
HOUSE BILL 3190

State of Washington 60th Legislature 2008 Regular Session

By Representatives Morris, Green, Morrell, Quall, Kenney, and Seaquist

Read first time 01/24/08. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to radiologist assistants; amending RCW 18.84.010,
2 18.84.020, 18.84.030, 18.84.040, 18.84.080, 18.84.100, 18.84.110,
3 43.70.110, 43.70.250, and 43.70.280; and adding new sections to chapter
4 18.84 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.84.010 and 1991 c 222 s 1 are each amended to read
7 as follows:

8 It is the intent and purpose of this chapter to protect the public
9 by the certification and registration of practitioners of radiological
10 technology. By promoting high standards of professional performance,
11 by requiring professional accountability, and by credentialing those
12 persons who seek to provide radiological technology under the title of
13 (~~radiological~~) radiologic technologists, and by regulating all
14 persons utilizing ionizing radiation on human beings this chapter
15 identifies those practitioners who have achieved a particular level of
16 competency. Nothing in this chapter shall be construed to require that
17 individual or group policies or contracts of an insurance carrier,
18 health care service contractor, or health maintenance organization

1 provide benefits or coverage for services and supplies provided by a
2 person certified under this chapter.

3 The legislature finds and declares that this chapter conforms to
4 the guidelines, terms, and definitions for the credentialing of health
5 or health-related professions specified under chapter 18.120 RCW.

6 **Sec. 2.** RCW 18.84.020 and 2000 c 93 s 42 are each amended to read
7 as follows:

8 ~~((Unless the context clearly requires otherwise,))~~ The definitions
9 in this section apply throughout this chapter unless the context
10 clearly requires otherwise.

11 (1) "Department" means the department of health.

12 (2) "Secretary" means the secretary of health.

13 (3) "Licensed practitioner" means any licensed health care
14 practitioner performing services within the person's authorized scope
15 of practice.

16 (4) "Radiologic technologist" means an individual certified under
17 this chapter, other than a licensed practitioner, who practices
18 radiologic technology as a:

19 (a) Diagnostic radiologic technologist, who is a person who
20 actually handles X-ray equipment in the process of applying radiation
21 on a human being for diagnostic purposes at the direction of a licensed
22 practitioner, this includes parenteral procedures related to radiologic
23 technology when performed under the direct supervision of a physician
24 licensed under chapter 18.71 or 18.57 RCW; ~~((or))~~

25 (b) Therapeutic radiologic technologist, who is a person who uses
26 radiation-generating equipment for therapeutic purposes on human
27 subjects at the direction of a licensed practitioner, this includes
28 parenteral procedures related to radiologic technology when performed
29 under the direct supervision of a physician licensed under chapter
30 18.71 or 18.57 RCW; ~~((or))~~

31 (c) Nuclear medicine technologist, who is a person who prepares
32 radiopharmaceuticals and administers them to human beings for
33 diagnostic and therapeutic purposes and who performs in vivo and in
34 vitro detection and measurement of radioactivity for medical purposes
35 at the direction of a licensed practitioner; or

36 (d) Radiologist assistant, who is an advanced-level certified

1 diagnostic radiologic technologist who practices under levels of
2 supervision defined by the secretary, and:

3 (i) Enhances patient care by assisting the radiologist in the
4 diagnostic imaging environment;

5 (ii) Performs advanced diagnostic procedures including injecting
6 agents that facilitate or enable diagnostic imaging, performs selected
7 diagnostic aspirations and needle localizations for biopsy under
8 radiologist direction and supervision, performs fluoroscopy, and
9 placing nasoenteric and oroenteric feeding tubes in uncomplicated
10 patients;

11 (iii) Monitors and tailors selected examinations;

12 (iv) Communicates preliminary observations to a radiologist and
13 communicates final radiologist reports to referring health care
14 providers when directed;

15 (v) Performs selected peripheral venous diagnostic procedures; and

16 (vi) Assists radiologists with invasive procedures and performs
17 additional procedures under radiologist direction and supervision.

18 (5) "Approved school of radiologic technology" means a school of
19 radiologic technology or radiologist assistant program approved by the
20 council on medical education of the American medical association or the
21 American registry of radiologic technologists or a school found to
22 maintain the equivalent of such a course of study as determined by the
23 department. Such school may be operated by a medical or educational
24 institution, and for the purpose of providing the requisite clinical
25 experience, shall be affiliated with one or more general hospitals.

26 (6) "Radiologic technology" means the use of ionizing radiation
27 upon a human being for diagnostic or therapeutic purposes.

28 (7) "Radiologist" means a physician certified by the American board
29 of radiology or the American osteopathic board of radiology.

30 (8) "Registered X-ray technician" means a person who is registered
31 with the department, and who applies ionizing radiation at the
32 direction of a licensed practitioner and who does not perform
33 parenteral procedures.

34 **Sec. 3.** RCW 18.84.030 and 1991 c 222 s 3 are each amended to read
35 as follows:

36 No person may practice radiologic technology without being
37 registered or certified under this chapter, unless that person is a

1 licensed practitioner as defined in RCW 18.84.020(3). A person
2 represents himself or herself to the public as a certified
3 (~~radiological~~) radiologic technologist when that person adopts or
4 uses a title or description of services that incorporates one or more
5 of the following items or designations:

- 6 (1) Certified radiologic technologist or CRT, for persons so
7 certified under this chapter;
- 8 (2) Certified radiologic therapy technologist, CRTT, or CRT, for
9 persons certified in the therapeutic field;
- 10 (3) Certified radiologic diagnostic technologist, CRDT, or CRT, for
11 persons certified in the diagnostic field; (~~or~~)
- 12 (4) Certified nuclear medicine technologist, CNMT, or CRT, for
13 persons certified as nuclear medicine technologists; or
- 14 (5) Certified radiologist assistant or CRA for persons certified as
15 radiologist assistants.

16 **Sec. 4.** RCW 18.84.040 and 1994 sp.s. c 9 s 506 are each amended to
17 read as follows:

- 18 (1) In addition to any other authority provided by law, the
19 secretary may:
 - 20 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to
21 implement this chapter;
 - 22 (b) (~~Set all registration, certification, and renewal fees in~~
23 ~~accordance with RCW 43.70.250;~~
24 ~~(c)~~) Establish forms and procedures necessary to administer this
25 chapter;
 - 26 (~~(d)~~) (c) Evaluate and designate those schools from which
27 graduation will be accepted as proof of an applicant's eligibility to
28 receive a certificate;
 - 29 (~~(e)~~) (d) Determine whether alternative methods of training are
30 equivalent to formal education, and to establish forms, procedures, and
31 criteria for evaluation of an applicant's alternative training to
32 determine the applicant's eligibility to receive a certificate;
 - 33 (~~(f)~~) (e) Prepare, grade, and administer, or determine the nature
34 of, and supervise the grading and administration of examinations for
35 obtaining a certificate;
 - 36 (f) Issue a certificate to any applicant who has met the education,

1 training, examination, preceptorship, and conduct requirements for
2 certification; and

3 (g) Issue a registration to an applicant who meets the requirement
4 for a registration.

5 (2) The secretary may hire clerical, administrative, and
6 investigative staff as needed to implement this chapter.

7 (3) The uniform disciplinary act, chapter 18.130 RCW, governs the
8 issuance and denial of registrations and certifications, unregistered
9 and uncertified practice, and the discipline of registrants and
10 certificants under this chapter. The secretary is the disciplining
11 authority under this chapter.

12 (4) The secretary may appoint ad hoc members of the profession to
13 serve in an ad hoc advisory capacity to the secretary in carrying out
14 this chapter. The members will serve for designated times and provide
15 advice on matters specifically identified and requested by the
16 secretary. The members shall be compensated in accordance with RCW
17 43.03.220 and reimbursed for travel expenses under RCW 43.03.040 and
18 43.03.060.

19 **Sec. 5.** RCW 18.84.080 and 1991 c 3 s 209 are each amended to read
20 as follows:

21 (1) The secretary shall issue a certificate to any applicant who
22 demonstrates to the secretary's satisfaction, that the following
23 requirements have been met to practice as:

24 (a) A diagnostic radiologic technologist, therapeutic radiologic
25 technologist, or nuclear medicine technologist:

26 (i) Graduation from an approved school or successful completion of
27 alternate training that meets the criteria established by the
28 secretary; and

29 ~~((b))~~ (ii) Good moral character; or

30 (b) A radiologist assistant:

31 (i) Satisfactory completion of a baccalaureate degree,
32 postbaccalaureate certificate, or master's degree encompassing a
33 radiologist assistant curriculum from an approved school of radiologic
34 technology;

35 (ii) Satisfactory completion of a radiologist-directed clinical
36 preceptorship; and

1 (iii) Satisfactory completion of a radiologist assistant
2 examination approved by the secretary.

3 (2) Applicants shall be subject to the grounds for denial or
4 issuance of a conditional license under chapter 18.130 RCW.

5 (3) The secretary shall establish by rule what constitutes adequate
6 proof of meeting the requirements for certification and for designation
7 of certification in a particular field of radiologic technology.

8 **Sec. 6.** RCW 18.84.100 and 1996 c 191 s 71 are each amended to read
9 as follows:

10 Applications for certification must be submitted on forms provided
11 by the secretary. The secretary may require any information and
12 documentation that reasonably relates to the determination of whether
13 the applicant meets the requirements for certification provided for in
14 this chapter and chapter 18.130 RCW. Each applicant shall comply with
15 administrative procedures(~~()~~) and administrative requirements(~~(and~~
16 ~~fees))~~) determined by the secretary (~~(as provided in RCW 43.70.250 and~~
17 ~~43.70.280))~~).

18 **Sec. 7.** RCW 18.84.110 and 1996 c 191 s 72 are each amended to read
19 as follows:

20 The secretary shall establish the administrative procedures(~~()~~)
21 and administrative requirements(~~(and~~ fees)) for renewal of
22 certificates (~~(as provided in RCW 43.70.250 and 43.70.280))~~).

23 NEW SECTION. **Sec. 8.** A new section is added to chapter 18.84 RCW
24 to read as follows:

25 (1) The date and location of radiologist assistant examinations
26 must be established by the secretary. Applicants who have been found
27 by the secretary to meet the other requirements for obtaining a
28 certificate must be scheduled for the next examination following the
29 filing of the application. The secretary shall establish by rule the
30 examination application deadline.

31 (2) The secretary or the secretary's designee shall examine each
32 applicant, by means determined most effective, on subjects appropriate
33 to the scope of practice, as applicable. The examinations must be
34 limited to the purpose of determining whether the applicant possesses
35 the minimum skill and knowledge necessary to practice competently.

1 (3) The examination papers, all grading of the papers, and the
2 grading of any practical work must be preserved for a period of not
3 less than one year after the secretary has made and published the
4 decisions. All examinations must be conducted under fair and wholly
5 impartial methods.

6 (4) Any applicant failing to make the required grade in the first
7 examination may take up to two subsequent examinations as the applicant
8 desires. Upon failing four examinations, the secretary may invalidate
9 the original application and require remedial education before the
10 person may take future examinations.

11 (5) The secretary may approve an examination prepared or
12 administered by a private testing agency or association of
13 credentialing agencies for use by an applicant in meeting the
14 credentialing requirements, including examinations prepared and
15 administered by the American registry of radiologic technologists.

16 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.84 RCW
17 to read as follows:

18 It is unprofessional conduct under chapter 18.130 RCW for any
19 person registered or certified under this chapter to interpret images,
20 make diagnoses, prescribe medications or therapies, or perform other
21 procedures that may be prohibited by rule.

22 **Sec. 10.** RCW 43.70.110 and 2007 c 259 s 11 are each amended to
23 read as follows:

24 (1) The secretary shall charge fees to the licensee for obtaining
25 a license. After June 30, 1995, municipal corporations providing
26 emergency medical care and transportation services pursuant to chapter
27 18.73 RCW shall be exempt from such fees, provided that such other
28 emergency services shall only be charged for their pro rata share of
29 the cost of licensure and inspection, if appropriate. The secretary
30 may waive the fees when, in the discretion of the secretary, the fees
31 would not be in the best interest of public health and safety, or when
32 the fees would be to the financial disadvantage of the state.

33 (2) Except as provided in subsection (3) of this section, fees
34 charged shall be based on, but shall not exceed, the cost to the
35 department for the licensure of the activity or class of activities and
36 may include costs of necessary inspection.

1 (3) License fees shall include amounts in addition to the cost of
2 licensure activities in the following circumstances:

3 (a) For registered nurses and licensed practical nurses licensed
4 under chapter 18.79 RCW, support of a central nursing resource center
5 as provided in RCW 18.79.202, until June 30, 2013;

6 (b) For all health care providers licensed under RCW 18.130.040,
7 the cost of regulatory activities for retired volunteer medical worker
8 licensees as provided in RCW 18.130.360; and

9 (c) For physicians licensed under chapter 18.71 RCW, physician
10 assistants licensed under chapter 18.71A RCW, osteopathic physicians
11 licensed under chapter 18.57 RCW, osteopathic physicians' assistants
12 licensed under chapter 18.57A RCW, naturopaths licensed under chapter
13 18.36A RCW, podiatrists licensed under chapter 18.22 RCW, chiropractors
14 licensed under chapter 18.25 RCW, psychologists licensed under chapter
15 18.83 RCW, registered nurses licensed under chapter 18.79 RCW,
16 optometrists licensed under chapter 18.53 RCW, mental health counselors
17 licensed under chapter 18.225 RCW, massage therapists licensed under
18 chapter 18.108 RCW, clinical social workers licensed under chapter
19 18.225 RCW, and acupuncturists licensed under chapter 18.06 RCW, the
20 license fees shall include up to an additional twenty-five dollars to
21 be transferred by the department to the University of Washington for
22 the purposes of RCW 43.70.112.

23 (4) Department of health advisory committees may review fees
24 established by the secretary for licenses and comment upon the
25 appropriateness of the level of such fees.

26 (5) Nothing in this section authorizes the secretary to establish
27 or collect fees of any nature from a radiologist assistant certified
28 under chapter 18.84 RCW.

29 **Sec. 11.** RCW 43.70.250 and 2006 c 72 s 4 are each amended to read
30 as follows:

31 (1) It shall be the policy of the state of Washington that the cost
32 of each professional, occupational, or business licensing program be
33 fully borne by the members of that profession, occupation, or business.
34 The secretary shall from time to time establish the amount of all
35 application fees, license fees, registration fees, examination fees,
36 permit fees, renewal fees, and any other fee associated with licensing
37 or regulation of professions, occupations, or businesses administered

1 by the department. In fixing said fees, the secretary shall set the
2 fees for each program at a sufficient level to defray the costs of
3 administering that program and the cost of regulating licensed
4 volunteer medical workers in accordance with RCW 18.130.360, except as
5 provided in RCW 18.79.202 until June 30, 2013. All such fees shall be
6 fixed by rule adopted by the secretary in accordance with the
7 provisions of the administrative procedure act, chapter 34.05 RCW.

8 (2) Nothing in this section authorizes the secretary to establish
9 or collect fees of any nature from a radiologist assistant certified
10 under chapter 18.84 RCW.

11 **Sec. 12.** RCW 43.70.280 and 1999 c 34 s 1 are each amended to read
12 as follows:

13 (1) The secretary, in consultation with health profession boards
14 and commissions, shall establish by rule the administrative procedures,
15 administrative requirements, and fees for initial issue, renewal, and
16 reissue of a credential for professions under RCW 18.130.040, including
17 procedures and requirements for late renewals and uniform application
18 of late renewal penalties. Failure to renew invalidates the credential
19 and all privileges granted by the credential. Administrative
20 procedures and administrative requirements do not include establishing,
21 monitoring, and enforcing qualifications for licensure, scope or
22 standards of practice, continuing competency mechanisms, and discipline
23 when such authority is authorized in statute to a health profession
24 board or commission. For the purposes of this section, "in
25 consultation with" means providing an opportunity for meaningful
26 participation in development of rules consistent with processes set
27 forth in RCW 34.05.310.

28 (2) Notwithstanding any provision of law to the contrary which
29 provides for a licensing period for any type of license subject to this
30 chapter including those under RCW 18.130.040, the secretary of health
31 may, from time to time, extend or otherwise modify the duration of any
32 licensing, certification, or registration period, whether an initial or
33 renewal period, if the secretary determines that it would result in a
34 more economical or efficient operation of state government and that the
35 public health, safety, or welfare would not be substantially adversely
36 affected thereby. However, no license, certification, or registration
37 may be issued or approved for a period in excess of four years, without

1 renewal. Such extension, reduction, or other modification of a
2 licensing, certification, or registration period shall be by rule or
3 regulation of the department of health adopted in accordance with the
4 provisions of chapter 34.05 RCW. Such rules and regulations may
5 provide a method for imposing and collecting such additional
6 proportional fee as may be required for the extended or modified
7 period.

8 (3) Nothing in this section authorizes the secretary to establish
9 or collect fees of any nature from a radiologist assistant certified
10 under chapter 18.84 RCW.

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