

ARKANSAS STATE BOARD OF HEALTH

RULES AND REGULATIONS PERTAINING TO RADIOLOGIC TECHNOLOGY LICENSURE



Promulgated Under the Authority of
Act 1071 of 1999, As Amended
Ark. Code Ann. §§ 17-106-101 - 111

Effective May 1, 2010
By the Arkansas State Board of Health

Arkansas Department of Health
Little Rock, Arkansas
Paul K. Halverson, DrPH, Director

RULES AND REGULATIONS PERTAINING TO THE RADIOLOGIC TECHNOLOGY LICENSURE

Table of Contents

SECTION I.	AUTHORITY	2
SECTION II.	PURPOSE	2
SECTION III.	DEFINITIONS.....	3
SECTION IV.	GENERAL REQUIREMENTS AND RESTRICTIONS	7
SECTION V.	EXEMPTIONS	8
SECTION VI.	LICENSES REQUIRED.....	7
SECTION VII.	QUALIFICATIONS FOR EXAMINATIONS.....	11
SECTION VIII.	FEES	12
SECTION IX.	DISPLAY OF LICENSE	12
SECTION X.	EDUCATIONAL PROGRAM STANDARDS	13
SECTION XI.	RENEWAL DATE	13
SECTION XII.	CONTINUING EDUCATION STANDARDS	13
SECTION XIII.	ADMINISTRATION.....	15
SECTION XIV.	CODE OF ETHICS.....	17
SECTION XV.	SEVERABILITY	17
SECTION XVI.	REPEAL	17

SECTION I. AUTHORITY

These Rules and Regulations pertaining to Radiologic Technology Licensure are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the Laws of the State of Arkansas including, without limitation, Act 1071 of 1999, as amended, (Ark. Code Ann. 17-106-101-111) and Act 96 of 1913 (Ark. Code Ann. 20-7-101 et seq).

SECTION II. PURPOSE

These Rules and Regulations are adopted for the purpose of regulating and licensing persons administering ionizing radiation to human beings to help keep the radiation dose to patients as low as reasonably achievable.

SECTION III. DEFINITIONS

- A. 'Act' means Act 1071 of 1999, as amended (Ark. Code Ann. § 17-106-111);
- B. 'ACRRT' means the American Chiropractic Registry of Radiologic Technologists;
- C. 'Administering Ionizing Radiation' means the application of a prescribed dose of ionizing radiation to the human body for the purposes of diagnosis or treatment. Several factors determine the dose received by the patient and these include, but are not limited to: the positioning of the patient in a radiation field, the exposure to or introduction of ionizing radiation, and the final image production. Each of these factors are prime determinates in the total dose received by the patient;
- D. 'Advanced practice nursing' means the delivery of health care services for compensation by professional nurses who have gained additional knowledge and skills through successful completion of an organized program of nursing education that certifies nurses for advanced practice roles as advanced nurse practitioners, certified nurse anesthetists, certified nurse midwives, and clinical nurse specialists.
- E. 'ARRT' means the American Registry of Radiologic Technologists;
- F. 'ASCP' means the American Society of Clinical Pathologists;
- G. 'Board' means the Arkansas State Board of Health;
- H. 'Category' means a specific area of radiologic sciences, for which there is an identified license and licensing requirements;
- I. 'CCI', means Cardiovascular Credentialing International;
- J. 'Committee' means the Medical Ionizing Radiation Licensure Committee;
- K. 'Consumer' means a person who is a resident of the state of Arkansas and who is not a Licensed Practitioner or Radiologic Technologist or Licensed Technologist or Limited Licensed Technologist under the Act;
- L. 'Continuing Education Hour' means a period of instruction at least fifty to sixty minutes in length;
- M. 'Contrast Media' means material intentionally administered to the human body to better define a part or parts radiographically;
- N. 'Department' means the Arkansas Department of Health;
- O. 'Direct Supervision of Students' means responsibility for, and control of, radiation safety, protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic or therapeutic purposes, with the parameters that are outlined by educational accreditation agencies that are recognized by the Board;
- P. 'Fluoroscopy' means a radiological examination that uses a fluorescent screen or image intensifier on which the internal structure of the human body may be continuously viewed by transmission of x-rays through the body;

SECTION III. DEFINITIONS (cont.)

- Q. 'Formal Education' means education obtained through an approved United States Department of Education Institution;
- R. 'Formal Examination' means an examination or evaluation specific to a profession which tests the knowledge base in all three domains of learning: cognitive, affective, and psychomotor;
- S. 'Ionizing Radiation' means gamma rays, x-rays, alpha and beta particles, high speed electrons, protons, neutrons, and other nuclear particles;
- T. 'JRCERT' means the Joint Review Committee for Education in Radiologic Technology;
- U. 'Lapsed Licensee' means a licensee who has let his/her Licensed Technologist License or Limited Licensed Technologist License, Radiologic Technologist License, Radiation Therapy Technologist License, or Nuclear Medicine Technologist License expire for more than five years;
- V. 'License' means a certificate issued by the Committee authorizing the licensee to use radioactive materials or medical equipment emitting or detecting ionizing radiation for human diagnostic or therapeutic purposes in accordance with these regulations;
- W. 'Licensed Practitioner' means a person licensed to practice medicine, dentistry, podiatric medicine, chiropractic, osteopathy or optometry in this state;
- X. 'Licensed Radiologic Technologist' means a person who holds a national registry with the ARRT, ACRRT, NMTCB, and/or ASCP, and who is licensed in the State of Arkansas;
- Y. 'Licensed Technologist' means a person other than a Licensed Practitioner, who is grandfathered under the Act and can perform specific radiologic procedures and exams identified by a specific license and who administers radioactive substances or uses medical equipment emitting or detecting ionizing radiation for human diagnostic or therapeutic purposes while under the supervision of a Licensed Practitioner;
- Z. 'Limited License' means an authorization to perform radiologic procedures under the supervision of a Licensed Practitioner and are limited to specific parts of the human body, specific procedures, or both, specifically of the chest and skeletal structures excluding fluoroscopy and contrast studies;
- AA. 'Limited Licensed Technologist' means a person, other than a Licensed Practitioner, Radiologic Technologist, or Licensed Technologist, while under the supervision of a Licensed Practitioner and operates medical equipment emitting ionizing radiation for diagnostic purposes on human beings that are limited to specific body parts, and who has successfully passed a limited scope examination deemed appropriate by the Board;
- BB. 'Medical Dosimetrist' means a person who is certified or eligible for certification by the Medical Dosimetry Certification Board;

SECTION III. DEFINITIONS (cont.)

- CC. 'NMTCB' means Nuclear Medicine Technology Certification Board;
- DD. 'Nuclear Medicine Technologist' means a person, other than a Licensed Practitioner, who performs therapeutic, in vivo, imaging, procedures, prepares radiopharmaceuticals, and administers diagnostic doses of radiopharmaceuticals to human beings while under supervision of a Licensed Practitioner who is licensed as required to possess and use radioactive materials;
- EE. 'PET/CT License' means an authorization to perform radiologic procedures under the supervision of a Licensed Practitioner that is limited to radiologic procedures performed for PET/CT procedures;
- FF. 'PET/CT Technologist' means a person other than a Licensed Practitioner, who has specific qualifications, education, certification and responsibilities as recognized by the Committee;
- GG. 'Radiation Health/Medical Physicist' means a person who is certified or eligible for certification in radiologic physics by the American Board of Radiology, the American Board of Health/Medical Physics or the American Board of Science in Nuclear Medicine;
- HH. 'Radiation Practitioner' means a Licensed Practitioner that has completed a residency in radiology, nuclear medicine, or radiation oncology, and is certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the American Board of Nuclear Medicine, or its equivalent;
- II. 'Radiation Therapist' means a person, other than a Licensed Practitioner or Nuclear Medicine Technologist, who applies radiation to humans for therapeutic purposes under the supervision of a Licensed Practitioner;
- JJ. 'Radiographer' means a person other than a Licensed Practitioner, who uses medical equipment emitting ionizing radiation for human diagnostic purposes under the supervision of a Licensed Practitioner and holds a national certification obtained through education and examination, licensed under the Act;
- KK. 'Radiography' means the practice of the theory and technical aspects of the use of x-rays which are used in the diagnosis and treatment of disease;
- LL. 'Radiologic Technologist' means a person other than a Licensed Practitioner, who is identified by category and who administers radioactive substances or uses medical equipment emitting or detecting ionizing radiation for human diagnostic or therapeutic purposes under the supervision of a Licensed Practitioner, and holds a national certification obtained through education and examination, licensed under the Act;
- MM. 'Radiologic Technology' is the science of using a radioactive substance or medical equipment emitting or detecting ionizing radiation of humans for diagnostic or therapeutic purposes;

SECTION III. DEFINITIONS (cont.)

- NN. 'Radiologic Technology Student' means an individual currently enrolled in and attending a school of radiologic technology, radiation therapy, or nuclear medicine with recognized educational accreditation who uses radioactive material on or applies ionizing radiation to a human being while under the supervision of a Licensed Practitioner or a Licensed Radiologic Technologist;
- OO. 'RCIS' means Registered Cardiovascular Invasive Specialist;
- PP. 'RCIS License' means an authorization to perform radiologic procedures under the supervision of a Licensed Practitioner that are limited to fluoroscopic radiologic procedures performed for cardiovascular interventional procedures;
- QQ. 'RCIS Technologist' means a person other than a Licensed Practitioner, Radiologic Technologist, or Licensed Technologist, while under the supervision of a Licensed Practitioner and operates medical equipment emitting ionizing radiation for fluoroscopic cardiovascular interventional radiologic purposes on human beings that are limited to specific body parts and only for cardiovascular interventional procedures, who has successfully completed educational requirements and passed an examination deemed appropriate by the Committee;
- RR. 'Reciprocity' means the Board may accept an applicant's current certificate, registration, or license as a Licensed Technologist, Limited Licensed Technologist, or Radiologic Technologist issued by another state, provided that the standards in the other state require at least six hours of continuing education a year and the examination of the other state meets or exceeds the minimum standards and content of the examination approved by the Arkansas State Board of Health;
- SS. 'Retired' means a license holder who notifies the Department in writing that the individual will cease the practice of Radiologic Technology;
- TT. 'Scaled Score' means a score that is consistent from exam to exam despite differences in difficulty that may be present among the exams. A scaled score takes into account any differences in exam difficulty. A scaled score represents the same level of performance for all exams.
- UU. 'Skeletal Structures' means extremities, skull, sinuses, spine, ankle, and foot of the human body;
- VV. 'Suspended licensee' means a license holder who after sixty days of expiration date, failed to pay the renewal fee and/or provide documentation of six hours of continuing education credits;
- WW. 'Temporary License' means a certificate issued by the Board, authorizing the applicant to use radioactive materials or medical equipment emitting or detecting ionizing radiation for human diagnostic or therapeutic purposes, when licensure or relicensure is pending before the Board and when the issuance may be justified by special circumstances as determined by the Board.

SECTION IV. GENERAL REQUIREMENTS AND RESTRICTIONS

- A. No person, other than a Licensed Practitioner, Radiologic Technologist, Licensed Technologist, or Limited Licensed Technologist shall use radioactive materials or medical equipment emitting or detecting ionizing radiation on human beings for diagnostic or therapeutic purposes.
- B. A person holding a license under the Act or these regulations shall use medical equipment emitting or detecting ionizing radiation on a human being only by prescription of a Licensed Practitioner or an advanced practice nurse.
- C. No person shall knowingly or negligently employ a person to apply ionizing radiation or administer radiopharmaceuticals to a human being or otherwise engage in the practice of radiologic technology unless the person possesses a valid license issued under the provisions of the Act or these regulations within that specific category.
- D. A person shall not apply ionizing radiation or administer radiopharmaceuticals to a human being or otherwise engage in the practice of radiologic technology unless the person possesses a valid license issued under the Act or these regulations.
- E. Eligibility for retired status requires that the individual sign an agreement not to engage to any extent whatsoever in actual patient contact in the provision of: radiologic technology, management of radiologic technology, education of persons involved or seeking to become involved in radiologic technology, in commercial sales, services, or applications with respect to any aspect of radiologic technology or items, services, or devices used in that technology.
- F. Based on identified specific educational requirements and/or examinations, the Board may recognize emerging modalities in radiological sciences and procedures.

SECTION V. EXEMPTIONS

- A. Licensed Practitioners, individuals licensed to practice medicine, dentistry, podiatric medicine, chiropractic, optometry or osteopathy in this state, dental hygienists, registered dental assistants with the expanded duty of radiography, radiation health physicists, radiation medical physicists, **chiropractic externs, bone densitometrists** and certified medical dosimetrists are exempt from the requirement of obtaining a license to apply ionizing radiation or administer radiopharmaceuticals.
- B. The requirement for a license shall not apply to a student enrolled in and attending a school of radiologic technology, radiation therapy, nuclear medicine technology chiropractic radiologic technology or cardiovascular intervention with recognized education accreditation, who uses radioactive material on or applies ionizing radiation to a human being for diagnostic or therapeutic purposes while under the supervision of a Licensed Practitioner or Licensed Radiologic Technologist.
- C. The requirement for a license shall not apply to a student enrolled in and attending a health care profession school that is recognized by the United States Department of Education or the Arkansas Department of Higher Education that has radiologic sciences taught in part of the educational process who uses equipment emitting or detecting ionizing radiation.
- D. Nothing in the provisions of the Act or these regulations relating to Radiologic Technology shall limit, enlarge, or affect the practice of Licensed Practitioners herein defined.

SECTION VI. LICENSES REQUIRED

- A. A Radiologic Technologist License is required for any individual who holds a national registry with the American Registry of Radiologic Technologists, Nuclear Medicine Technology Certification Board, or the American Society of Clinical Pathologists and uses medical equipment emitting or detecting ionizing radiation or administers radiopharmaceuticals for human diagnostic or therapeutic purposes.
- B. A Licensed Technologist License is required for any individual who uses medical equipment emitting or detecting ionizing radiation for human diagnostic or therapeutic purposes under the supervision of a Licensed Practitioner and is licensed under the “Grandfather” provision in the Act.
- C. A Limited Licensed Technologist License is required for any individual who is under the supervision of a Licensed Practitioner and uses medical equipment emitting ionizing radiation for human diagnostic purposes for radiographic examination of the chest or skeletal areas. This license is obtained by successful completion of the examination by the American Chiropractic Registry of Radiologic Technologists or an examination approved by the Arkansas State Board of Health
- D. An RCIS license is required for any individual who is under the supervision of a Licensed Practitioner and operates medical equipment emitting ionizing radiation for fluoroscopic radiologic purposes on human beings that are limited to specific body parts and only for cardiovascular interventional procedures. This license is obtained by successful completion of an examination deemed appropriate by the Committee and approved by the Board.
- E. A Temporary License may be issued by the Board to any individual whose licensure or relicensure may be pending and when issuance may be justified by special circumstances. A temporary license shall be issued only if the Board finds that it will not violate the purpose of the Act or these regulations, or endanger the public health and safety. A temporary license shall not remain in force longer than one hundred and eighty days. No more than two temporary licenses shall be issued to any individual within a specific category. The Committee may extend the temporary license if the individual demonstrates to the committee a hardship or a continual progression in fulfilling the educational and certification requirements recognized by the Committee.

Only temporary license holders, who have graduated from accredited educational programs, recognized by the Board and are awaiting examination and licensure may perform fluoroscopy or administer contrast media. Temporary license holders for limited scope, may only perform the radiologic procedures on human beings for which they are preparing to take the examination.

SECTION VI. LICENSES REQUIRED (cont.)

- F. Reactivation of retired license may be reinstated when the individual must pay the renewal fee and provide documentation of six hours of continuing education credits within the year prior to renewal.
- G. Renewal of a lapsed license for a licensee who has allowed their Licensed Technologist License or Limited Licensed Technologist License lapse for five years or less will be permitted on the basis of payment of the required renewal fee, an accrued late fee and completion of a minimum of six hours per year continuing education for each year license has lapsed.
- H. Renewal of a lapsed license for a licensee who has let their Licensed Technologist License or Limited Licensed Technologist License expire for more than five years will be based on payment of the required renewal fee, late fee and successful completion of the licensing examination approved by the State of Arkansas. Renewal of a lapsed license for an ARRT or its equivalent technologist who has let their Radiologic Technologist License, Radiation Therapy License or Nuclear Medicine Technology License expire for more than five years will be based on payment of the required renewal fee, late fee, and documentation from the ARRT, NMTCB, ACRRT or CCI of a current valid registry card.

SECTION VII. QUALIFICATIONS FOR EXAMINATIONS

- A. Accepted Examinations. The accepted examinations for licensure are the ARRT, NMTCB, ASCP, ACRRT or CCI examinations for the licensing examinations approved by the Board. The categories of examinations approved by the Board are: Radiography, Radiation Therapy, Nuclear Medicine Technology, Limited Chest, Limited Spine, Limited Extremities, Limited Skull and Sinus, Limited Ankle and Foot and RCIS.
- B. Process for Examination Qualifications. The applicant shall apply for any examination for licensure by providing the Department with the necessary information on the examination application form provided by the Department.
- C. Examination pass/fail. The minimum passing score shall be a scaled score of 70.
- D. Re-examination. Upon payment of examination fee and completion of the examination application process, there will be no limitation on the number of times the examination can be taken.
- E. Licensure by Endorsement. The Board may accept a current certificate, registration, or license as a Radiologic Technologist, Licensed Technologist, or Limited Licensed Technologist issued by another state, provided that the standards in the other state meet or exceed the criteria for Arkansas licensure of six hours a year continuing education and an examination whose standards meet or exceed the standards of the current examination approved by the Arkansas State Board of Health. Any individual who holds a current certificate from the ARRT, NMTCB, ACRRT, CCI or ASCP is exempt from examination. The Board shall issue a license to a credentialed individual, upon application and payment of the licensing fee.

SECTION VIII. FEES

- A. Examination Fee. The examination fee will be set by the vendor contracted with the department to administer the examinations that meet the requirements of the Arkansas State Board of Health. This fee is non-refundable.
- B. License Fee. The license fee shall be forty-five dollars for one category. The license fee for more than one category shall be sixty-five dollars. This fee is non-refundable.
- C. Temporary Fee. The temporary fee shall be forty-five dollars for each additional temporary license. The temporary license may be renewed once. The temporary license fee will be transferred to the license fee following successful completion of the examination, for a period of one hundred eighty days with the renewal date being one hundred eighty days from the date of the original temporary license that was issued. If a test is not available the renewal date will be the date when the examination is available. This fee is non-refundable.
- D. Student Temporary Fee. The fee shall be forty-five dollars, and may be renewed once. There will not be an additional fee for renewal if successful completion of the ARRT, NMTCB, ACRRT, CCI or other licensing examination approved by the Board has occurred. This will apply for a student in an approved United States Department of Education school. This fee will be transferred to the license fee for a period of one year. This fee is non-refundable.
- E. Late Fee. The late fee will be fifty percent of the license fee. The late fee will be accrued on the expiration date of the license. This fee is non-refundable.

SECTION IX. DISPLAY OF LICENSE

Licensees shall display the official license document or a copy of the license, which has been notarized by a notary public in each place of employment, and the document shall be made available upon its request. The licensee shall display their license at the primary location of employment, or where the licensee is regularly scheduled to work. The licensee can have a notarized copy on file when working at a facility other than their primary place of work.

SECTION X. EDUCATIONAL PROGRAM STANDARDS

The standards the Board will accept for Educational Programs in Radiologic Technology are programs that are accredited by the United States Department of Education through the Joint Review Committee on Education in Radiologic Technology, Joint Review Committee on Educational Programs in Nuclear Medicine Technology, Chiropractic Radiologic Technology and Cardiovascular Credentialing International, or equivalent.

SECTION XI. RENEWAL DATE

- A. A license shall be renewed annually. The renewal date shall be one year from the date of issuance.
- B. A temporary license may be renewed once at the end of the one hundred eighty day period for the temporary license.

SECTION XII. CONTINUING EDUCATION STANDARDS

A minimum of six hours of continuing education is required for license renewal for all license holders. A continuing education hour is defined as being equal to fifty to sixty minutes. Educational activities of thirty to forty-nine minutes in duration will be awarded one-half continuing education credit. Educational activities longer than one hour will only be awarded half and whole hour credits. Educational activities less than thirty minutes will receive no credit. The continuing education will be required on a prorated basis for temporary license holders. If a temporary license has been renewed, the holder will be required to meet the full six hours of education.

- A. The six hours of continuing education is to have been acquired within the year preceding the date of renewal.
- B. Three of the six hours must be in the Radiologic Sciences, in the core areas of all licenses such as radiation protection, equipment operation and maintenance, image production and evaluation, patient care and management and radiopharmaceuticals. The other three hours may be in other areas related to health care.
- C. Continuing education may be provided by the licensed practitioner or a hospital in-service education department. The sponsor of the continuing education must provide specific information on the continuing education forms provided by the Department. Request for approval must be made to the Committee at least thirty days prior to the educational activity.
- D. The information required is a request approval form, objectives, outline and lecture or presenter curriculum vita.
- E. The Committee will review the information and if approved, the Committee will assign a continuing education approval number.

SECTION XII. CONTINUING EDUCATION STANDARDS (cont.)

- F. The sponsor shall document attendance at continuing education and shall provide documentation in suitable format to the Department.
- G. The participant must keep a record of his/her continuing education and submit the information on the annual renewal form for license renewal. The Committee may perform random checks to evaluate attendance at the continuing education.
- H. The Committee shall accept the following as continuing education lecturers or presenters: Licensed Practitioner, Registered Radiologic Technologist, Medical/Health Physicist, Health Care Professional who has attended formal education and passed a formal examination specific for the health care area of interest, and company or service representatives in Radiologic Technology. The Committee will also consider other individuals who demonstrate expertise through the submitted curriculum vitae, education, or work experience relative to the education to be presented.
- I. The approved continuing education and assigned approval number will be effective for a period of three years or until substantial changes in content have occurred, whichever ever comes first. A new approval must be requested after a period of three years or if substantial changes have been made to the lecture content.
- J. The licensee can only use a continuing education approval number once during the renewal period.
- K. Continuing Education approved by other organizations such as the American Society of Radiologic Technologists, Society of Nuclear Medicine, American Medical Association, American Podiatric Medicine Association, or the American Chiropractic Association, may be accepted. The Committee reserves the right to deny continuing education approved by other organizations. The name and number for the continuing education assigned by other approval processes must be provided on the form. The Committee will accept confirmation forms provided by other approved processes.
- L. If the minimum amount of continuing education is not met, or the continuing education is not approved, the licensee will be placed on probation and has sixty days to complete the required continuing education to receive a renewal license. If the education is not completed the licensee will be considered a lapsed licensee.
- M. Licensees awarded the retired status are exempt from the continuing education requirements so long as they remain on retired status.

SECTION XIII. ADMINISTRATION

- A. The license of a Radiologic Technologist, Licensed Technologist, or Limited Licensed Technologist may be suspended or revoked, or the individual may be censured, reprimanded or otherwise sanctioned by the Board in accordance with the provisions and procedures of this act if, after due process, it is found that the individual:
1. Is guilty of fraud or deceit in the procurement or holding of the license;
 2. Has been convicted of a felony in a court of competent jurisdiction, if the licensee has been discharged or acquitted; or if the holder has been pardoned with full restoration of civil rights in which case the license shall be restored;
 3. Is or has been afflicted with any medical problem, disability, or addiction, which, in the opinion of the Board, would impair professional competence;
 4. Has knowingly aided and abetted a person who is not a Radiologic Technologist, Licensed Technologist, or Limited Licensed Technologist, or otherwise authorized by the Act or these rules and regulations, to perform the duties of a license holder;
 5. Has undertaken or engaged in any practice beyond the scope of duties permitted a license holder under the Act or these rules and regulations;
 6. Has impersonated a license holder or former license holder or is performing the duties of a Radiologic Technologist, Licensed Technologist, or Limited Licensed Technologist under an assumed name;
 7. Has been found guilty of violations of the Code of Ethics as established by these rules and regulations;
 8. Has applied ionizing radiation without the prescription of a Licensed Practitioner;
 9. Has interpreted a diagnostic image for a fee;
 10. Is, or has been found guilty of incompetence or negligence in his performances as a license holder; or
 11. Failure to comply with any provision of the Act or these rules or regulations.

SECTION XIII. ADMINISTRATION (cont.)

- B. Proceedings against the holder of a license shall be instituted by filing a written charge or charges with the Committee. The charge or charges may be brought by a person, corporation, association, public officer, or the Board. The chairperson of the Committee shall appoint a subcommittee of three (3) Committee members to examine the charge or charges and prepare a written recommendation to the Committee stating whether the charge or charges should be dismissed or brought against the licensee. If the Committee determines that the charge or charges contain sufficient merit, the Chairperson shall set a time and place for a hearing.

A copy of the charge or charges, together with the notice of the time and place of the hearing, shall be served on the person charged either in person or by registered mail at least thirty (30) days before the date set for the hearing. The accused shall have the right to appear at the hearing with counsel, to answer the charge or charges, cross-examine witnesses, and produce evidence and witnesses in his defense. The Committee shall have the power to issue subpoenas for the appearance of witnesses and take testimony under oath.

- C. Any licensee who violates any provision of the Act, or any rule or order made pursuant to the Act shall be subject to a cease and desist order and a fine of not more than one thousand dollars (\$1,000.00) per incident.
- D. All hearings and appeals shall be pursuant to the provisions of the Arkansas Administrative Procedure Act, as amended, § 25-15-201 et seq.

SECTION XIV. CODE OF ETHICS

A radiologic technologist, licensed technologist, or a limited licensed technologist shall abide by the following:

- A. The Licensee conducts herself or himself in a professional manner, responds to patient needs and supports colleagues and associates in providing quality patient care.
- B. The Licensee acts to advance the principle objective of the profession to provide services to humanity with full respect for the dignity of mankind.
- C. The Licensee delivers patient care and service unrestricted by the concerns of personal attributes or the nature of the disease or illness, and without discrimination on the basis of sex, race, creed, religion or socioeconomic status.
- D. The Licensee practices radiologic technology founded upon theoretical knowledge and concepts, uses equipment and accessories consistent with the purposes for which they were designed, and employs procedures and techniques appropriately.
- E. The Licensee assesses situations; exercises care, discretion, and judgment; assumes responsibility for professional decisions; and acts in the best interest of the patient.
- F. The Licensee acts as an agent through observation and communication to obtain pertinent information for the physician to aid in the diagnosis and treatment of the patient and recognizes that interpretation, diagnosis, ordering and prescribing radiologic examinations are outside the scope of practice for licensees.
- G. The Licensee respects confidences entrusted in the course of professional practice, respects the patient's right to privacy and reveals confidential information only as required by law or to protect the welfare of the individual or the community.
- H. The Licensee continually strives to improve knowledge and skills by participating in continuing education and professional activities, and sharing knowledge with colleagues.

SECTION XV. SEVERABILITY

If any provision of these Rules and Regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these Rules and Regulations which can give effect without the invalid provisions or application, and to this end the provisions hereto are declared severable.

SECTION XVI. REPEAL

All regulations and parts of regulations in conflict herewith are hereby repealed.

CERTIFICATION

This will certify that the foregoing Rules and Regulations pertaining to Medical Ionizing Radiation Licensure were adopted by the Arkansas Board of Health at a regular session of the Board held in the Arkansas Department of Health Board Room of the Freeway Medical Building on the 28th day of January 2010.

Paul K. Halverson, DrPH
Secretary, Arkansas Board of Health

The foregoing Rules and Regulations, copy of having been filed in my office, are hereby approved on this _____ day of _____, 20__.

Mike Beebe
Governor