

# HOUSE BILL NO. 2166

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PORTER.

4825H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to certification of radiologic imaging and radiation therapy personnel.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.3070, to read as follows:

**192.3070. 1. For purposes of this section, the following terms mean:**

- 2           **(1) "Certified registered nurse anesthetist", the same meaning given to the term**  
3 **in section 335.016;**  
4           **(2) "Department", the department of health and senior services;**  
5           **(3) "Ionizing radiation", radiation that may consist of alpha particles, beta**  
6 **particles, gamma rays, x-rays, neutrons, high-speed electrons, high-speed protons, or**  
7 **other particles capable of producing ions. The term "ionizing radiation" shall not**  
8 **include nonionizing radiation, such as radiofrequency or microwaves, visible infrared or**  
9 **ultraviolet light, or ultrasound;**  
10           **(4) "Licensed practitioner", a person licensed to practice medicine, chiropractic**  
11 **medicine, podiatry, or dentistry in this state with education and specialist training in the**  
12 **medical or dental use of radiation who is deemed competent to independently perform**  
13 **or supervise radiologic imaging or radiation therapy procedures by his or her respective**  
14 **state licensure board;**  
15           **(5) "Limited x-ray machine operator", a person who is certified to perform only**  
16 **x-ray or bone densitometry procedures not involving the administration or utilization of**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **contrast media on selected specific parts of the human anatomy under the supervision of**  
18 **a licensed practitioner;**

19 **(6) "Nuclear medicine technologist", a person who is certified to perform a**  
20 **variety of nuclear medicine and molecular imaging procedures using sealed and**  
21 **unsealed radiation sources, ionizing radiation, adjunctive medicine and**  
22 **pharmaceuticals associated with nuclear medicine procedures, and therapeutic**  
23 **procedures using sealed and unsealed radioactive sources;**

24 **(7) "Radiation therapist", a person who is certified to administer ionizing**  
25 **radiation to humans for therapeutic purposes;**

26 **(8) "Radiographer", a person who is certified to perform a comprehensive set of**  
27 **diagnostic radiographic procedures using external ionizing radiation to produce**  
28 **radiographic, fluoroscopic, or digital images.**

29 **2. Except as provided in subsection 9 of this section, no person shall provide the**  
30 **services of a radiographer, nuclear medicine technologist, radiation therapist, or limited**  
31 **x-ray machine operator unless such person is certified by the department.**

32 **3. No person shall hold himself or herself out as a radiographer, nuclear**  
33 **medicine technologist, radiation therapist, or limited x-ray machine operator unless**  
34 **such person is certified by the department.**

35 **4. Any person seeking certification under this section shall complete an**  
36 **application form approved by the department and pay the required fee set by the**  
37 **department by rule.**

38 **5. A person is eligible to be certified as a radiographer by the department if the**  
39 **person is currently certified as a radiographer by the American Registry of Radiologic**  
40 **Technologists.**

41 **6. A person is eligible to be certified as a radiation therapist by the department if**  
42 **the person is currently certified as a radiation therapist by the American Registry of**  
43 **Radiologic Technologists.**

44 **7. A person is eligible to be certified as a nuclear medicine technologist by the**  
45 **department if the person is currently certified as a nuclear medicine technologist by the**  
46 **American Registry of Radiologic Technologists or the Nuclear Medicine Technology**  
47 **Certification Board.**

48 **8. A person is eligible to be certified as a limited x-ray machine operator by the**  
49 **department if the person:**

50 **(1) Is currently certified by the American Society of Podiatric Medical Assistants**  
51 **or the International Society for Clinical Densitometry; or**

52 **(2) Has successfully passed an examination for limited x-ray machine operators**  
53 **approved by the department.**

54           **9. A person who has been providing services of a limited x-ray machine operator**  
55 **but who does not meet the requirements described in subsection 8 of this section may**  
56 **continue to practice as a limited x-ray machine operator, provided that such person:**

57           **(1) Registers with the department before January 1, 2023;**

58           **(2) Does not change the scope of his or her current practice or current place of**  
59 **employment; and**

60           **(3) Meets the requirements of subsection 8 of this section and the rules adopted**  
61 **by the department and obtains a certification from the department before October 1,**  
62 **2025.**

63           **10. A radiographer, nuclear medicine technologist, radiation therapist, or**  
64 **limited x-ray machine operator shall practice in accordance with nationally recognized**  
65 **practice standards and scopes of practice for medical imaging personnel and under the**  
66 **supervision of a licensed practitioner.**

67           **11. The provisions of this section shall not apply to, and shall not prohibit or**  
68 **restrict, the provision or performance of any service, treatment, care, or supervisory**  
69 **function provided by:**

70           **(1) A certified registered nurse anesthetist who is practicing within his or her**  
71 **scope of practice as recognized by the state board of nursing;**

72           **(2) A physician or surgeon licensed under chapter 334 who is practicing within**  
73 **his or her scope of practice;**

74           **(3) A dentist licensed under chapter 332 who is practicing within his or her scope**  
75 **of practice;**

76           **(4) A chiropractic physician licensed under chapter 331 who is practicing within**  
77 **his or her scope of practice;**

78           **(5) A podiatrist licensed under chapter 330 who is practicing within his or her**  
79 **scope of practice; or**

80           **(6) A student enrolled in and attending a school or college of medicine,**  
81 **chiropractic, podiatry, radiologic imaging, or radiation therapy who performs**  
82 **radiologic imaging or radiation therapy services on humans while under the**  
83 **supervision of a licensed practitioner or a person certified under this section.**

84           **12. The department shall promulgate rules on the certification requirements**  
85 **under this section and any other rules necessary for the implementation of this section.**  
86 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**  
87 **under the authority delegated in this section shall become effective only if it complies**  
88 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**  
89 **536.028. This section and chapter 536 are nonseverable, and if any of the powers vested**  
90 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**

91 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
92 **of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall**  
93 **be invalid and void.**

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