

Substitute House Bill No. 7097
PUBLIC ACT NO. 93-249
AN ACT CONCERNING X-RAY SAFETY.

Section 1. (NEW) As used in this act:

- (1) "Commissioner" means the commissioner of health services.
- (2) "Department" means the department of health services.
- (3) "Medical x-ray system" means an x-ray system designed for the irradiation of any part of the human body for diagnostic or therapeutic purposes.

Sec. 2. (NEW) (a) No person shall operate a medical x-ray system unless he has obtained a license as a radiographer from the department pursuant to this section. Each person seeking licensure as a radiographer shall make application on forms prescribed by the department, pay an application fee of one-hundred dollars and present to the department satisfactory evidence that he (1) has completed a course of study in radiologic technology in a program accredited by the Committee on Allied Health Education and Accreditation of the American Medical Association or its successor organization, or a course of study deemed equivalent to such accredited program by the American Registry of Radiologic Technologists and (2) has passed an examination prescribed by the department and administered by the American Registry of Radiologic Technologists.

(b) From October 1, 1993, until January 1, 1994, a person seeking licensure pursuant to this section may present to the department satisfactory evidence that he has, from October 1, 1988, until October 1, 1993, practiced as a radiographer for at least thirty-six months, provided that any license issued pursuant to this subsection shall become void on October 1, 1997, unless the person has, on or before that date, presented to the department satisfactory evidence that he has met the requirement of subdivision (2) of subsection (a) of this section.

(c) A radiographer licensed pursuant to this act shall operate a medical x-ray system under the supervision and upon the written order of a physician licensed pursuant to chapter 370 of the general statutes, an osteopathic physician licensed pursuant to chapter 371 of the general statutes, a chiropractor licensed pursuant to chapter 372 of the general statutes, a natureopath licensed pursuant to chapter 373 of the general statutes, a podiatrist licensed pursuant to chapter 375 of the general statutes, a dentist licensed pursuant to chapter 379 of the general statutes, or a veterinarian licensed pursuant to chapter 384 of the general statutes.

(d) Licenses shall be renewed annually in accordance with the provisions of section 19a-88 of the general statutes. The fee for renewal shall be fifty dollars.

(e) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or territory.

(f) No person shall use the title "radiographer" unless he holds a license issued in accordance with this section.

Sec. 3. (NEW) The department may take any action set forth in section 19a-17 of the general statutes if a person issued a license pursuant to section 2 of this act fails to conform to the accepted standards of the radiographer profession, including, but not limited to, the following: Conviction of a felony; fraud or deceit in the practice of radiography; illegal conduct; negligent, incompetent or wrongful conduct in professional activities; emotional disorder or mental illness; physical illness including, but not limited to, deterioration through the aging process; abuse or excessive use of drugs, including alcohol, narcotics or chemicals; wilful falsification of entries into any patient record pertaining to radiography; misrepresentation or concealment of a material fact in the obtaining or reinstatement of a radiographer license; or violation of any provisions of this act. The commissioner may order a license holder to submit to a reasonable physical or mental examination if his physical or mental capacity to practice safely is the subject of an investigation. The commissioner may petition the superior court for the judicial district of Hartford-New Britain* to enforce such order or any action taken pursuant to section 19a-17 of the general statutes. Notice of any contemplated action under said section, the cause of the action and the date of a hearing on the action shall be given and an opportunity for hearing afforded in accordance with the provisions of chapter 54 of the general statutes.

Sec. 4. (NEW) (a) Nothing in this act shall be construed to require licensure as a radiographer or to limit the activities of a physician licensed pursuant to chapter 370 of the general statutes, an osteopathic physician licensed pursuant to chapter 371 of the general statutes, a chiropractor licensed pursuant to chapter 372 of the general statutes, a natureopath licensed pursuant to chapter 373 of the general statutes, a podiatrist licensed pursuant to chapter 375 of the general statutes, a dentist licensed pursuant to

chapter 379 of the general statutes, or a veterinarian licensed pursuant to chapter 384 of the general statutes. Nothing in this act shall be construed to require licensure as a radiographer or to limit the activities of a dental hygienist licensed pursuant to chapter 379 of the general statutes provided that such dental hygienist is engaged in the taking of dental x-rays under the general supervision of a dentist licensed pursuant to chapter 379 of the general statutes. Nothing in this act shall be construed to require licensure as a radiographer or to limit the activities of a dental assistant as defined in section 20-112a of the general statutes, provided such dental assistant is engaged in the taking of dental x-rays under the supervision and control of a dentist licensed pursuant to chapter 379 of the general statutes and can demonstrate by January 1, 1995, successful completion of the dental radiography portion of an exam prescribed by the Dental Assisting National Board.

(b) No provision of this act shall be construed to prohibit students enrolled in a course of study in radiologic technology in a program accredited by the Committee on Allied Health Education and Accreditation of the American Medical Association or its successor organization from performing such work as is incidental to their course of study.

Sec. 5. Subsection (c) of section 19a-14 of the general statutes is repealed and the following is substituted in lieu thereof:

(c) No board shall exist for the following professions which are licensed or otherwise regulated by the department of health services:

- (1) Speech pathologist and audiologist;
- (2) Hearing aid dealer;
- (3) Nursing home administrator;
- (4) Sanitarian;
- (5) Subsurface sewage system installer or cleaner;
- (6) Marital and family therapist;
- (7) Nurse-midwife;
- (8) Certified independent social worker;
- (9) Respiratory care practitioner;
- (10) Asbestos contractor and asbestos consultant; [and]
- (11) Massage therapist; AND
- (12) RADIOGRAPHERS.

The department shall assume all powers and duties normally vested with a board in administering regulatory jurisdiction over said professions. The uniform provisions of this chapter and chapters 368v, 369 to 381, inclusive, 383 to 388, inclusive, 393a, 395, 398 and 399, including but not limited to standards for entry and renewal;

grounds for professional discipline; receiving and processing complaints; and disciplinary sanctions, shall apply, except as otherwise provided by law, to the professions listed in this subsection.

Sec. 6. (a) The sum of one hundred forty-three thousand nine hundred thirty dollars of the amount of the fees collected by the department of health services pursuant to subsections (a) and (d) of section 2 of this act, during the fiscal year ending June 30, 1994, shall, upon deposit in the general fund, be credited to the appropriation to the department of health services for said fiscal year.

(b) The sum of one hundred eighty-one thousand nine hundred six dollars of the amount of the fees collected by the department of health services pursuant to subsections (a) and (d) of section 2 of this act during the fiscal year ending June 30, 1995, shall, upon deposit in the general fund, be credited to the appropriation to the department of health services for said fiscal year.

Sec. 7. Sections 19a-63 to 19a-67, inclusive, of the general statutes are repealed.