

216-RICR-40-05-34

TITLE 216 - DEPARTMENT OF HEALTH

CHAPTER 40 - PROFESSIONAL LICENSING & FACILITY REGULATION

SUBCHAPTER 05 - PROFESSIONAL LICENSING

PART 34 - Licensing of Radiographers, Nuclear Medicine Technologists, and Radiation Therapists

34.1 Authority

These rules and regulations are promulgated pursuant to the authority set forth in R.I. Gen. Laws § 5-68.1-15, and are established for the purpose of establishing standards of education, training, and experience and to require licensure of radiologic technologists (radiographer), nuclear medicine technologists, and radiation therapists.

34.2 Definitions

- A. Wherever used in these Regulations, the terms listed below shall be construed as follows:
1. "Act" means R.I. Gen. Laws Chapter 5-68.1 entitled "Radiologic Technologists".
 2. "Authorized user" means a licensed practitioner who meets the training and experience requirements defined in rules and regulations promulgated pursuant to R.I. Gen. Laws Chapter 23-1.3.
 3. "Board" means the Board of Radiologic Technology.
 4. "Department" means the Rhode Island Department of Health.
 5. "Director" means Director of the Rhode Island Department of Health.
 6. "Financial interest" means being:
 - a. A licensed practitioner of radiologic technology; or
 - b. A person who deals in goods and services that are uniquely related to the practice of radiologic technology; or
 - c. A person who has invested anything of value in a business that provides radiologic technology services.
 7. "License" means a license issued by the Department authorizing an individual to practice radiologic technology.

8. "Licensed practitioner" means an individual licensed to practice medicine, chiropractic, podiatry or an individual licensed as a registered nurse practitioner or physician assistant in Rhode Island.
9. "Medical physicist" means an individual, other than a licensed practitioner, who practices independently one or more of the subfields of medical physics, and is registered or licensed under rules and regulations promulgated pursuant to [R.I. Gen. Laws Chapter 23-1.3](#)
10. "National organization" means a professional association or registry, approved by the Director, that examines, registers, certifies or approves individuals and education programs relating to operators of sources of radiation.
11. "Nuclear medicine technologist" means an individual, other than a licensed practitioner, who compounds, calibrates, dispenses and administers radiopharmaceuticals, pharmaceuticals, and radionuclides under the general supervision of an authorized user for benefit of performing a comprehensive scope of nuclear medicine procedures, and who has met and continues to meet the licensure standards of the Act and this Part.
12. "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state or any other state, or political subdivision of any agency thereof and any legal successor, representative, agent, or agency of the foregoing.
13. "Radiation therapist" means an individual, other than a licensed practitioner, who utilizes ionizing radiation under the general supervision of an authorized user for the planning and delivery of therapeutic procedures, and who has met and continues to meet the licensure standards of the Act and this Part.
14. "Radiologic technologist" or "radiographer" means an individual, other than a licensed practitioner, who performs a comprehensive scope of diagnostic radiology procedures under the general supervision of a licensed practitioner using external ionizing radiation, resulting in radiographic or digital images, and who has met and continues to meet the licensure standard of the Act and this Part.
15. "Radiologic technology" means a scientific discipline that includes individuals licensed to practice as:
 - a. a radiologic technologist (radiographer); or
 - b. nuclear medicine technologist; or
 - c. radiation therapist.
16. "Radiologist" means a licensed practitioner specializing in radiology who is certified by or eligible for certification by the American Board of Radiology or

the American Osteopathic Board of Radiology, the British Royal College of Radiology, or the Canadian College of Physicians and Surgeons.

17. "Radiologist assistant" means an unlicensed individual, other than a licensed practitioner, who performs as an advanced-level radiologic technologist and works under the general supervision of a radiologist to enhance patient care by assisting the radiologist in the medical imaging environment, and who has met and continues to meet the licensure standards of the Act and this Part.
18. "Source of radiation" means any substance or device emitting or capable of producing ionizing radiation, for the purpose of performing therapeutic or diagnostic radiologic procedures on human beings.
19. "Student" means an individual enrolled in a course of study for medicine or radiologic technology.
20. "Supervision" means:
 - a. "Direct supervision" means supervision and control by a licensed practitioner who assumes legal liability for the services rendered by the radiologic technologist, which supervision requires the physical presence of the licensed practitioner for consultation and direction of the actions of the radiologic technologist.
 - b. "General supervision" means supervision whereby a licensed practitioner, who assumes legal liability for the services rendered, authorizes the services to be performed by the radiologic technologist, which supervision, except in cases of emergency, requires the easy availability or physical presence of the licensed practitioner for consultation and direction of the actions of the radiologic technologist.

34.3 License Requirement

- A. No individual shall practice as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist, or represent themselves as such, unless they are licensed under the Act and this Part. The provisions of § 34.3 of this Part do not apply to those individuals stated in R.I. Gen. Laws § 5-68.1-4.
- B. This Part does not prohibit an individual enrolled in an approved school of radiologic technology, under the direct supervision of a radiologist or a licensed radiologic technologist, nuclear medicine technologist, or radiation therapist from performing those duties essential for completion of a student's clinical service.

34.4 Licensing by Training and Examination

- A. A license to practice as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist, may be issued to an applicant, provided:

1. The Board receives verification that the applicant has successfully completed a training program approved by the board;
 2. The Board receives verification that the applicant is certified by the American Registry of Radiologic Technologists;
 3. The applicant makes application to the Board on a written form and in the manner prescribed by the Board; and
 4. At the time the application is filed the applicant pays all fees as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title). Fees are non-returnable and non-refundable.
- B. An individual desiring to become licensed in more than one (1) category of radiologic technology shall submit a separate application for each category in which they are to be licensed.
- C. Any radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist licensed pursuant to this Part, desiring to obtain a supplemental authorization for computed tomography (CT) procedures shall make application to the Board per § 34.7 of this Part.
- D. No individual shall use any title or abbreviation to indicate that the individual is licensed as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist unless they are licensed in that category of radiologic technology pursuant to the Act and this Part.
- E. A valid license issued pursuant to the Act and this Part shall be carried on the person of the radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist while performing the duties for which the license is required.

34.5 Graduate Practice

In addition to the requirements for licensure as a graduate technologist stated in R.I. Gen. Laws § [5-68.1-6\(2\)\(b\)](#), such applicants for licensure must provide such other information as may be deemed necessary and appropriate by the Board.

34.6 Licensing by Endorsement

- A. A license to practice as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist may be issued without examination to an applicant who has been duly licensed by examination as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist in another state, and the requirements for such certification, license or registration are substantially equivalent to those established under the Act and this Part, provided:

1. The Board receives verification of licensure in good standing from each state in which the applicant has held or holds licensure
 2. The Board receives verification that the applicant is certified by the American Registry of Radiologic Technologists
 3. The applicant makes application to the Board on a written form and in the manner prescribed by the Board
 4. At the time the application is filed the applicant pays all fees as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title). Fees are non-returnable and non-refundable.
- B. An individual desiring to become licensed in more than one (1) category of radiologic technology must submit a separate application for each category in which they are to be licensed.
- C. Any radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist, licensed pursuant to this Part, desiring to obtain a supplemental authorization for computed tomography (CT) procedures shall make application to the Board per § 34.7 of this Part.
- D. No individual shall use any title or abbreviation to indicate that the individual is licensed as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist unless they are licensed in that category of radiologic technology pursuant to the Act and this Part.
- E. A valid license issued pursuant to the Act and this Part shall be carried on the person of the radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist while performing the duties for which the license is required.
- F. Applicants must provide such other information as may be deemed necessary and appropriate by the Board.

34.7 Additional Clinical Competency in Computed Tomography (CT)

- A. Except as specifically authorized in §§ 34.7(A)(1) through (3) and 34.7(B) of this Part, an individual licensed pursuant to this Part is not authorized to perform CT procedures.
1. Radiologic Technologist (Radiographer).
 - a. Prior to August 1, 2013, an active license as a radiologic technologist (radiographer), issued pursuant to this Part, shall be deemed sufficient to constitute clinical competency in CT.

- b. Effective August 1, 2013, a radiologic technologist (radiographer) shall also require a supplemental authorization for CT procedures pursuant to this Section. The supplemental authorization is not required for a radiologic technologist (radiographer) who does not perform CT procedures.

2. Nuclear Medicine Technologist.

- a. A nuclear medicine technologist who performs only PET-CT and/or SPECT-CT (attenuation correction) procedures shall comply with at least one (1) of the following training requirements:
 - (1) Be certified as a Radiologic Technologist (radiographer) by American Registry of Radiologic Technologists (ARRT); or
 - (2) Provide documentation for successful completion of both supplemental CT; or
 - (3) Training approved by the Board and “hands-on” experience with the fusion scanner to be used; or
 - (4) Obtain supplemental authorization for CT procedures pursuant to § 34.7(A)(1)(b) of this Part.
- b. A nuclear medicine technologist who utilizes CT procedures for other than PET-CT and/or SPECT-CT (attenuation correction) shall be required to obtain supplemental authorization for CT procedures pursuant to this section.

3. Radiation Therapist.

- a. Prior to August 1, 2013, an active license as a radiation therapist, issued pursuant to this Part, shall be deemed sufficient to constitute clinical competency in CT for positioning and simulation.
- b. Effective August 1, 2013, a radiation therapist who utilizes CT procedures only for positioning and simulation shall comply with at least one (1) of the following training requirements:
 - (1) Obtain certification as a Radiation Therapist by the American Registry of Radiologic Technologists (ARRT) on or after January 1, 2011; or
 - (2) Provide documentation for completion of manufacturer training for utilization of the CT unit for simulation and positioning, supplemented by "hands-on" training conducted by in-house medical physics staff; or
 - (3) Be certified as a Radiologic Technologist (radiographer) by American Registry of Radiologic Technologists (ARRT); or

- (4) Obtain supplemental authorization for CT procedures pursuant to this section.
 - c. Effective August 1, 2013, a radiation therapist who utilizes CT procedures for other than positioning and simulation shall also require supplemental authorization for CT procedures pursuant to this section.
- B. Documentation of Training.
 1. In addition to the requirements of § 34.7(A) of this Part, a licensee shall retain documentation of all supplemental and in-house/hands-on training required to demonstrate compliance with §§ 34.7(A)(2)(a)((2)) and/or 34.7(A)(3)(b)((2)) of this Part.
 2. If any training described in § 34.7(B)(1) of this Part was obtained from a facility other than the licensee's current employer, copies of all required documentation shall also be provided to the current facility's radiation safety officer (or equivalent) for inclusion with the facility training records.
- C. At the time the application is filed the applicant pays an additional application fee as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title). Fees are non-returnable and non-refundable.
- D. No individual shall use any title or abbreviation to indicate that the individual is licensed as a computed tomographer unless they are licensed in that category of radiologic technology pursuant to the Act and this Part.
- E. A valid license issued pursuant to the Act and this Part shall be carried on the person of the computed tomographer while performing the duties for which the license is required.
- F. Applicants must provide such other information as may be deemed necessary and appropriate by the Board.

34.8 Issuance and Renewal of License and Fee

34.8.1 Issuance of License

- A. Pursuant to the provisions of [R.I. Gen. Laws § 5-68.1-8](#), and at the recommendation of the Board, the Department shall issue a radiologic technology license to an individual who meets the licensure requirements set forth in this Part. A radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist license shall be issued for a period no longer than two (2) years and shall expire on the thirty-first (31st) day of July of each odd numbered year, unless sooner suspended or revoked. The license may be renewed every two (2) years in accordance with the provisions of § 34.8.1(C) of this Part.

- B. Pursuant to the provisions of [R.I. Gen. Laws § 5-68.1-8](#), and at the recommendation of the Board, the Department shall issue supplemental authorization for computed tomography (CT) procedures to an individual who holds an active radiologic technology license, and who meets the applicable requirements set forth in this Part. A supplemental authorization for computed tomography (CT) procedures shall be issued for a period no longer than two (2) years and shall expire on the thirty-first (31st) day of July of each odd numbered year, unless sooner suspended or revoked. A supplemental authorization for computed tomography (CT) procedures may be renewed every two (2) years in accordance with the provisions of § 34.8.1(C) of this Part.
- C. On or before the first (1st) day of July of each odd-numbered year, the Department shall mail an application for renewal of license to every individual to whom a license has been issued or renewed during the current licensure period.
1. An individual licensed as a radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist who desires to renew his or her license shall file a renewal application, together with the renewal fee as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) with the Department on or before the thirty-first (31st) day of July of each odd numbered year.
 2. An individual licensed in more than one (1) category of radiologic technology shall be required to submit a separate renewal application and fee for each licensed category of radiologic technology.
 3. An individual with a supplemental authorization for computed tomography (CT) procedures who desires to renew his or her supplemental authorization shall file a duly executed renewal application, together with the renewal fee as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) with the Department on or before the thirty-first (31st) day of July of each odd numbered year.
- D. Upon satisfactory completion of the renewal requirements in § 34.8.1(C) of this Part, the Department shall grant a renewal license and, if applicable, a supplemental authorization for computed tomography (CT) procedures effective the first (1st) day of August, and expiring on the thirty-first (31st) day of July of the next odd-numbered year.
- E. If a license issued pursuant to this Part has expired and a renewal application and appropriate fee are not received by the Department on or before the expiration date of the license, a late renewal fee as set forth in the rules and regulations pertaining to the Fee Structure for Licensing, Laboratory and Administrative Services Provided by the Department of Health (Part 10-05-2 of this Title) shall be submitted with the renewal application.

- F. A radiologic technologist (radiographer), nuclear medicine technologist, or radiation therapist who has failed to pay an administrative fine imposed by a final order of the Director shall submit payment of the administrative fine in full as a condition of license renewal.

34.8.2 Maintenance of National Certification

Each renewal application shall contain a statement signed by the licensee attesting that all national certifications required pursuant to §§ 34.4, 34.6 and/or 34.7 of this Part are active and not subject to any restriction, limitation or other sanction.

34.8.3 Required Notification to the Department:

- A. An individual licensed pursuant to this Part shall notify the Department, in writing, within five (5) business days of receiving notification from a national certification board that any national certification required pursuant to §§ 34.4, 34.6 and/or 34.7 of this Part has been revoked and/or subject to any restriction, limitation or other sanction.
- B. An individual licensed pursuant to this Part shall notify the Department, in writing, within five (5) business days of failure to renew or other lapse of any national certification required pursuant to §§ 34.4, 34.6 and/or 34.7 of this Part.
- C. An individual licensed pursuant to this Part shall notify the Department, in writing, within five (5) business days of all medical malpractice court judgments and all medical malpractice arbitration awards in which payment was awarded to a complaining party in any state in which the individual was licensed, and all settlements of malpractice claims in which payment was made to a complaining party in any state in which the individual was licensed.

34.9 Denial, Suspension, Revocation, and Reinstatement of Licenses

- A. The Board may recommend refusal, suspension or revocation of any license in accordance with R.I. Gen. Laws § 5-68.1-11. Additionally, the Board may recommend refusal, suspension or revocation of any license for failure to attest to maintenance of national certification pursuant to § 34.8.2 of this Part.
- B. Reinstatement: Application for reinstatement may be made in accordance with the provisions of R.I. Gen. Laws § 5-68.1-11(7)(b). If the Board rejects an application for reinstatement, restoration or modification of probation, the individual shall be required to wait at least six (6) months from the date of the Board's rejection before submitting a subsequent application for reinstatement, restoration or modification of probation to the Board.
- C. The Director may temporarily suspend the license of a radiologic technologist (radiographer), nuclear medicine technologist, radiation therapist without a hearing in accordance with the provisions of R.I. Gen. Laws § 5-68.1-12.

34.10 Rules Governing Practices and Procedures

All hearings and reviews required under the provisions of the Act and this Part shall be held in accordance with the provisions of the Rules and Regulations of the Rhode Island Department of Health Governing the Practices and Procedures Before the Department of Health (Part 10-05-4 of this Title) and Access to Public Records of the Department of Health (Part 10-05-1 of this Title).