

Chapter 872

(House Bill 934)

AN ACT concerning

~~**Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology
Assistance – Limited Licensed Radiologic Technologist
State Board of Physicians – Performance of X-Ray Duties Without a License**~~

FOR the purpose of ~~establishing a licensing and regulatory system for the practice of limited licensed radiologic technology under the State Board of Physicians; altering the composition of the Radiation Therapy, Radiography, Nuclear Medicine Technology, Radiology Assistance, and Limited Licensed Radiologic Technologist Advisory Committee; altering the circumstances under which individuals without a license to practice medicine may perform X-ray duties; and generally relating to limited licensed radiologic technologists~~ the performance of X-ray duties by individuals without a license.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section ~~14-306(e) 14-206(c)(2)(iii); and 14-5B-01, 14-5B-05 through 14-5B-09, 14-5B-12, 14-5B-14(a), 14-5B-18, 14-5B-18.1, and 14-5B-20 to be under the amended subtitle “Subtitle 5B. Radiation Therapy, Radiography, Nuclear Medicine Technology, Radiology Assistance, and Limited Licensed Radiologic Technology”~~

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

BY adding to

Article – Health Occupations

Section 14-306(g) and (h)

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

~~BY repealing and reenacting, without amendments,~~

~~Article – Health Occupations~~

~~Section 14-5B-03 and 14-5B-10~~

~~Annotated Code of Maryland~~

~~(2021 Replacement Volume and 2023 Supplement)~~

~~BY adding to~~

~~Article – Health Occupations~~

~~Section 14-5B-09.1, 14-5B-11(e), and 14-5B-17(e)~~

~~Annotated Code of Maryland~~

~~(2021 Replacement Volume and 2023 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health Occupations

14–306.

(e) Except as otherwise provided in this section AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, an individual may perform X–ray duties without a license only if the duties:

(1) Do not include:

- (i) Computerized or noncomputerized tomography;
- (ii) Fluoroscopy;
- (iii) Invasive radiology;
- (iv) Mammography;
- (v) Nuclear medicine;
- (vi) Radiation therapy; or
- (vii) Xerography;

(2) Are limited to X–ray procedures of the:

- (i) Chest[, anterior–posterior and lateral];
- (ii) Spine[, anterior–posterior and lateral; or], INCLUDING THE:

- 1. CERVICAL SPINE;**
- 2. LUMBAR SPINE;**
- 3. SACROILIAC JOINTS;**
- 4. SACRUM AND COCCYX; AND**
- 5. THORACIC SPINE;**

(iii) [Extremities, anterior–posterior and lateral, not including the head; and] LOWER EXTREMITIES, INCLUDING:

1. TOES;
2. THE FOOT;
3. THE ANKLE;
4. THE CALCANEUS;
5. THE TIBIA AND FIBULA;
6. THE KNEE AND PATELLA; AND
7. THE FEMUR; AND

(IV) UPPER EXTREMITIES, INCLUDING:

1. FINGERS;
2. THE HAND;
3. THE WRIST;
4. THE FOREARM;
5. THE ELBOW;
6. THE HUMERUS;
7. THE SHOULDER;
8. THE CLAVICLE;
9. ACROMIOCLAVICULAR JOINTS; AND
10. THE SCAPULA; AND

(3) Are performed:

(i) [By an individual who is not employed primarily to perform X-ray duties;

(ii) In the [medical office of the physician who delegates the duties] PHYSICIAN'S OFFICE UNDER THE SUPERVISION OF A LICENSED PHYSICIAN OR

RADIOLOGIC TECHNOLOGIST WHO IS ON-SITE OR ABLE TO PROVIDE IMMEDIATELY AVAILABLE DIRECTION; and

[(iii)] (II) 1. By an individual who[, before October 1, 2002.] has:

A. [Taken a course consisting of at least 30 hours of training in performing X-ray procedures approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists] ATTESTED TO THE COMPLETION OF AT LEAST 6 MONTHS OF CLINICAL CARE EXPERIENCE; and

B. [Successfully passed an examination based on that course that has been approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists; or] COMPLETED A LIMITED SCOPE X-RAY EDUCATIONAL PROGRAM CONSISTING OF AT LEAST 115 HOURS OF DIDACTIC TRAINING DELIVERED BY A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS PROVIDING INSTRUCTION IN RADIOGRAPHIC ANATOMY, PROCEDURES, AND PATHOLOGY, DIGITAL IMAGE ACQUISITION AND DISPLAY, FUNDAMENTALS, ETHICS, AND LAWS OF HEALTH CARE, HUMAN ANATOMY AND PHYSIOLOGY, IMAGE PRODUCTION AND ANALYSIS, IMAGING EQUIPMENT AND RADIATION PRODUCTION, MEDICAL TERMINOLOGY, AND PATIENT CARE;

C. COMPLETED AT LEAST 480 HOURS OF CLINICAL TRAINING AND SUCCESSFULLY COMPLETED A MINIMUM OF FIVE COMPETENCIES IN EACH BODY PART LISTED IN ITEM (2) OF THIS SUBSECTION UNDER THE DIRECT SUPERVISION OF A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS;

D. ACHIEVED A PASSING SCORE, AS DETERMINED BY THE BOARD, ON THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS EXAMINATION FOR LIMITED SCOPE OF PRACTICE IN RADIOGRAPHY OR AN ALTERNATIVE EXAMINATION APPROVED BY THE BOARD; AND

E. REGISTERED WITH THE BOARD ATTESTING TO THE COMPLETION OF THE REQUIREMENTS OF THIS ITEM AND THE COMPLETION OF AT LEAST 24 HOURS OF APPROVED CONTINUING EDUCATION CREDITS EARNED DURING THE 2-YEAR PERIOD IMMEDIATELY FOLLOWING THE DATE OF INITIAL REGISTRATION AND EVERY 2 YEARS THEREAFTER; OR

2. By a licensed physician assistant who has completed a course that includes anterior-posterior and lateral radiographic studies of extremities on at least 20 separate patients under the direct supervision of the delegating physician or radiologist using a mini C-arm or similar low-level radiation machine to perform nonfluoroscopic X-ray procedures, if the duties:

A. Include only the X-ray procedures described in paragraph (2)(iii) of this subsection; and

B. Are performed pursuant to a Board-approved delegation agreement that includes a request to perform advanced duties under § 15-302(c)(2) of this article.

(G) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, A PHYSICIAN’S OFFICE THAT EMPLOYS AN INDIVIDUAL AUTHORIZED TO PERFORM X-RAY DUTIES WITHOUT A LICENSE UNDER SUBSECTION (E) OF THIS SECTION IS RESPONSIBLE FOR ENSURING THAT ALL REQUIREMENTS OF SUBSECTION (E) OF THIS SECTION ARE MET FOR EACH X-RAY EXAMINATION PERFORMED.

(H) IF AN UNLICENSED INDIVIDUAL PERFORMS X-RAY DUTIES WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (E) OF THIS SECTION, THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO:

(1) \$5,000 FOR EACH VIOLATION ON THE PHYSICIAN’S OFFICE WHERE THE VIOLATION OCCURRED; AND

(2) \$1,000 FOR EACH VIOLATION ON THE INDIVIDUAL WHO COMMITTED THE VIOLATION.

~~14-206.~~

~~(e) A disciplinary panel may issue a cease and desist order or obtain injunctive relief against an individual for:~~

~~(2) Representing to the public, by title, description of services, methods, procedures, or otherwise, that the individual is authorized to practice:~~

~~(iii) Radiation therapy, radiography, nuclear medicine technology, [or] radiation assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY in this State, in violation of § 14-5B-18 of this title;~~

~~Subtitle 5B. Radiation Therapy, Radiography, Nuclear Medicine Technology, [and] Radiology Assistance, AND LIMITED LICENSED RADIOLOGIC TECHNOLOGY.~~

~~14-5B-01.~~

~~(a) In this subtitle the following words have the meanings indicated.~~

~~(b) “Board” means the State Board of Physicians.~~

~~(e) “Certification” means recognition of an individual who has satisfied certain standards required by a national certifying board.~~

~~(d) “Committee” means the Radiation Therapy, Radiography, Nuclear Medicine Technology, [and] Radiology Assistance, AND LIMITED LICENSED RADIOLOGIC TECHNOLOGY Advisory Committee of the Board.~~

~~[(f)] (E) “License” means a license issued by the Board to practice as a radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST.~~

~~[(g)] (F) “Licensed nuclear medicine technologist” means a nuclear medicine technologist who is licensed by the Board to practice nuclear medicine technology.~~

~~[(h)] (G) “Licensed radiation therapist” means a radiation therapist who is licensed by the Board to practice radiation therapy.~~

~~[(i)] (H) “Licensed radiographer” means a radiographer who is licensed by the Board to practice radiography.~~

~~[(j)] (I) “Licensed radiologist assistant” means an individual who is licensed to practice radiology assistance under the supervision of a licensed physician who:~~

~~(1) Specializes in radiology; and~~

~~(2) Is certified by:~~

~~(i) The American Board of Radiology;~~

~~(ii) The American Osteopathic Board of Radiology;~~

~~(iii) The British Royal College of Radiology; or~~

~~(iv) The Canadian College of Physicians and Surgeons.~~

~~(J) “LIMITED LICENSED RADIOLOGIC TECHNOLOGIST” MEANS AN INDIVIDUAL WHO IS LICENSED TO PRACTICE LIMITED LICENSED RADIOLOGIC TECHNOLOGY UNDER THE SUPERVISION OF A LICENSED PHYSICIAN.~~

~~(k) “Licensee” means an individual who is licensed by the Board to practice as a radiation therapist, a radiographer, a nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST.~~

~~(l) “National certifying board” means:~~

- ~~(1) The American Registry of Radiologic Technologists;~~
- ~~(2) The Nuclear Medicine Technology Certifying Board; or~~
- ~~(3) Another certifying organization approved by the Board.~~

~~(M) "PRACTICE LIMITED LICENSED RADIOLOGIC TECHNOLOGY" MEANS TO PERFORM RADIOGRAPHIC PROCEDURES EMPLOYING EQUIPMENT THAT EMITS IONIZING RADIATION THAT IS LIMITED TO SPECIFIC AREAS OF THE HUMAN BODY.~~

~~[(m)] (N) "Practice nuclear medicine technology" means to:~~

- ~~(1) Prepare and administer radiopharmaceuticals to human beings; or~~
- ~~(2) Conduct in vivo detection and measurement of radioactivity for medical purposes to assist in the diagnosis and treatment of disease or injury.~~

~~[(n)] (O) "Practice radiation therapy" means to perform tumor localization radiography and apply therapeutic doses of radiation for the treatment of disease or injury.~~

~~[(o)] (P) "Practice radiography" means to use ionizing radiation to:~~

- ~~(1) Demonstrate portions of the human body to assist in the diagnosis or localization of disease or injury; or~~
- ~~(2) Perform tumor localization radiography.~~

~~[(p)] (Q) "Practice radiology assistance" means to practice radiography and to perform:~~

- ~~(1) Fluoroscopy and selected radiology procedures;~~
- ~~(2) Patient assessment; and~~
- ~~(3) Patient management.~~

~~[(q)] (R) "Supervision" means the responsibility of a licensed physician to exercise on site or immediately available direction for licensees.~~

~~14-5B-03.~~

~~The Board shall adopt regulations to carry out the provisions of this subtitle.~~

~~14-5B-05.~~

~~(a) There is a Radiation Therapy, Radiography, Nuclear Medicine Technology, [and] Radiology Assistance, AND LIMITED LICENSED RADIOLOGIC TECHNOLOGY Advisory Committee within the Board.~~

~~(b) (1) The Committee consists of [nine] 11 members appointed by the Board.~~

~~(2) Of the [nine] members:~~

~~(i) One shall be a licensed physician who specializes in radiology;~~

~~(ii) One shall be a licensed physician who specializes in radiology and who supervises a radiologist assistant OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST;~~

~~(iii) One shall be a licensed physician who specializes in nuclear medicine;~~

~~(iv) One shall be a licensed physician who specializes in radiation oncology;~~

~~(v) One shall be a radiation therapist;~~

~~(vi) One shall be a radiographer;~~

~~(vii) One shall be a radiologist assistant;~~

~~(viii) One shall be a nuclear medicine technologist; [and]~~

~~(ix) ONE SHALL BE A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST; AND~~

~~[(ix)] (x) [One] TWO shall be [a] consumer [member] MEMBERS.~~

~~(e) (1) From among its members, the Committee shall elect a chair once every 2 years.~~

~~(2) The chair, or the chair's designee, shall serve in an advisory capacity to the Board as a representative of the Committee.~~

~~(d) The consumer [member] MEMBERS of the Committee:~~

~~(1) Shall be [a member] MEMBERS of the general public;~~

~~(2) May not be or ever have been a health care professional or in training to be a health care professional; and~~

~~(3) May not:~~

~~(i) Participate or ever have participated in a commercial or professional field related to radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~

~~(ii) Have a household member who participates in a commercial or professional field related to radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY; or~~

~~(iii) Have had within 2 years before appointment a financial interest in a person regulated by the Board.~~

~~(e) (1) The term of a member is 3 years.~~

~~(2) The terms of members are staggered as required by regulation.~~

~~(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.~~

~~(4) A member may not serve more than 2 consecutive full terms.~~

~~14-5B-06.~~

~~(a) In addition to the powers set forth elsewhere in this subtitle, the Committee shall:~~

~~(1) Make recommendations to the Board on regulations necessary to carry out the provisions of this subtitle;~~

~~(2) Make recommendations to the Board on a code of ethics for the practice of radiation therapy, the practice of radiography, the practice of nuclear medicine technology, [and] the practice of radiology assistance, AND THE PRACTICE OF LIMITED LICENSED RADIOLOGIC TECHNOLOGY for adoption by the Board;~~

~~(3) On request, make recommendations to the Board on standards of care for the practice of radiation therapy, the practice of radiography, the practice of nuclear medicine technology, [and] the practice of radiology assistance, AND THE PRACTICE OF LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~

~~(4) Make recommendations to the Board on the requirements for licensure as a radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST;~~

~~(5) On request, review applications for licensure as a radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST and make recommendations to the Board;~~

~~(6) Develop and recommend to the Board continuing education requirements for license renewal;~~

~~(7) Advise the Board on matters related to the practice of radiation therapy, the practice of radiography, the practice of nuclear medicine technology, [and] the practice of radiology assistance, AND THE PRACTICE OF LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~

~~(8) Keep a record of its proceedings; and~~

~~(9) Submit an annual report to the Board.~~

~~(b) The Board shall:~~

~~(1) Consider all recommendations of the Committee; and~~

~~(2) Provide to the Committee an annual report on the disciplinary matters involving licensees.~~

~~14-5B-07.~~

~~(a) (1) A licensee may only practice under the supervision of a licensed physician.~~

~~(2) The failure of a licensed physician to properly supervise a licensee is unprofessional conduct in the practice of medicine under § 14-404(a)(3) of this title.~~

~~(b) (1) Except as provided in paragraph (2) of this subsection, the practice of a radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST is limited to those procedures, operations, preparations, and practices listed in regulation.~~

~~(2) A radiologist assistant may not:~~

~~(i) Interpret images;~~

~~(ii) Make diagnoses; or~~

~~(iii) Prescribe medications or therapies.~~

~~14-5B-08.~~

~~(a) (1) Except as otherwise provided in this subtitle, an individual shall be licensed by the Board before the individual may practice radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY in this State.~~

~~(2) A radiologist assistant may not:~~

~~(i) Interpret images;~~

~~(ii) Make diagnoses; or~~

~~(iii) Prescribe medications or therapies.~~

~~(b) This section does not apply to:~~

~~(1) An individual employed by the federal government as a radiation therapist, radiographer, a nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST while the individual is practicing within the scope of that employment; or~~

~~(2) A radiation therapy student, a radiography student, a nuclear medicine technology student, [or] a radiology assistant student, OR A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST STUDENT enrolled in an education program which is accredited by an approved accrediting organization while practicing radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY in that program.~~

~~14-5B-09.~~

~~(a) To qualify for a license, an applicant shall be an individual who meets the requirements of this section.~~

~~(b) Except as provided in [subsection] SUBSECTIONS (c) AND (d) of this section, the applicant [shall] MUST:~~

~~(1) Be of good moral character;~~

~~(2) Be at least 18 years old;~~

~~(3) Demonstrate oral and written competency in English as required by the Board;~~

~~(4) Meet any educational, training, or examination requirements established by the Board, including:~~

~~(i) Graduation from an appropriate educational program as determined by the Board; and~~

~~(ii) Certification; and~~

~~(5) Complete a criminal history records check in accordance with § 14-308.1 of this title.~~

~~(e) To qualify for a license to practice as a radiologist assistant, an applicant shall:~~

~~(1) Be issued a general license to perform radiography;~~

~~(2) Complete an advanced academic program with a nationally recognized radiology curriculum that results in a baccalaureate degree, post baccalaureate certificate, or graduate degree and incorporates a radiologist-directed clinical preceptorship;~~

~~(3) Be certified in advanced cardiac life support; and~~

~~(4) Be certified as a radiologist assistant by the American Registry of Radiologic Technologists.~~

~~(D) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (B) OF THIS SECTION, TO QUALIFY FOR A LICENSE TO PRACTICE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST, AN APPLICANT SHALL MEET THE REQUIREMENTS OF § 14-5B-09.1 OF THIS SUBTITLE.~~

~~[(d)](E) Except for requirements adopted by the Board for license renewal under § 14-5B-12 of this subtitle, nothing in this subtitle may be construed to require an individual who is certified by the Board as a radiation oncology/therapy technologist, medical radiation technologist, or nuclear medicine technologist as of October 1, 2008, to meet additional education, training, or examination requirements.~~

~~14-5B-09.1.~~

~~(A) AN APPLICANT FOR LICENSURE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST SHALL SUBMIT TO THE BOARD:~~

~~(1) EVIDENCE OF COMPLETION OF EDUCATION REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION, AS APPLICABLE; AND~~

~~(2) (i) EVIDENCE OF HAVING ACHIEVED A PASSING SCORE, AS DETERMINED BY THE BOARD, ON THE SECTION OF THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS EXAMINATION FOR LIMITED SCOPE OF PRACTICE IN RADIOGRAPHY APPROPRIATE FOR THE ANATOMICAL AREA ON WHICH THE APPLICANT IS APPLYING TO PRACTICE;~~

~~(II) EVIDENCE OF HAVING ACHIEVED A PASSING SCORE, AS DETERMINED BY THE BOARD, ON ANOTHER EXAMINATION APPROVED BY THE BOARD; OR~~

~~(III) EVIDENCE OF COMPLETION OF AN ALTERNATIVE TO EXAMINATION APPROVED BY THE BOARD.~~

~~(B) TO QUALIFY FOR LICENSURE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST, AN APPLICANT SHALL COMPLETE:~~

~~(1) EDUCATIONAL COURSEWORK:~~

~~(I) DIRECTED BY A RADIOLOGIC TECHNOLOGIST WITH A BACHELOR'S DEGREE AND CURRENT AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS CERTIFICATION;~~

~~(II) TAUGHT BY INSTRUCTORS WHO ARE LICENSED RADIOLOGIC TECHNOLOGISTS OR PHYSICIANS WHO ARE BOARD CERTIFIED IN RADIOLOGY; AND~~

~~(III) THAT INCLUDES AT LEAST:~~

~~1. 25 CLOCK HOURS OF IMAGE PRODUCTION AND EQUIPMENT OPERATION;~~

~~2. 15 CLOCK HOURS OF RADIATION PROTECTION; AND~~

~~3. 10 CLOCK HOURS OF RADIOGRAPHIC PROCEDURES IN THE ANATOMICAL AREA OF THE LIMITED LICENSED RADIOLOGIC TECHNOLOGIST'S PRACTICE, TAUGHT BY:~~

~~A. A RADIOLOGIC TECHNOLOGIST WITH CURRENT AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS CERTIFICATION; OR~~

~~B. A LICENSED DOCTOR OF MEDICINE, OSTEOPATHY, PODIATRY, OR CHIROPRACTIC; OR~~

~~(2) ANY OTHER EDUCATION PROGRAM APPROVED BY THE BOARD.~~

~~(C) AN APPLICANT WHO FAILS AN EXAMINATION REQUIRED UNDER THIS SECTION MAY RETAKE THE EXAMINATION TWICE BEFORE THE APPLICANT MUST REAPPLY AND DEMONSTRATE COMPLETION OF ANY ADDITIONAL EDUCATION REQUIRED BY THE BOARD.~~

~~(D) A LICENSE ISSUED TO PRACTICE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST UNDER THIS SECTION AUTHORIZES THE LICENSEE TO PRACTICE ONLY ON THE ANATOMICAL AREA AUTHORIZED BY THE BOARD, AS DETERMINED BY THE BOARD BASED ON THE EDUCATION AND EXAMINATIONS COMPLETED BY THE LICENSEE.~~

~~14-5B-10.~~

~~(a) To apply for a license, an applicant shall:~~

~~(1) Complete a criminal history records check in accordance with § 14-308.1 of this title;~~

~~(2) Submit an application to the Board on the form that the Board requires;~~
and

~~(3) Pay to the Board the application fee set by the Board.~~

~~(b) Subject to subsection (c) of this section, the Board shall issue the appropriate license to an applicant who meets the requirements of this subtitle for that license.~~

~~(c) (1) On receipt of the criminal history record information of an applicant for licensure forwarded to the Board in accordance with § 14-308.1 of this title, in determining whether to issue a license, the Board shall consider:~~

~~(i) The age at which the crime was committed;~~

~~(ii) The nature of the crime;~~

~~(iii) The circumstances surrounding the crime;~~

~~(iv) The length of time that has passed since the crime;~~

~~(v) Subsequent work history;~~

~~(vi) Employment and character references; and~~

~~(vii) Other evidence that demonstrates whether the applicant poses a threat to the public health or safety.~~

~~(2) The Board may not issue a license if the criminal history record information required under § 14-308.1 of this title has not been received.~~

~~14-5B-11.~~

~~(E) SUBJECT TO § 14 5B 09.1(D) OF THIS SUBTITLE, LICENSURE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST AUTHORIZES AN INDIVIDUAL TO PRACTICE LIMITED LICENSED RADIOLOGIC TECHNOLOGY WHILE THE LICENSE IS EFFECTIVE.~~

~~14 5B 12.~~

~~(a) (1) The term of a license issued by the Board may not exceed 3 years.~~

~~(2) A license expires on a date set by the Board, unless the license is renewed for an additional term as provided in this section.~~

~~(b) At least 1 month before the license expires, the Board shall send to the licensee a renewal notice that states:~~

~~(1) The date on which the current license expires;~~

~~(2) The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the license expires; and~~

~~(3) The amount of the renewal fee.~~

~~(c) Except as otherwise provided in this subtitle, before a license expires, the licensed individual may periodically renew it for an additional term, if the individual:~~

~~(1) Is of good moral character;~~

~~(2) Pays to the Board a renewal fee set by the Board;~~

~~(3) Submits to the Board:~~

~~(i) A renewal application on the form that the Board requires; and~~

~~(ii) Satisfactory evidence of compliance with any continuing education or competency requirements and other requirements required by the Board for license renewal; and~~

~~(4) Meets any additional renewal requirements established by the Board.~~

~~(d) (1) In addition to any other qualifications and requirements established by the Board, the Board may establish continuing education or competency requirements as a condition to the renewal of licenses under this section.~~

~~(2) A disciplinary panel may impose a civil penalty of up to \$100 per continuing medical education credit in lieu of a sanction under § 14 5B 14 of this subtitle;~~

~~for a first offense, for the failure of a licensee to obtain the continuing medical education credits required by the Board.~~

~~(e) (1) The Board shall renew the license of each individual who meets the renewal requirements of this section.~~

~~(2) A license may not be renewed for a term longer than 2 years.~~

~~(f) The Board shall reinstate the license of a radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST who has failed to renew a license for any reason if the radiation therapist, radiographer, nuclear medicine technologist, [or] radiologist assistant, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGIST:~~

~~(1) Meets the renewal requirements of this section;~~

~~(2) Submits to the Board:~~

~~(i) A reinstatement application on the form that the Board requires;~~

and

~~(ii) Satisfactory evidence of compliance with any continuing education or competency requirements; and~~

~~(3) Meets any additional requirements established by the Board for reinstatement.~~

~~(g) (1) Beginning October 1, 2016, the Board shall require a criminal history records check in accordance with § 14-308.1 of this title for:~~

~~(i) Renewal applicants as determined by regulations adopted by the Board; and~~

~~(ii) Each former licensee who files for reinstatement under subsection (f) of this section.~~

~~(2) On receipt of the criminal history record information of a licensee forwarded to the Board in accordance with § 14-308.1 of this title, in determining whether disciplinary action should be taken, based on the criminal history record information, against a licensee who renewed or reinstated a license, the Board shall consider:~~

~~(i) The age at which the crime was committed;~~

~~(ii) The nature of the crime;~~

~~(iii) The circumstances surrounding the crime;~~

- ~~(iv) The length of time that has passed since the crime;~~
- ~~(v) Subsequent work history;~~
- ~~(vi) Employment and character references; and~~
- ~~(vii) Other evidence that demonstrates whether the licensee poses a threat to the public health or safety.~~

~~(3) The Board may renew or reinstate a license only if the licensee or applicant attests that the licensee or applicant has submitted to a criminal history records check under § 14-308.1 of this title.~~

~~14-5B-14.~~

~~(a) Subject to the hearing provisions of § 14-405 of this title, a disciplinary panel, on the affirmative vote of a majority of the quorum of the disciplinary panel, may deny a license to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license, if the applicant or licensee:~~

~~(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensed individual, or for another;~~

~~(2) Fraudulently or deceptively uses a license;~~

~~(3) Is guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~

~~(4) Is professionally, physically, or mentally incompetent;~~

~~(5) Abandons a patient;~~

~~(6) Is habitually intoxicated;~~

~~(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article;~~

~~(8) Provides professional services while:~~

~~(i) Under the influence of alcohol; or~~

~~(ii) Using any narcotic or controlled dangerous substance as defined in § 5-101 of the Criminal Law Article or any other drug that is in excess of therapeutic amounts or without valid medical indication;~~

- ~~(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain;~~
- ~~(10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~
- ~~(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report;~~
- ~~(12) Breaches patient confidentiality;~~
- ~~(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;~~
- ~~(14) Knowingly makes a misrepresentation while practicing radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~
- ~~(15) Knowingly practices radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY with an unauthorized individual or aids an unauthorized individual in the practice of radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY;~~
- ~~(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine;~~
- ~~(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes;~~
- ~~(18) Fails to meet appropriate standards for the delivery of quality radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY care performed in any outpatient surgical facility, office, hospital or related institution, or any other location in this State;~~
- ~~(19) Knowingly submits false statements to collect fees for which services are not provided;~~

~~(20) (i) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; and~~

~~(ii) Has:~~

~~1. Surrendered the license issued by the state or country; or~~

~~2. Allowed the license issued by the state or country to expire or lapse;~~

~~(21) Knowingly fails to report suspected child abuse in violation of § 5-704 of the Family Law Article;~~

~~(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes;~~

~~(23) Practices or attempts to practice beyond the authorized scope of practice;~~

~~(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;~~

~~(25) Practices or attempts to practice a radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, **OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY** procedure or uses radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, **OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY** equipment if the applicant or licensee has not received education, internship, training, or experience in the performance of the procedure or the use of the equipment;~~

~~(26) Fails to cooperate with a lawful investigation conducted by the Board or a disciplinary panel;~~

~~(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician; or~~

~~(28) Fails to complete a criminal history records check under § 14-308.1 of this title.~~

~~14-5B-17.~~

~~(E) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERSON MAY NOT PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE LIMITED LICENSED~~

~~RADIOLOGIC TECHNOLOGY IN THIS STATE UNLESS LICENSED TO PRACTICE AS A LIMITED LICENSED RADIOLOGIC TECHNOLOGIST BY THE BOARD.~~

~~14-5B-18.~~

~~(a) Unless authorized to practice radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY under this subtitle, a person may not represent to the public by title, by description of services, methods, or procedures, or otherwise, that the person is authorized to practice radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY in this State.~~

~~(b) A person may not provide, attempt to provide, offer to provide, or represent that the person provides radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY care unless the radiation therapy, radiography, nuclear medicine technology, or radiology assistance care is provided by an individual who is authorized to practice radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY under this subtitle.~~

~~14-5B-18.1.~~

~~(a) Except as otherwise provided in this subtitle, a licensed physician may not employ or supervise an individual practicing radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY without a license.~~

~~(b) Except as otherwise provided in this subtitle, a hospital, related institution, alternative health system, or employer may not employ an individual practicing radiation therapy, radiography, nuclear medicine technology, [or] radiology assistance, OR LIMITED LICENSED RADIOLOGIC TECHNOLOGY without a license.~~

~~(c) A disciplinary panel may impose a civil penalty of up to \$1,000 for employing an individual without a license under this section.~~

~~(d) The Board shall remit any penalty collected under this section into the General Fund of the State.~~

~~14-5B-20.~~

~~This subtitle may be cited as the “Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, [and] Radiology Assistance, AND LIMITED LICENSED RADIOLOGIC TECHNOLOGY Act”.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2029, the State Board of Physicians shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on:

(1) the number of individuals who have registered with the Board to perform limited X–ray duties under § 14–306(e) of the Health Occupations Article, as enacted by Section 1 of this Act; and

(2) its recommendations regarding the continuation of the registration process or the replacement of the registration process with a limited licensure category.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to prohibit the establishment of a program that provides the training described in § 14–306(e)(3)(ii) of the Health – General Article, as enacted by Section 1 of this Act, before the effective date of this Act.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ January 1, ~~2024~~ 2025. It shall remain effective for a period of ~~5~~ 6 years and, at the end of December 31, 2030, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2024.