WAC 246-926-300 Radiologist assistant scope of practice. (1)

A radiologist assistant may perform advanced diagnostic imaging procedures under the direction of a supervising radiologist. Those procedures include, but are not limited to:

(a) Enteral and parenteral procedures;

(b) Injecting diagnostic agents to sites other than intravenous;

(c) Diagnostic aspirations and localizations; and

(d) Assisting radiologists with other invasive procedures.

(2) The tasks a radiologist assistant may perform include those identified in the *ARRT Registered Radiologist Assistant Role Delineation* published January 2005.

(3) Initial findings and observations made by a radiologist assistant communicated solely to the supervising radiologist do not constitute diagnoses or interpretations.

(4) At the direction of a physician, a radiologist assistant may administer imaging agents and prescribed medications; however, nothing in this chapter allows a radiologist assistant to prescribe medications.

NEW SECTION

WAC 246-926-310 What are the requirements to be certified as a radiologist assistant? (1) Individuals wanting to be certified as a radiologist assistant must:

(a) Graduate from an educational program recognized by the ARRT;

(b) Obtain a passing score on the national ARRT registered radiologist assistant examination; and

(c) Submit the application, supporting documents, and fees to the department of health.

(2) An individual certified as a radiologist practitioner assistant through the certification board of radiology practitioner assistants who takes and passes the national ARRT registered

radiologist assistant examination by December 31, 2011, shall be considered to have met the education and examination requirements for certification as a radiologist assistant.

NEW SECTION

WAC 246-926-320 Radiologist assistant--Supervisory plans.

(1) A radiologist assistant must submit to the department a supervisory plan on a form approved by the department.

(a) The plan must be approved before the radiologist assistant can practice.

(b) The plan must be signed by both the radiologist assistant and a radiologist licensed in this state.

(c) A radiologist assistant may assist a radiologist other than his or her supervising radiologist so long as it is done with the knowledge and agreement of the supervising radiologist, and is reflected in an approved supervisory plan.

(2) A radiologist assistant can have multiple supervisory plans provided each one is approved by the department.

(3) A radiologist assistant does not have to be employed by his or her supervising radiologist.

(4) Changes to supervisory plans.

(a) The radiologist assistant must submit a new supervisory plan to change any part of the supervisory plan. The changes are not effective until the new plan is approved by the department.

(b) If the supervisory relationship ends, the radiologist assistant must immediately cease practice under that plan and must notify the department in writing within seven calendar days.

AMENDATORY SECTION (Amending WSR 08-16-008, filed 7/24/08, effective 7/25/08)

WAC 246-926-990 Radiologist assistants; diagnostic, therapeutic, and nuclear medicine radiologic technologists ((7)); X-ray technicians--Certification and registration fees and renewal cycle. (1) Certificates and registrations must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2. ~~((The secretary may require payment of renewal fees less than those established in this section if the current level of fees is likely to result in a surplus of funds. Surplus funds are those in excess of the amount necessary to pay for the costs of administering the program and to maintain a reasonable reserve. Notice of any adjustment in the required payment will be provided to practitioners. The adjustment in the required payment~~

~~shall remain in place for the duration of a renewal cycle to assure practitioners an equal benefit from the adjustment.))~~

Title of Fee	Fee
(2) The following nonrefundable fees will be charged for certified <u>diagnostic, therapeutic, and nuclear medicine</u> radiologic technologists:	
Application	\$150.00
Renewal	70.00
Late renewal penalty	50.00
Expired certificate reissuance	80.00
Certification of registration or certificate	15.00
Duplicate registration or certificate	15.00
(3) The following nonrefundable fees will be charged for registered X-ray technicians:	
Application	75.00
Renewal	75.00
Late renewal penalty	50.00
Expired reissuance	50.00
Certification of registration or certificate	15.00
Duplicate registration or certificate	15.00
(4) <u>The following nonrefundable fees will be charged for certified radiologist assistants:</u>	
<u>Application</u>	<u>150.00</u>
<u>Renewal</u>	<u>150.00</u>
<u>Late renewal penalty</u>	<u>75.00</u>
<u>Expired reissuance</u>	<u>75.00</u>
<u>Certification of registration or certificate</u>	<u>15.00</u>
<u>Duplicate registration or certificate</u>	<u>15.00</u>