

1 SB165  
2 197450-2  
3 By Senator Whatley  
4 RFD: Healthcare  
5 First Read: 21-MAR-19

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8 SYNOPSIS: This bill would create the Alabama Medical  
9 Imaging and Radiation Therapy Patient Safety Act.

10 This bill would provide for the standardized  
11 education and demonstration of competency by  
12 medical imaging and radiation therapy professionals  
13 under the jurisdiction of a licensing board.

14 This bill would establish the Alabama  
15 Medical Imaging and Radiation Therapy Board to  
16 provide for the regulation and licensure of limited  
17 X-ray machine operators, magnetic resonance  
18 technologists, nuclear medicine technologists,  
19 radiation therapists, radiographers, and  
20 radiologist assistants.

21 This bill would authorize the board to  
22 discipline licensees and individuals practicing  
23 without a license.

24 Amendment 621 of the Constitution of Alabama  
25 of 1901, now appearing as Section 111.05 of the  
26 Official Recompilation of the Constitution of  
27 Alabama of 1901, as amended, prohibits a general

1 law whose purpose or effect would be to require a  
2 new or increased expenditure of local funds from  
3 becoming effective with regard to a local  
4 governmental entity without enactment by a 2/3 vote  
5 unless: it comes within one of a number of  
6 specified exceptions; it is approved by the  
7 affected entity; or the Legislature appropriates  
8 funds, or provides a local source of revenue, to  
9 the entity for the purpose.

10 The purpose or effect of this bill would be  
11 to require a new or increased expenditure of local  
12 funds within the meaning of the amendment. However,  
13 the bill does not require approval of a local  
14 governmental entity or enactment by a 2/3 vote to  
15 become effective because it comes within one of the  
16 specified exceptions contained in the amendment.

17  
18 A BILL  
19 TO BE ENTITLED  
20 AN ACT  
21

22 To create the Alabama Medical Imaging and Radiation  
23 Therapy Patient Safety Act; to provide for the standardized  
24 education and demonstration of competency by medical imaging  
25 and radiation therapy professionals; to establish the Alabama  
26 Medical Imaging and Radiation Therapy Board; to authorize the  
27 board to provide for the regulation and licensure of limited

1 X-ray machine operators, magnetic resonance technologists,  
2 nuclear medicine technologists, radiation therapists,  
3 radiographers, and radiologist assistants; to authorize the  
4 board to discipline medical imaging and radiation therapy  
5 professionals who perform diagnostic imaging or radiation  
6 therapy procedures for medical purposes; to provide civil and  
7 criminal penalties for violations; and in connection therewith  
8 would have as its purpose or effect the requirement of a new  
9 or increased expenditure of local funds within the meaning of  
10 Amendment 621 of the Constitution of Alabama of 1901, now  
11 appearing as Section 111.05 of the Official Recompilation of  
12 the Constitution of Alabama of 1901, as amended.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. This act shall be known and may be cited  
15 as the Alabama Medical Imaging and Radiation Therapy Patient  
16 Safety Act.

17 Section 2. For the purposes of this act, the  
18 following terms shall have the following meanings:

19 (1) ACCREDITED EDUCATIONAL PROGRAM. An educational  
20 program in medical imaging or radiation therapy that is  
21 accredited by an accrediting agency recognized and approved by  
22 the United States Department of Education or its successor.

23 (2) BOARD. The Alabama Medical Imaging and Radiation  
24 Therapy Board created by this act.

25 (3) BONE DENSITOMETRY. The determination of bone  
26 mass by means of the radiation absorption by a skeleton or  
27 part of a skeleton.

1           (4) BONE DENSITOMETRY TECHNOLOGIST. A person who is  
2 licensed under this act as a limited X-ray machine operator  
3 with a permit to perform bone densitometry testing.

4           (5) BUSINESS ENTITY. A corporation, partnership,  
5 association, limited liability company, or limited liability  
6 partnership.

7           (6) CERTIFICATION ORGANIZATION. A national  
8 certification organization that specializes in the  
9 certification and registration of medical imaging or radiation  
10 therapy technical personnel and is accredited by the National  
11 Commission for Certifying Agencies, American National  
12 Standards Institute, the International Organization for  
13 Standardization, or other accreditation organization that  
14 accredits certification organizations recognized by the board.

15           (7) COMPUTED TOMOGRAPHY. The process of producing  
16 sectional and three-dimensional images using external ionizing  
17 radiation for diagnostic or therapeutic purposes.

18           (8) COMPUTED TOMOGRAPHY TECHNOLOGIST. A person who  
19 is authorized by the board to perform computed tomography  
20 procedures as a licensed nuclear medicine technologist,  
21 licensed radiographer, or licensed radiation therapist.

22           (9) FLUOROSCOPY. The exposure of a patient to X-rays  
23 in a fluoroscopy mode, including positioning the patient and  
24 fluoroscopy equipment and the selection of exposure factors.

25           (10) HYBRID IMAGING. The combination of imaging  
26 technologies that allows information from different modalities  
27 to be presented as a single set of images.

1           (11) IONIZING RADIATION. Radiation that may consist  
2 of alpha particles, beta particles, gamma rays, X-rays,  
3 neutrons, high-speed electrons, high-speed protons, or other  
4 particles capable of producing ions. Ionizing radiation does  
5 not include nonionizing radiation, such as high frequency  
6 sound waves, magnetic fields, microwaves, radio frequency  
7 signals, or visible, infrared, or ultraviolet light.

8           (12) LICENSE. Authorization from the board to use  
9 radioactive substances or equipment emitting ionizing  
10 radiation, magnetic fields, or radio frequency signals for  
11 medical imaging or radiation therapy procedures on humans for  
12 diagnostic or therapeutic purposes in accordance with this act  
13 and rules adopted by the board.

14           (13) LICENSED PRACTITIONER. A person licensed to  
15 practice medicine, dentistry, podiatry, chiropractic, or  
16 osteopathy in this state.

17           (14) LICENSEE. A person who is licensed under this  
18 act to perform medical imaging or radiation therapy procedures  
19 and operate medical imaging or radiation therapy equipment.

20           (15) LIMITED X-RAY MACHINE OPERATOR. A person who is  
21 licensed under this act to perform, under the supervision of a  
22 radiographer or licensed practitioner, diagnostic radiography  
23 or bone densitometry procedures using equipment that emits  
24 external ionizing radiation resulting in diagnostic  
25 radiographic images of selected specific parts of human  
26 anatomy or bone density measurements.

1           (16) MAGNETIC RESONANCE IMAGING. The creation or  
2 acquisition of images generated by using radio frequency  
3 signals within a magnetic field for diagnostic or therapeutic  
4 purposes.

5           (17) MAGNETIC RESONANCE TECHNOLOGIST. A person who  
6 is licensed under this act to perform magnetic resonance  
7 procedures using magnetic fields and radio frequency signals.

8           (18) MEDICAL IMAGING. A procedure, device, or  
9 article that uses ionizing radiation, magnetic fields, or  
10 radio frequency signals to produce images of the internal  
11 structures of the human body for diagnostic or therapeutic  
12 purposes.

13           (19) MOBILE IMAGING. Any arrangement in which  
14 medical imaging services are transported to various sites.  
15 Mobile imaging does not include movement within a hospital or  
16 movement to a site where the equipment will be located  
17 permanently.

18           (20) MODALITY. Technologies used in the diagnosis or  
19 treatment of disease or other medical conditions in human  
20 beings, including any of the following:

21           a. Magnetic resonance imaging and its  
22 specializations.

23           b. Nuclear medicine and its specializations.

24           c. Radiation therapy and its specializations.

25           d. Radiography and its specializations.

1           (21) NUCLEAR MEDICINE TECHNOLOGIST. A person who is  
2 licensed under this act to perform nuclear medicine and  
3 molecular imaging procedures.

4           (22) NUCLEAR MEDICINE TECHNOLOGY. The performance,  
5 under the supervision of an authorized user named on a  
6 radioactive material license, of a variety of the following:

7           a. Nuclear medicine and molecular imaging procedures  
8 using sealed and unsealed radiation sources, ionizing  
9 radiation and magnetic resonance, preparation of radio  
10 pharmaceuticals, and use of adjunctive medicines including  
11 contrast media and pharmaceuticals associated with nuclear  
12 medicine procedures.

13           b. Therapeutic procedures using unsealed radioactive  
14 sources.

15           (23) PUBLIC MEMBER. A person who is a resident of  
16 this state but who is not a licensed practitioner, licensed to  
17 perform medical imaging or radiation therapy procedures under  
18 this act, or affiliated with any group or profession that  
19 provides or regulates health care or in any way hinders the  
20 public member from representing the interests of the public on  
21 the board.

22           (24) RADIATION THERAPIST. A person who is licensed  
23 under this act to perform procedures involving administration  
24 of ionizing radiation to human beings for therapeutic  
25 purposes.

26           (25) RADIATION THERAPY. The application, under the  
27 supervision of a licensed practitioner or radiologist, of



1 x-radiation and the ionizing radiation emitted from particle  
2 accelerators, cobalt 60 units, and sealed sources of  
3 radioactive material to human beings for therapeutic purposes.

4 (26) RADIOGRAPHER. A person who is licensed under  
5 this act to perform diagnostic radiographic procedures using  
6 external ionizing radiation to produce bone density  
7 measurements or radiographic, fluoroscopic, or digital images.

8 (27) RADIOGRAPHY. The process of obtaining an image  
9 using external ionizing radiation for diagnostic or  
10 therapeutic purposes.

11 (28) RADIOLOGIST. A physician licensed in this state  
12 who is board-eligible for certification or certified by the  
13 American Board of Radiology, the American Osteopathic Board of  
14 Radiology, the British Royal College of Radiology, or the  
15 Royal College of Physicians and Surgeons of Canada.

16 (29) RADIOLOGIST ASSISTANT. A licensed radiographer  
17 who is additionally licensed under this act to perform a  
18 variety of activities under the supervision of a radiologist  
19 in the areas of patient care, patient management, and medical  
20 imaging procedures.

21 (30) SPECIALIZATION. A medical specialty area or  
22 type of equipment used within a medical imaging or radiation  
23 therapy modality, which has a corresponding certification from  
24 a certification organization recognized by the board.

25 Section 3. (a) The Alabama Medical Imaging and  
26 Radiation Therapy Board is created. The members of the board  
27 shall be appointed by the Governor. The initial members of the

1 board shall be appointed within 90 days following the  
2 effective date of this act and shall serve initial terms as  
3 provided in subsection (c). The members of the board shall  
4 include all of the following:

5 (1) One licensed limited X-ray machine operator.

6 (2) One licensed magnetic resonance technologist.

7 (3) One licensed nuclear medicine technologist.

8 (4) One licensed practitioner who is a radiologist  
9 and supervises medical imaging or radiation therapy  
10 professionals.

11 (5) One licensed practitioner who is not a  
12 radiologist and supervises medical imaging or radiation  
13 therapy professionals.

14 (6) One licensed radiation therapist.

15 (7) One licensed radiographer.

16 (8) One licensed radiologist assistant.

17 (9) One public member.

18 (b) In addition to the requirements of subsection  
19 (a), the qualifications for appointment to the board shall  
20 include all of the following:

21 (1) Each board member shall be a resident of this  
22 state.

23 (2) The public member shall be at least 21 years of  
24 age.

25 (3) Except for the public member and the licensed  
26 practitioners, each board member shall have at least two years

1 of experience performing medical imaging or radiation therapy  
2 in the modality for which he or she is appointed.

3 (4) Except for the public member and the licensed  
4 practitioners, the Alabama Society of Radiologic Technologists  
5 shall nominate and submit a list of at least three names to  
6 the Governor for each appointment.

7 (5) At least one of the board members appointed  
8 shall be a full-time educator in an accredited educational  
9 program in medical imaging or radiation therapy.

10 (c) Three of the initial members shall be appointed  
11 for a term of one year, three shall be appointed for a term of  
12 two years, and three shall be appointed for a term of three  
13 years. Successor members shall serve terms of office of three  
14 years. An appointment made to fill a vacancy on the board  
15 shall possess the same qualifications as the original  
16 appointment and shall serve for the unexpired term. No member  
17 may serve more than two consecutive terms.

18 (d) The initial member appointed to the board who  
19 performs medical imaging or radiation therapy procedures is  
20 not required to hold a valid license issued by the board until  
21 12 months after the first issuance of a license by the board.

22 (e) Members of the board shall be paid reasonable  
23 travel, hotel, and other necessary expenses and may be  
24 provided per diem compensation at the rate authorized by the  
25 state while on board business.

26 (f) The board shall meet at least annually in  
27 person, at a time and place of its choosing. The first meeting

1 of the board each year shall be for organization only, in  
2 which the membership shall elect a chair and establish  
3 responsibilities and rules of procedure. The board may meet  
4 periodically by telephone or other electronic communication  
5 method to conduct the business of the board as authorized by  
6 the laws of this state.

7 (g) A member of the board who fails to attend three  
8 meetings in an 18-month period shall forfeit his or her seat  
9 on the board unless the chair, upon written request from the  
10 member, finds that the member should be excused from a meeting  
11 because of illness or death of a family member.

12 (h) A majority of the voting members of the board  
13 shall constitute a quorum. No action may be taken by the board  
14 except by affirmative vote of a majority of those present and  
15 voting.

16 Section 4. The board may do all of the following:

17 (1) Administer this act.

18 (2) Issue interpretations of this act.

19 (3) Establish the scope of practice for each license  
20 or permit issued by the board.

21 (4) Adopt rules pursuant to the Alabama  
22 Administrative Procedure Act as necessary to implement this  
23 act.

24 (5) Establish fees and fines as necessary to  
25 administer this act.

26 (6) Establish requirements for the issuance and  
27 renewal of a license or permit.

1           (7) Devise, contract, or adopt by rule an  
2 examination for licensure to determine the fitness of an  
3 applicant to perform medical imaging or radiation therapy.

4           (8) Fine a licensee found to be in violation of this  
5 act and recover costs and fees incurred in the investigation  
6 of a licensee.

7           (9) Obtain restraining orders and injunctions  
8 prohibiting conduct in violation of this act or any rule  
9 adopted by the board, conduct investigations, issue subpoenas,  
10 conduct a hearing, appoint a hearing officer, examine  
11 witnesses, and administer oaths concerning practices that are  
12 alleged to violate this act or any rule adopted by the board.

13           (10) Maintain a written record of all proceedings  
14 and make an annual report of all board actions available to  
15 licensees and the public.

16           (11) Develop standards and adopt rules for the  
17 improvement of the administration of medical imaging or  
18 radiation therapy procedures in this state. The board, by  
19 rule, may provide alternative licensing requirements for those  
20 areas of the state which the board determines lack an adequate  
21 number of qualified licensees to perform medical imaging or  
22 radiation therapy procedures on humans for diagnostic or  
23 therapeutic purposes.

24           (12) Establish continuing education requirements for  
25 license renewal. The board may adopt the continuing education  
26 and recertification or continuing competency requirements

1 established by a medical imaging or radiation therapy  
2 certification organization for license renewal.

3 (13) Establish criteria and standards for  
4 educational programs offered in this state in medical imaging  
5 or radiation therapy. The board may adopt the accreditation  
6 criteria and standards established by an appropriate  
7 educational accreditation agency.

8 (14) Approve medical imaging or radiation therapy  
9 educational programs that satisfy the criteria and standards  
10 established by the board.

11 (15) Within 90 days after appointment of the initial  
12 members of the board, notify all practitioners of medical  
13 imaging and radiation therapy in the state, as identified by  
14 the American Registry of Radiologic Technologists, the Nuclear  
15 Medicine Technology Certification Board, or other appropriate  
16 certification organizations, of the requirements of this act.

17 (16) Establish a budget.

18 (17) Employ an executive director and any officers  
19 and employees as determined necessary, and determine their  
20 duties and fix their compensation in accordance with state  
21 law.

22 Section 5. There is established a separate special  
23 trust fund in the State Treasury to be known as the Alabama  
24 Medical Imaging and Radiation Therapy Board Fund. All receipts  
25 collected by the board pursuant to this act shall be deposited  
26 in this fund and used only to implement this act. Receipts  
27 shall be disbursed only by warrant of the Comptroller upon the

1 State Treasurer, upon itemized vouchers approved by the chair.  
2 No funds shall be withdrawn or expended except as budgeted and  
3 allotted according to Sections 41-4-80 to 41-4-96, inclusive,  
4 and Sections 41-19-1 to 41-19-12, inclusive, Code of Alabama  
5 1975, and only in amounts as stipulated in the general  
6 appropriations bill or other appropriation bills.

7 Section 6. (a) Commencing on January 1, 2021, except  
8 as otherwise provided in this section, only a person licensed  
9 under this act may perform or offer to perform medical imaging  
10 or radiation therapy procedures on humans for diagnostic or  
11 therapeutic purposes or hold himself or herself out as  
12 licensed to perform medical imaging or radiation therapy  
13 procedures.

14 (b) The board, by rule, shall establish the  
15 education, certification, continuing education, licensure, and  
16 scope of practice standards for a person performing limited  
17 X-ray machine operation, magnetic resonance imaging, nuclear  
18 medicine technology, radiation therapy, or radiography.

19 (c) The board, by rule, shall establish the  
20 education, certification, continuing education, licensure, and  
21 scope of practice standards for a person performing  
22 radiologist assistant duties under the supervision of a  
23 radiologist.

24 (d) No person or business entity shall knowingly  
25 employ an unlicensed person, who is not otherwise exempt under  
26 this act, to perform medical imaging or radiation therapy  
27 procedures on humans for diagnostic or therapeutic purposes.

1 (e) Nothing in this act relating to medical imaging  
2 or radiation therapy shall limit or enlarge the practice of a  
3 licensed practitioner.

4 (f) This act does not apply to any of the following:

5 (1) A licensed practitioner performing medical  
6 imaging or radiation therapy procedures.

7 (2) A licensed dental hygienist.

8 (3) A licensed dental assistant.

9 (4) A resident physician or a student enrolled in  
10 and attending a school or college of medicine, dentistry,  
11 chiropractic, podiatry, dental hygiene, dental assisting,  
12 medical imaging, or radiation therapy who performs authorized  
13 medical imaging or radiation therapy procedures on humans  
14 while under the supervision of a licensed practitioner or  
15 under the direct supervision of a person exempted pursuant to  
16 subdivision (2) or subdivision (3), or holding a license under  
17 this act in the supervised modality.

18 (5) A person who is employed by the United States  
19 government to perform medical imaging or radiation therapy  
20 procedures associated with that employment.

21 (6) A person performing medical imaging or radiation  
22 therapy procedures on nonhuman subjects or cadavers.

23 Section 7. (a) The board shall establish scope of  
24 practice standards for each medical imaging and radiation  
25 therapy modality. The board, by rule, may adopt a scope of  
26 practice from a certification organization or a professional  
27 society or association.



1           (b) Commencing on October 1, 2025, a licensee who  
2 performs computed tomography for diagnostic purposes shall be  
3 certified in computed tomography by the American Registry of  
4 Radiologic Technologists, the Nuclear Medicine Technologist  
5 Certification Board, or other certification organization  
6 recognized by the board.

7           (c) A licensed radiographer may perform fluoroscopy.

8           (d) A licensed limited X-ray machine operator may  
9 perform tasks or procedures only within the scope of the  
10 specific permit issued to him or her by the board for a  
11 particular area of the human anatomy as provided in this act  
12 and may not perform procedures involving the administration or  
13 utilization of contrast media or perform computed tomography,  
14 fluoroscopy, magnetic resonance imaging, mammography, mobile  
15 imaging, nuclear medicine, or radiation therapy.

16           (e) A licensed nuclear medicine technologist may  
17 perform computed tomography or magnetic resonance imaging for  
18 attenuation correction or anatomical localization on hybrid  
19 imaging equipment.

20           (f) A licensed radiation therapist may perform  
21 computed tomography or magnetic resonance imaging for  
22 treatment planning purposes.

23           (g) (1) A licensee may use radioactive substances or  
24 equipment emitting ionizing radiation or magnetic resonance  
25 and perform medical imaging and radiation therapy procedures  
26 on humans for diagnostic or therapeutic purposes only under  
27 all of the following conditions:

1           a. With a valid prescription of a person authorized  
2 by this state to prescribe medical imaging or radiation  
3 therapy procedures.

4           b. Under the supervision of a licensed practitioner.

5           c. Within the scope of the license as specified in  
6 this act and pursuant to rules adopted by the board.

7           (2) A licensee may only perform medical imaging or  
8 radiation therapy procedures in a modality for which they are  
9 licensed.

10           (h) A licensee may not make a diagnostic  
11 interpretation of an image, make a diagnosis, or prescribe a  
12 medication or therapy.

13           Section 8. (a) A limited X-ray machine operator  
14 license shall be limited in scope through the issuance of  
15 permits to perform diagnostic X-rays on specific anatomical  
16 areas of the human body.

17           (1) The following permits may be issued:

18           a. Chest radiography permit: Radiography of the  
19 thorax, heart, and lungs.

20           b. Extremity radiography permit: Radiography of the  
21 upper and lower extremities, including the pectoral girdle.

22           c. Spine radiography permit: Radiography of the  
23 vertebral column.

24           d. Skull-sinus radiography permit: Radiography of  
25 the skull and facial structures.

26           e. Podiatric permit: Radiography of the foot, ankle,  
27 and lower leg below the knee.

1           f. Bone densitometry permit: A person who is  
2 certified by the International Society for Clinical  
3 Densitometry or the American Registry of Radiologic  
4 Technologists in bone densitometry shall be granted a permit  
5 to perform bone densitometry testing.

6           (2) To be licensed by the board as a limited X-ray  
7 machine operator, an applicant shall submit the application  
8 fee and satisfy all of the following requirements:

9           a. Be at least 18 years of age at the time of the  
10 application.

11           b. Have a high school diploma or have passed an  
12 approved equivalency test.

13           c. Have satisfactorily completed a course of study  
14 in limited X-ray machine operation, or its equivalent, as  
15 determined by the board. The curriculum for the course of  
16 study shall be no less stringent than the standards approved  
17 by the Joint Review Committee on Education in Radiologic  
18 Technology, or other appropriate educational accreditation  
19 agency recognized by the board.

20           d. Pass an examination approved by the board.

21           (b) (1) To be licensed by the board as a medical  
22 imaging therapist or radiation therapist, an applicant shall  
23 submit the application fee and satisfy all of the following  
24 requirements:

25           a. Be at least 18 years of age at the time of  
26 application.

1           b. Have a high school diploma or have passed an  
2 approved equivalency test.

3           c. Have satisfactorily completed a course of study  
4 in magnetic resonance, nuclear medicine, radiation therapy, or  
5 radiography, respectively, or its equivalent, as determined by  
6 the board. The curriculum for each course of study shall be no  
7 less stringent than the standards approved by the Joint Review  
8 Committee on Education in Radiologic Technology, Joint Review  
9 Committee on Education in Nuclear Medicine Technology,  
10 regional accrediting agencies, or other appropriate  
11 educational accreditation agency recognized by certification  
12 organizations. A person who is certified and registered by a  
13 certification organization recognized by the board in a  
14 medical imaging or radiation therapy modality or  
15 specialization is deemed to have satisfied the requirement of  
16 this paragraph for successful completion of a course of study  
17 in the modality.

18           d. Pass an applicable modality or specialization  
19 examination administered by a certification organization  
20 recognized by the board. A person who is certified and  
21 registered in a medical imaging or radiation therapy modality  
22 is deemed to have satisfied the requirements of this paragraph  
23 for successful completion of an examination.

24           (c) (1) To be eligible for licensure by the board as  
25 a radiologist assistant, an applicant shall satisfy the  
26 requirements of subsection (b) and all of the following  
27 requirements:

1           a. Is licensed as a radiographer and is certified  
2 and registered as a radiographer by the American Registry of  
3 Radiologic Technologists.

4           b. Is certified and registered as a radiologist  
5 assistant by the American Registry of Radiologic Technologists  
6 or as a radiology practitioner assistant by the Certification  
7 Board of Radiology Practitioner Assistants.

8           c. Submits to the board clinical protocols, signed  
9 by the supervising radiologist, specifying procedures that are  
10 performed by the radiologist assistant, levels of radiologist  
11 supervision, and locations of practice designated by the  
12 supervising radiologist. Updated protocols shall be submitted  
13 biannually consistent with license renewal. The radiologist  
14 assistant scope of practice shall be consistent with the most  
15 recent version of the Radiologist Assistant Practice Standards  
16 published by the American Society of Radiologic Technologists.

17           (2) A licensed radiologist assistant may not  
18 interpret images, make diagnoses, or prescribe medications or  
19 therapies.

20           (d) An applicant or licensee shall notify the board  
21 in writing within 30 days after any of the following:

22           (1) A change in his or her name or address.

23           (2) Failure to maintain a required certification and  
24 registration by a certification organization.

25           (3) Any legal or disciplinary action against the  
26 applicant or licensee, other than minor traffic infractions,  
27 or a proceeding brought for any act or conduct substantially

1 similar to any act or conduct that would constitute grounds  
2 for refusal to issue, refusal to renew, suspension,  
3 revocation, or other discipline of an applicant or licensee  
4 under this act by any of the following:

5 a. A licensing jurisdiction, whether located within  
6 the United States or not.

7 b. A health care institution.

8 c. A professional society or association.

9 d. A certification organization.

10 e. A government agency.

11 f. A law enforcement agency.

12 g. A court of law.

13 Section 9. A person who is engaged in the practice  
14 of medical imaging and radiation therapy, other than a  
15 radiologist assistant, who does not hold certification and  
16 registration by a certification organization recognized by the  
17 board on the effective date of this act, may continue to  
18 practice in the medical imaging or radiation therapy modality  
19 in which employed if he or she satisfies all of the following:

20 (1) Registers with the board on or before January 1,  
21 2021.

22 (2) Does not change employment or the scope of his  
23 or her practice.

24 (3) Completes all continuing education requirements  
25 for his or her modality or specialization biannually as  
26 prescribed by the board.

1           (4) Practices only under the supervision of a  
2 licensed practitioner.

3           (5) Satisfies all licensure requirements imposed by  
4 this act and rules adopted by the board and obtains a license  
5 from the board on or before January 1, 2025.

6           Section 10. (a) To satisfy the examination  
7 requirements of this act for licensure as a magnetic resonance  
8 technologist, nuclear medicine technologist, radiation  
9 therapist, radiographer, or radiologist assistant, the board  
10 shall accept certification and registration by a certification  
11 organization recognized by the board in the modality of the  
12 applicant or licensee.

13           (b) (1) The board shall use a limited X-ray machine  
14 operator examination administered by the American Registry of  
15 Radiologic Technologists for persons applying for licensure as  
16 a limited X-ray machine operator and permit in chest,  
17 extremity, skull-sinus, podiatric, or spine radiography. The  
18 board, by rule, shall determine the examination score that  
19 constitutes successful completion of the examination.

20           (2) If an examination for limited X-ray machine  
21 operator is administered by the board, the examination shall  
22 be given at least twice each year at a time and place, and  
23 under such supervision, as the board, by rule, may require.

24           (c) The board may accept certification and  
25 registration from the American Chiropractic Registry of  
26 Radiologic Technologists to satisfy the requirement of this  
27 subsection for successful completion of an examination for a

1 person applying for licensure as a limited X-ray machine  
2 operator and permit in spine radiography.

3 (d) The board may accept certification from the  
4 American Society of Podiatric Medical Assistants to satisfy  
5 the requirement of this subsection for successful completion  
6 of an examination for a person applying for licensure as a  
7 limited X-ray machine operator and permit in podiatric  
8 radiography.

9 (e) The board shall accept magnetic resonance  
10 certification and registration from the American Registry of  
11 Radiologic Technologists or other certification organization  
12 recognized by the board to satisfy the examination requirement  
13 of this section.

14 (f) The board shall accept nuclear medicine  
15 certification and registration from the American Registry of  
16 Radiologic Technologists, the Nuclear Medicine Technologist  
17 Certification Board, or other certification organization  
18 recognized by the board to satisfy the examination requirement  
19 of this section.

20 (g) The board shall accept radiation therapy  
21 certification and registration from the American Registry of  
22 Radiologic Technologists or other certification organization  
23 recognized by the board to satisfy the examination requirement  
24 of this section.

25 (h) The board shall accept radiography certification  
26 and registration from the American Registry of Radiologic  
27 Technologists or other certification organization recognized



1 by the board to satisfy the examination requirements of this  
2 section.

3 Section 11. (a) The board shall issue a license to  
4 an applicant who satisfies the requirements for licensure  
5 specified in this act and by rules adopted by the board,  
6 verified by oath or affirmation, and upon payment of any fees  
7 required by rules adopted by the board. The board may issue a  
8 license with authorization to perform more than one medical  
9 imaging or radiation therapy modality if the applicant is  
10 qualified in each modality.

11 (b) The board may issue a temporary license to any  
12 applicant whose license or license renewal is pending or who  
13 the board determines will provide medical imaging or radiation  
14 therapy services to a medically underserved area of the state.

15 (1) A temporary license may only be issued if the  
16 board determines that the issuance does not violate the  
17 purpose of this act or endanger the public health and safety.

18 (2) A temporary license in a modality may be issued  
19 to an applicant who is preparing for a certification  
20 examination in the modality.

21 (3) A temporary license shall expire when the  
22 applicant is issued a license, denied a license, or 90  
23 calendar days after issuance, whichever occurs first. The  
24 board may extend a temporary license for an additional 90 days  
25 if the applicant fails to successfully complete the  
26 certification examination. A temporary license may only be  
27 extended one time.

1           (c) Except for a limited X-ray machine operator  
2 licensee, a licensee may apply to the board for a temporary  
3 license in an additional medical imaging or radiation therapy  
4 modality for the purpose of completing clinical experience  
5 requirements for an applicable training pathway established by  
6 a certification organization recognized by the board. A  
7 temporary license issued pursuant to this subsection shall  
8 expire three years after issuance.

9           (d) A licensee shall display his or her official  
10 license, or a verified copy of the official license, in each  
11 place of regular employment.

12           Section 12. (a) The board, by rule, shall establish  
13 standards for medical imaging and radiation therapy  
14 educational programs. The standards shall be no less stringent  
15 than the standards approved by the Joint Review Committee on  
16 Education in Radiologic Technology, the Joint Review Committee  
17 on Education in Nuclear Medicine Technology, regional  
18 accrediting agencies, or other appropriate educational  
19 accreditation agencies recognized by certification  
20 organizations.

21           (b) A program in magnetic resonance technology,  
22 nuclear medicine technology, radiation therapy, or radiography  
23 that is approved by the board shall be offered by a medical  
24 facility or educational institution. The program shall be  
25 affiliated with one or more hospitals or clinics approved by  
26 the board to provide the requisite clinical education.

1           (c) The board, by rule, may establish a course of  
2 study for a limited X-ray machine operator.

3           Section 13. (a) Unless otherwise provided, a license  
4 issued under this act shall be renewed every two years. The  
5 board may adjust the expiration date of a license by up to six  
6 months to allow coordination with certification and  
7 registration expiration dates. The license shall be renewed  
8 upon the payment of a renewal fee, established by rule of the  
9 board, and verification by oath or affirmation of the licensee  
10 that he or she is not in violation of this act or any rule  
11 adopted by the board.

12           (b) The board shall notify a licensee at least 60  
13 days before the expiration of his or her license.

14           (c) A licensee is responsible for renewing a license  
15 before the expiration date. A license that is not renewed  
16 before the expiration date shall automatically lapse.

17           (d) The board, by rule, may provide for the late  
18 renewal of an automatically lapsed license upon the payment of  
19 a reinstatement fee. A license that has been expired for more  
20 than two years may not be reinstated.

21           (e) Where applicable, a licensee shall maintain  
22 certification and registration by the applicable certification  
23 organization recognized by the board throughout the licensure  
24 period and may not be required to duplicate continuing  
25 education hours submitted to the certification organization.

26           (f) The board may require a licensee to submit  
27 evidence of certification and registration by the applicable

1 certification organization. The certification and registration  
2 shall be deemed equivalent to the continuing education  
3 requirements established by this act or by rule of the board.

4 (g) As a condition of license renewal, a fluoroscopy  
5 operator or limited X-ray machine operator licensee shall  
6 complete continuing education requirements established by rule  
7 of the board.

8 Section 14. Upon application and payment of proper  
9 fees, the board may issue a license to a person who has been  
10 licensed, registered, or certified to perform medical imaging  
11 or radiation therapy procedures in another jurisdiction if the  
12 standards of that jurisdiction are substantially equivalent to  
13 those required by this act and rules of the board.

14 Section 15. The board, by rule, shall establish and  
15 collect all fees authorized by this act and necessary for the  
16 administration of this act. All fees are nonrefundable.

17 Section 16. (a) The board may deny, suspend, revoke,  
18 or refuse to renew a license or impose probationary conditions  
19 on a license if the licensee or applicant for a license,  
20 renewal of a license, or reinstatement of a license has  
21 engaged in any of the following conduct:

22 (1) Obtaining a license by means of fraud,  
23 misrepresentation, or concealment of material facts.

24 (2) Engaging in unprofessional conduct as defined by  
25 rule of the board.

26 (3) Having been convicted of or pleaded guilty or  
27 nolo contendere to a crime involving moral turpitude or any

1 crime that indicates that the licensee or applicant is unfit  
2 or incompetent to perform medical imaging or radiation therapy  
3 procedures or that the licensee or applicant has deceived or  
4 defrauded the public.

5 (4) Engaging in any act or practice in violation of  
6 this act or any rule adopted by the board, or aiding,  
7 abetting, or assisting any person in such a violation.

8 (5) Committing an act of malpractice, gross  
9 negligence, or incompetence in performing medical imaging or  
10 radiation therapy procedures.

11 (6) Practicing as a person licensed to perform  
12 medical imaging or radiation therapy procedures without a  
13 license.

14 (7) Engaging in conduct that could result in harm or  
15 injury to the public.

16 (8) Having a license issued under this act revoked  
17 or suspended or other disciplinary action taken, whether in  
18 this state or another jurisdiction.

19 (9) Having been determined to be unfit or  
20 incompetent to perform medical imaging or radiation therapy  
21 procedures due to deliberate or negligent acts or omissions,  
22 regardless of whether actual injury to a patient is  
23 established.

24 (b) An application for reinstatement of a revoked  
25 license may not be made to the board until two years after the  
26 date of revocation.

1           Section 17. (a) The board may apply to any  
2 appropriate court for an order enjoining violations of this  
3 act or rule adopted by the board, and upon a showing by the  
4 board that a person has violated or is about to violate this  
5 act or any rule adopted by the board, the court may grant an  
6 injunction, restraining order, or take other appropriate  
7 action.

8           (b) Any person who is found guilty of violating this  
9 act or any rule adopted by the board shall be guilty of a  
10 Class C misdemeanor. Each violation shall constitute a  
11 distinct and separate offense.

12           Section 18. (a) The board may assess a civil penalty  
13 not in excess of the amount allowable under state law for the  
14 violation of this act or any rule adopted by the board. The  
15 proceeds of any civil penalty assessed under this section  
16 shall be paid into the Alabama Medical Imaging and Radiation  
17 Therapy Board Fund established by this act.

18           (b) Before imposing and assessing a civil penalty,  
19 the board shall consider the following factors:

20           (1) The nature, gravity, and persistence of the  
21 violation.

22           (2) The appropriateness of the imposition of a civil  
23 penalty when considered alone or in combination with other  
24 punishment.

25           (3) Whether the violation was willful and malicious.

26           (4) Any other factor that would tend to mitigate or  
27 aggravate the violation if found to exist.

1 (c) The board, by rule, shall establish a schedule  
2 of civil penalties for violation of this act and any rule  
3 adopted by the board.

4 (d) The board may assess the costs of disciplinary  
5 actions against a person found to be in violation of this act  
6 or any rule adopted by the board.

7 Section 19. The board shall be subject to the  
8 Alabama Sunset Law, Chapter 20, Title 41, Code of Alabama  
9 1975, as an enumerated agency as provided in Section 41-20-3,  
10 Code of Alabama 1975, and shall have a termination date of  
11 October 1, 2024, and every four years thereafter, unless  
12 continued pursuant to the Alabama Sunset Law.

13 Section 20. Although this bill would have as its  
14 purpose or effect the requirement of a new or increased  
15 expenditure of local funds, the bill is excluded from further  
16 requirements and application under Amendment 621, now  
17 appearing as Section 111.05 of the Official Recompilation of  
18 the Constitution of Alabama of 1901, as amended, because the  
19 bill defines a new crime or amends the definition of an  
20 existing crime.

21 Section 21. This act shall become effective on the  
22 first day of the third month following its passage and  
23 approval by the Governor, or its otherwise becoming law.