

COMMITTEE ON HEALTH & HUMAN SERVICES
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2050
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Section 30-672, Arizona Revised Statutes, is amended
3 to read:

4 30-672. Licensing and registration of sources of radiation:
5 exemptions; rules

6 A. The department by rule shall provide for general or specific
7 licensing of by-product [MATERIALS], source [MATERIALS], special nuclear
8 materials or devices or equipment using those materials. The department
9 shall require from the applicant satisfactory evidence that the applicant
10 is using methods and techniques that are demonstrated to be safe and that
11 the applicant is familiar with the rules adopted by the department under
12 section 30-654, subsection B, paragraph 5 relative to uniform radiation
13 standards, total occupational radiation exposure norms, labels, signs and
14 symbols, storage, waste disposal and shipment of radioactive
15 materials. The department may require that, before it issues a license,
16 the employees or other personnel of an applicant who may deal with sources
17 of radiation receive a course of instruction approved by the department
18 concerning department rules. The department shall require that the
19 applicant's proposed equipment and facilities be adequate to protect
20 health and safety and that the applicant's proposed administrative
21 controls over the use of the sources of radiation requested be adequate to
22 protect health and safety.

23 B. The department may require registration or licensing of other
24 sources of radiation if deemed necessary to protect public health or
25 safety.

26 C. The department may exempt certain sources of radiation or kinds
27 of uses or users from the licensing or registration requirements set forth
28 in this section if it finds that exempting such sources of radiation or

1 kinds of uses or users will not constitute a significant risk to the
2 health and safety of the public.

3 D. The director may suspend or revoke, in whole or in part, any
4 license issued under subsection A of this section if the licensee or an
5 officer, agent or employee of the licensee:

6 1. Violates this chapter or rules of the department adopted
7 pursuant to this chapter.

8 2. Has been, is or may continue to be in substantial violation of
9 the requirements for licensure of the [SOURCE_OF] radiation [source] and
10 as a result the health or safety of the general public is in immediate
11 danger.

12 E. If the licensee, or an officer, agent or employee of the
13 licensee, refuses to allow the department or its employees or agents to
14 inspect the licensee's premises, such an action shall be deemed reasonable
15 cause to believe that a substantial violation under subsection D,
16 paragraph 2 of this section exists.

17 F. A license may not be suspended or revoked under this chapter
18 without affording the licensee notice and an opportunity for a hearing as
19 provided in title 41, chapter 6, article 10.

20 G. The department shall not require persons who are licensed in
21 this state to practice as a dentist, physician assistant, [REGISTERED
22 NURSE PRACTITIONER.] chiropodist or veterinarian or licensed in this state
23 to practice medicine, surgery, osteopathic medicine, chiropractic or
24 naturopathic medicine to obtain any other license to use a diagnostic
25 x-ray machine, but these persons are governed by their own licensing acts.

26 H. Persons who are licensed by the federal communications
27 commission with respect to the activities for which they are licensed by
28 that commission are exempt from this chapter.

29 I. Rules adopted pursuant to this chapter may provide for
30 recognition of other state or federal licenses as the department deems
31 desirable, subject to such registration requirements as the department
32 prescribes.

33 J. Any licenses issued by the department shall state the nature,
34 use and extent of use of the source of radiation. If at any time after a
35 license is issued the licensee desires any change in the nature, use or
36 extent, the licensee shall seek an amendment or a new license under this
37 section.

38 K. The department shall prescribe by rule requirements for
39 financial security as a condition for licensure under this article. The
40 department shall deposit all amounts posted, paid or forfeited as
41 financial security in the radiation regulatory and perpetual care fund
42 established by section 30-694.

43 L. Persons applying for licensure shall provide notice to the city
44 or town where the applicant proposes to operate as part of the application
45 process.

46 M. Any facility that provides diagnostic [MAMMOGRAPHY] or screening
47 mammography examinations by or under the direction of a person who is

1 exempt from further licensure under subsection G of this section shall
2 obtain certification by the department. The department shall prescribe by
3 rule the requirements of certification in order to ensure the accuracy and
4 safety of diagnostic [MAMMOGRAPHY] and screening mammography.>>

5 Sec. 2. Section 32-2804, Arizona Revised Statutes, is amended to
6 read:

7 32-2804. School approval; standards; considerations

8 A. The department may approve a school of radiologic technology as
9 maintaining a satisfactory standard if ~~its~~ THE SCHOOL'S course of study:

10 1. Is ~~for a period of at least twenty-four months of full-time~~
11 ~~study or its equivalent and is~~ accredited by the ~~committee on allied~~
12 ~~health accreditation~~ COMMISSION ON ACCREDITATION OF ALLIED HEALTH
13 EDUCATION PROGRAMS, THE JOINT REVIEW COMMITTEE ON EDUCATION IN RADIOLOGIC
14 TECHNOLOGY OR THE HIGHER LEARNING COMMISSION, REGIONAL ACCREDITATION, OR A
15 SUCCESSOR ORGANIZATION AS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
16 EDUCATION, or meets or exceeds the standards of this chapter.

17 2. Includes at least four hundred hours of classroom work,
18 including radiation protection, x-ray physics, radiographic techniques,
19 ~~processing techniques, nursing~~ RADIOGRAPHIC IMAGING AND PATIENT CARE
20 procedures, anatomy and physiology, radiographic positioning, ~~radiation~~
21 ~~therapy~~ AN INTRODUCTION TO OTHER IMAGING MODALITIES and professional
22 ethics.

23 3. Includes at least one thousand ~~eight~~ SIX hundred FIFTY hours
24 devoted to clinical experience.

25 4. Includes demonstrations, discussions, seminars and supervised
26 practice.

27 5. Includes at least eighty hours of regularly scheduled supervised
28 ~~film~~ IMAGE critiques.

29 B. An approved school of radiologic technology may be operated by a
30 medical or educational institution or other public or private agency or
31 institution and, for the purpose of providing the requisite clinical
32 experience, shall be affiliated with one or more hospitals that the
33 department determines are likely to provide this experience.

34 C. In approving a school of radiologic technology, the department
35 shall consider the standards adopted by appropriate professional
36 organizations, including the joint review committee on education in
37 radiologic technology, and may accept the certification of a school of
38 radiologic technology or the accreditation of a hospital to provide
39 requisite clinical experience if the department finds that certification
40 or accreditation was granted on the basis of standards that will afford
41 the same protection to the public as the standards provided by this
42 chapter.

43 Sec. 3. Section 32-2813, Arizona Revised Statutes, is amended to
44 read:

45 32-2813. Examination; contents; subsequent examinations

46 A. Examinations for certification shall include the subjects of
47 radiation protection, x-ray physics, radiographic techniques, ~~processing~~

1 ~~techniques, nursing~~ RADIOGRAPHIC IMAGING AND PATIENT CARE procedures,
2 anatomy terminology, radiological mathematics, professional ethics and
3 such other subjects as the department may deem appropriate, INCLUDING THE
4 CONTENT SPECIFICATIONS OUTLINED BY THE AMERICAN REGISTRY OF RADIOLOGIC
5 TECHNOLOGISTS.

6 B. The department shall prepare lists of examination questions or
7 problems and administer the examinations.

8 C. Examinations shall include written questions but may also
9 include practical and oral portions. Following each examination, the
10 papers and the practical and oral examinations shall be graded and the
11 standing of each applicant shall be recorded. The department shall either
12 pass or reject each applicant.

13 D. An applicant who fails to pass an examination may reapply for
14 examination in the manner prescribed by section 32-2812. The department
15 shall require a candidate who fails the examination three times to
16 successfully complete additional training prescribed by the department
17 before accepting the candidate for reexamination.

18 Sec. 4. Section 32-2815, Arizona Revised Statutes, is amended to
19 read:

20 32-2815. Rules; bone densitometry certification; nuclear
21 medicine certification; continuing education

22 A. The department shall adopt rules regarding the certification of
23 practical technologists in bone densitometry to allow the certificate
24 holder to apply ionizing radiation to a person's HIPS, SPINE AND
25 extremities through the use of a bone densitometry machine. The rules
26 shall prescribe:

27 1. The minimum education and training qualifications for
28 certification. The qualifications prescribed by the department shall
29 allow a person who does not meet the education and training requirements
30 of a radiologic technologist or a practical technologist in radiology to
31 obtain a certificate as a practical technologist in bone densitometry.

32 2. The application and renewal fees.

33 B. Subsection A of this section does not prohibit a radiologic
34 technologist or a practical technologist in radiology from operating a
35 bone densitometry machine.

36 C. A person who wishes to practice as a nuclear medicine
37 technologist must apply to the department for certification as prescribed
38 by rule. The department shall adopt rules to establish minimum
39 educational and training requirements for nuclear medicine technologists.

40 D. The department shall adopt rules to prescribe the following
41 minimum continuing education requirements for the renewal of the following
42 certificates:

43 1. Practical technologist in podiatry, two hours every two years.

44 2. Practical technologist in radiology, six hours every two years.

45 3. Practical technologist in bone densitometry, two hours every two
46 years.

1 1. Perform the radiologic procedures described in subsection C of
2 this section.

3 2. Claim to be a radiologist assistant, including using any sign,
4 advertisement, card, letterhead, circular or other writing, document or
5 design to induce others to believe the person is authorized to practice as
6 a radiologist assistant.

7 H. Subsection G of this section does not apply to either of the
8 following:

9 1. A person WHO IS engaging in the scope of practice for which the
10 person holds a valid license or certificate.

11 2. A person WHO IS performing a task as part of an advanced
12 academic program.

13 I. FOR THE PURPOSES OF THIS SECTION, "SUPERVISION" MEANS
14 SUPERVISION BY A RADIOLOGIST WHO IS LICENSED IN THIS STATE AND WHO IS
15 READILY ACCESSIBLE BY TELECOMMUNICATION.

16 Sec. 6. Section 32-2841, Arizona Revised Statutes, is amended to
17 read:

18 32-2841. Mammographic technologists; computed tomography
19 technologists; certification; renewal

20 A. A person who wishes to perform diagnostic mammography or
21 screening mammography as defined in section 30-651 shall obtain a
22 mammographic technologist certificate from the department. A person who
23 wishes to perform computed tomography shall obtain a computed tomography
24 technologist certificate from the department. The department shall issue
25 a certificate to an applicant who:

26 1. Pays ~~a twenty dollar~~ THE application fee THAT IS PRESCRIBED IN
27 RULE BY THE DEPARTMENT.

28 2. Holds a current radiologic technology certificate issued by the
29 department.

30 3. For a mammographic TECHNOLOGIST certification, completes the
31 training and education requirements of subsection B of this section and
32 passes an examination as prescribed in subsection D of this section.

33 4. For a computed tomography technologist certification, provides
34 documentation of two years of experience in computed tomography and
35 completion of twelve hours of computed tomography specific education or
36 passes an examination as prescribed in subsection D of this section.

37 B. To satisfy the education requirements of subsection A of this
38 section, an applicant shall meet the initial training and education
39 requirements of the mammography quality standards act regulations for
40 quality standards of mammographic technologists; (21 Code of Federal
41 Regulations section 900.12).

42 C. The department shall issue a student mammography permit,
43 preceptorship or temporary certificate to a person who is in training and
44 WHO meets the requirement of subsection A, paragraph 2 of this section if
45 the applicant also provides the department with verification of employment
46 and the name of the radiologist who agrees to be responsible for the
47 applicant's supervision and training. A student mammography permit,

1 preceptorship or temporary certificate is valid for one year ~~from~~ AFTER
2 the date it is issued and may not be renewed. If the holder completes all
3 of the requirements of subsection A of this section within the permitted
4 period, the department shall issue a mammographic TECHNOLOGIST or computed
5 tomography technologist certificate. The mammographic TECHNOLOGIST or
6 computed tomography technologist certificate shall be renewed as
7 prescribed ~~under~~ BY subsection E of this section.

8 D. To satisfy the examination requirements of this section, an
9 applicant shall pass an examination in mammography or computed tomography
10 administered by the department or, in lieu of its own examination, the
11 department may accept a certificate issued on the basis of an examination
12 by a certificate-granting body recognized by the department.

13 E. Except as provided in section 32-4301, a certificate that is
14 issued under this section is valid for two years. The department shall
15 notify a certificate holder thirty days before the expiration date of the
16 certificate. An applicant for renewal of a mammographic technologist
17 certificate shall meet the continuing education requirements of the
18 mammography quality standards act regulations for quality standards of
19 mammographic technologists, ~~(21 Code of Federal Regulations section~~
20 900.12). If a radiologic technologist is certified by the American
21 registry of radiologic technologists, that person must satisfy the
22 continuing education requirements of this subsection by providing the
23 department with evidence of the RADIOLOGIC technologist's good standing
24 and current certification with that registry. The applicant shall also
25 pay a ~~twenty-dollar~~ renewal fee ~~to~~ AS PRESCRIBED IN RULE BY the
26 department.

27 F. A person or facility that employs a person WHO IS certified
28 under this section shall report any suspected violations of section
29 32-2821 to the department. The department shall investigate the
30 complaint. If in the course of its investigation the department
31 determines that a person regulated by another regulatory agency of this
32 state may have violated that agency's laws, the department shall report
33 the violation to the other agency for disciplinary action.

34 Sec. 7. Section 36-3601, Arizona Revised Statutes, is amended to
35 read:

36 36-3601. Definitions

37 ~~For the purposes of~~ IN this chapter, UNLESS THE CONTEXT OTHERWISE
38 REQUIRES:

39 1. "Health care decision maker" has the same meaning prescribed in
40 section 12-2801.

41 2. "Health care provider":

42 (a) Means a person WHO IS licensed pursuant to title 32, chapter 7,
43 8, 13, 14, 15, 15.1, 16, 17, 18, 19, 19.1, 25, ~~28,~~ 29, 33, 34, 35, 39, 41
44 or 42, or chapter 4, article 6 of this title, chapter 6, article 7 of this
45 title or chapter 17 of this title.

46 (b) Includes:

1 (i) A health care institution **THAT IS** licensed pursuant to chapter
2 4 of this title.

3 (ii) A person who holds a training permit pursuant to title 32,
4 chapter 13 or 17.

5 3. "Health care provider regulatory board or agency" means a board
6 or agency that regulates one or more health care provider professions in
7 this state.

8 4. "Telehealth" means:

9 (a) The interactive use of audio, video or other electronic media,
10 including asynchronous store-and-forward technologies and remote patient
11 monitoring technologies, for the practice of health care, assessment,
12 diagnosis, consultation or treatment and the transfer of medical data.

13 (b) Includes the use of an audio-only telephone encounter between
14 the patient or client and health care provider if an audio-visual
15 telehealth encounter is not reasonably available due to the patient's
16 functional status, the patient's lack of technology or telecommunications
17 infrastructure limits, as determined by the health care provider.

18 (c) Does not include the use of a fax machine, instant messages,
19 ~~voice mail~~ **VOICEMAIL** or email.

20 Enroll and engross to conform

21 Amend title to conform

SELINA BLISS
CHAIRMAN

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