



Board of Physicians

Wes Moore, Governor · Aruna Miller, Lt. Governor · Harbhajan Ajrawat, M.D., Chair

2024 SESSION POSITION PAPER

BILL NO.: **HB 934 - Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance - Limited Licensed Radiologic Technologist**

COMMITTEE: **Health and Government Operations**

POSITION: **Letter of Support with Amendments**

POSITION & RATIONALE:

The Maryland Board of Physicians (the Board) is respectfully submitting this letter of support with amendments for House Bill (HB) 934 - Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance - Limited Licensed Radiologic Technologist. HB 934 would establish a regulatory and licensing system for limited licensed radiologic technologists under the Board of Physicians. The Board thanks Delegate Hutchinson for sponsoring HB 934 and looks forward to continuing to work with the Sponsor and stakeholders on this bill.

The Board supports establishing a limited-scope radiologic technologist option in Maryland and other initiatives to strengthen the struggling healthcare workforce and decrease emergency room wait times. However, the Board believes that a license is not the most effective regulatory option. The Board supports proposed amendments to HB 934 to remove “limited licensed radiologic technology” as a new license category and instead implement a Limited-Scope Radiologic Technologist Registration, with a sunset provision to re-evaluate in three years.

Licensure requires that the fees for a license are set at a rate to cover the cost of licensure. As many of the costs of licensing are fixed no matter how many people apply for the license, when a smaller number of people apply for the license, it can result in high fees for applicants and can be an additional barrier to licensure. A registration differs from a license because there is no Board verification of credentials required; therefore, the Board would not need to expend any additional resources. Given the fact that we are unsure if the population will be large enough to support licensure, the Board believes that registration is the most cost-effective and streamlined way to address limited-scope radiologic technologists at this time.

In addition, the Board supports proposed amendments to authorize only radiologic technologists and physicians as supervisors under Title 14 of the Health Occupations Article, and to clearly state that on-site supervision where the supervisor is physically present on-site or on the facility premises and able to respond in person is required.

The Board would also like to note the effective date of enactment, October 1, 2024. The bill

requires the completion of an educational program with a certain amount of clinical and didactic hours. The Board is unaware of any education program in Maryland that satisfies this requirement. Therefore, the Board suggests reconsidering the effective date to allow local educational programs to be established that meet the requirements of this bill.

In addition, the Board believes that additional amendment is required to authorize a civil penalty of up to \$1,000 on an individual who fails to comply with the requirements of the bill.

Thank you for your consideration. For more information, please contact Matthew Dudzic, Manager of Policy and Legislation, 410-764-5042, or Madeline DelGreco, Health Policy Analyst, 443-591-9082.

Sincerely,

A handwritten signature in cursive script that reads "Jugh Ajrawat".

Harbhajan Ajrawat, M.D.
Chair, Maryland Board of Physicians

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.

Attachment 1 - HB 934 Amendments

The Board recommends striking the proposed language found on pages 2-17 of HB 934 and substituting with the following language in Health Occupations, §14-306:

Article - Health Occupations

§14-306. Duties delegated by a [licensed physician] **LICENSEE TO A PERSON NOT OTHERWISE LICENSED**

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

(1) Do not include:

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

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

- (i) Chest[, anterior-posterior and lateral];
- (ii) Spine[, anterior-posterior and lateral]; or
- (iii) Extremities[, anterior-posterior and lateral, not including the head].

(3) Are performed:

- [(i) By an individual who is not employed primarily to perform X-ray duties;
- (ii) **(i)** In the medical office of the physician who delegates the duties **UNDER THE ON-SITE SUPERVISION OF A RADIOLOGIC TECHNOLOGIST OR PHYSICIAN**; and

[(iii) (ii) By an individual who ~~[-before October 1, 2002,]~~ has:

- 1. Taken a course consisting of at least 30 hours of training in performing X-ray procedures approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists; and
- 2. Successfully passed an examination based on that course that has been approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists.]

1. COMPLETED A LIMITED SCOPE X-RAY EDUCATIONAL PROGRAM CONSISTING OF AT LEAST 115 HOURS OF DIDACTIC TRAINING DELIVERED BY A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS PROVIDING INSTRUCTION IN THE SPECIFIC SUBJECTS LISTED IN THE BOARD'S REGULATIONS.

2. COMPLETED AT LEAST 480 HOURS OF CLINICAL TRAINING AND COMPLETED 5 SUCCESSFUL COMPETENCIES IN EACH BODY PART LISTED ABOVE UNDER DIRECT SUPERVISION OF A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS;

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

4. REGISTERED WITH THE BOARD OF PHYSICIANS ATTESTING TO COMPLETION OF THE REQUIREMENTS DESCRIBED IN (3)(II) OF THIS SUBTITLE.

(F) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, THE HEALTH CARE FACILITY IN WHICH THE INDIVIDUAL AUTHORIZED TO PERFORM X-RAY DUTIES WITHOUT A LICENSE IS RESPONSIBLE FOR ENSURING THAT ALL REQUIREMENTS OF THIS SUBSECTION ARE MET FOR EACH X-RAY PERFORMED.

(G) THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO \$5,000 FOR EACH INSTANCE OF A HEALTH CARE FACILITY'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION.

(H) THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO \$1,000 FOR EACH INSTANCE OF AN INDIVIDUAL'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION.

SECTION 2: AND BE IT FURTHER ENACTED, THAT THIS ACT SHALL TAKE EFFECT OCTOBER 1, 2025.

SECTION 3: AND BE IT FURTHER ENACTED, THAT ON OR BEFORE OCTOBER 1, 2028, THE BOARD OF PHYSICIANS SHALL REPORT TO THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE AND SENATE FINANCE COMMITTEE ON THE NUMBER OF INDIVIDUALS WHO HAVE REGISTERED WITH THE BOARD. THE REPORT SHALL INCLUDE RECOMMENDATIONS ON FUTURE ACTIONS TO CONTINUE THE REGISTRATION PROCESS OR CREATE A NEW LIMITED LICENSURE CATEGORY.