

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of Health and Mental Hygiene  
(DLS Control No. 14-246)**

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## **Overview and Legal and Fiscal Impact**

The Department of Health and Mental Hygiene proposes repealing the existing single regulation regarding the qualifications for licensure of radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants and replacing it with a separate regulation regarding the qualifications for licensure for each profession.

The proposed regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

### **Department of Health and Mental Hygiene:**

Board of Physicians: Licensure of Radiation Therapists, Radiographers, Nuclear  
Medicine Technologists, and Radiologist Assistants:  
COMAR 10.32.10.04, .05, .05-1, and .05-2

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## **Legal Analysis**

### **Summary of Regulations**

The department proposes repealing the existing single regulation regarding the qualifications for licensure of radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants and replacing it with a separate regulation regarding the qualifications for licensure for each profession. Proposed Regulations .04, .05, .05-1, and .05-2 require each applicant for licensure to meet qualifications for age, English competency, education credentials, or certification from a national certifying body, practical experience, and passage of a required examination.

These regulations newly authorize a radiographer, nuclear medicine technologist, or radiation therapist who holds a current, active, unrestricted license in another state for at least three of the last five years immediately preceding the application and who is not subject to disciplinary action in another state to qualify for licensure in the State. The licensure qualifications for a radiologist assistant are the same as in the existing regulation.

## **Statutory Authority and Legislative Intent**

The department cites §§ 14-5B-01, 14-5B-03, and 14-5B-09 of the Health Occupations Article as authority for these proposed regulations. More specifically, §§ 14-5B-03 and 14-5B-09 of the Health Occupations Article are appropriate authority.

Section 14-5B-03 requires the Board of Physicians to adopt regulations to carry out the provisions of the subtitle regarding the licensure and regulation of radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants. Section 14-5B-09 sets forth the requirements for qualification for licensure of radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants.

This authority is correct and complete. These regulations comply with the legislative intent of the law.

## **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The regulations consolidate licensure requirements and establish alternative pathways to licensure for radiographers, nuclear medicine technologists, radiation therapists, and radiologist assistants licensed by the Maryland Board of Physicians. As existing licensure fees are not affected, the department advises that the regulations have no fiscal impact. The Department of Legislative Services concurs.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

## **Contact Information**

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