AN ACT

To amend chapter 334, RSMo, by adding thereto one new section relating to certification of certain x-ray technicians.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 334, RSMo, is amended by adding thereto one new section, to be known as section 334.1000, to read as follows:

334.1000. 1. As used in this section, the following terms shall mean:

(1) "Department", the department of health and senior services;

(2) "Ionizing radiation", radiation that may consist of alpha particles, beta particles, gamma rays, x-rays, neutrons, high-speed electrons, high-speed protons, or other particles capable of producing ions. The term "ionizing radiation" does not include nonionizing radiation, such as radiofrequency or microwaves, visible infrared or ultraviolet light, or ultrasound;

(3) "Limited x-ray machine operator", a person who is certified to perform only x-ray or bone densitometry procedures not involving the administration or utilization of contrast media on selected specific parts of human anatomy under the supervision of a licensed practitioner;

(4) "Nuclear medicine technologist", a person who is certified to perform a variety of nuclear medicine and
molecular imaging procedures using sealed and unsealed radiation sources, ionizing radiation, adjunctive medicine and pharmaceuticals associated with nuclear medicine procedures, and therapeutic procedures using sealed and unsealed radioactive sources;

(5) "Radiographer", a person who is certified to perform a comprehensive set of diagnostic radiographic procedures using external ionizing radiation to produce radiographic, fluoroscopic, or digital images;

(6) "Radiation therapist", a person who is certified to administer ionizing radiation to humans for therapeutic purposes.

2. With the exception of individuals who meet the requirements under subsection 7 of this section, no person shall provide the services of a radiographer, nuclear medicine technologist, radiation therapist, or limited x-ray machine operator unless such person is certified by the department.

3. In order for a person to be eligible for certification by the department as a radiographer, an individual shall:

(1) Be currently certified as a radiographer by the American Registry of Radiologic Technologist; and

(2) Complete an application form approved by the department and pay the required fee set by the department by rule.

4. In order for a person to be eligible for certification by the department as a radiation therapist, an individual shall:

(1) Be currently certified as a radiation therapist by the American Registry of Radiologic Technologist; and
(2) Complete an application form approved by the department and pay the required fee set by the department by rule.

5. In order for a person to be eligible for certification as a nuclear medicine technologist, an individual shall:
   (1) Be currently certified as a nuclear medicine technologist by the American Registry of Radiologic Technologists or Nuclear Medicine Technology Certification Board; and
   (2) Complete an application form approved by the department and pay the required fee set by the department by rule.

6. In order for a person to be eligible for certification as a limited scope x-ray machine operator, an individual shall:
   (1) Be currently certified by the American Society of Podiatric Medical Assistants, International Society of Clinical Densitometry; or
   (2) Successfully pass an examination for limited x-ray machine operators approved by the department; and
   (3) Complete an application form approved by the department and pay the required fee set by the department by rule.

7. A person who has been engaged in the practice of limited x-ray machine operator and who does not meet the requirements stated in subsection 6 of this section may continue to practice as a limited x-ray machine operator, provided that such person:
   (1) Registers with the department on or before January 1, 2022;
(2) Does not change the scope of their current practice or current place of employment; and

(3) Meets requirements of subsection 3 of this section and the rules adopted by the department and obtains certification from the department on or before October 1, 2024.

8. A radiographer, nuclear medicine technologist, radiation therapist, or limited scope x-ray machine operator shall practice in accordance with nationally recognized practice standards and scopes of practice for medical imaging personnel and under the supervision of a person licensed to practice medicine, chiropractic medicine, dentistry, or podiatry in this state.

9. No person shall hold himself or herself out as a radiographer, nuclear medicine technologist, radiation therapist or limited x-ray machine operator unless such person is certified by the department.

10. The radiographer, nuclear medicine technologist, radiation therapist or limited x-ray machine operator certification program shall be defined in rules by the department.

11. This section does not apply to, and does not prohibit or restrict, the provision or performance of any service, treatment, care or supervisory function by a licensed certified registered nurse anesthetist that is provided or performed within the scope of practice of such person as recognized by the Missouri board of nursing.

12. Nothing in this section shall apply to, prohibit or restrict any service, treatment, care or supervisory function provided by: a physician or surgeon licensed under chapter 334 and practicing within their scope, a dentist licensed under chapter 332 and practicing within their
scope, a chiropractic physician licensed under chapter 331, a podiatrist licensed under chapter 330 and practicing within their scope, or any student enrolled in and attending a school or college of medicine, chiropractic, podiatry, radiologic imaging, or radiation therapy who performs radiologic imaging or radiation therapy procedures on humans while under the supervision of a licensed practitioner or supervision of a person holding an unlimited certificate.

13. The department shall promulgate any rules necessary for the implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void.