STATE OF OKLAHOMA
RADIOLOGIST ASSISTANT LICENSURE ACT
TITLE 59, SECTIONS 541 – 541.9

SECTION 541.

This act shall be known and may be cited as the "Radiologist Assistant Licensure Act".

SECTION 541.1.

A. A radiologist may use the services of a radiologist assistant, licensed by the State Board of Medical Licensure and Supervision, to practice radiology assistance under the direct supervision of a physician licensed by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners and certified by the American Board of Radiology or the American Osteopathic Board of Radiology.

B. The State Board of Medical Licensure and Supervision shall promulgate rules defining the scope of practice of a radiologist assistant and the educational qualifications necessary to practice as a radiologist assistant. The Board may use guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists in promulgating rules. The Board shall be the final authority in all matters pertaining to licensure, continuing education requirements and scope of practice of radiologist assistants and shall not exceed the guidelines in this subsection.

C. A radiologist assistant shall be certified and registered with the American Registry of Radiologic Technologists and credentialed to provide radiology services and have completed a radiologist assistant program accredited by the American Registry of Radiologic Technologists and passed the American Registry of Radiologic Technologists certification examinations.

D. A radiologist assistant shall not interpret images, make diagnoses, or prescribe medications or therapies or obtain informed consent.

SECTION 541.2.

A. There is hereby created a Radiologist Assistant Advisory Committee within the State Board of Medical Licensure and Supervision to assist in administering the provisions of the Radiologist Assistant Licensure Act. The Committee shall consist of seven (7) members as follows:

1. One member shall be a physician appointed by the State Board of Medical Licensure and Supervision from its membership;

2. One member shall be a radiologist appointed by the State Board of Medical Licensure and Supervision from a list of qualified individuals submitted by the Oklahoma State Medical Association and who is not a member of the Board;

3. One member shall be a physician appointed by the State Board of Osteopathic Examiners from its membership;

4. One member shall be a physician appointed by the State Board of Osteopathic Examiners from a list of qualified individuals submitted by the Oklahoma Osteopathic Association and who is not a member of the State Board of Osteopathic Examiners;

5. One member shall be a radiologist appointed by the State Board of Medical Licensure and Supervision from a list of qualified individuals submitted by the Oklahoma State Radiological Society and who is not a member of the Board; and

6. Two members shall be radiologist assistants appointed by the State Board of Medical Licensure and Supervision from a list of radiologist assistants submitted by the Oklahoma State Radiological Society.

The radiologist assistant practitioner members shall have engaged in rendering radiologist assistant services to the public, teaching, or research for at least two (2) years immediately preceding their appointments. These members shall at all times be holders of valid licenses as radiologist assistants in this state, except for the members first appointed to the Committee.

B. Initial members of the Committee shall be appointed by September 1, 2008. Members of the Committee shall be appointed for terms of four (4) years. Provided, the terms of office of the members first appointed shall begin within a reasonable time frame after the effective date of this act and shall continue for the following periods:

1. Two physicians and one radiologist assistant for a period of three (3) years; and

2. Three physicians and one radiologist assistant for a period of four (4) years.

Upon the expiration of a member's term of office, the appointing authority for that member shall appoint a successor. Vacancies on the Committee shall be filled in like manner for the balance of an unexpired term. No member shall serve more than three consecutive terms. Each member shall serve until a successor is appointed and qualified.

C. Upon expiration or vacancy of the term of a member, the respective nominating authority may, as appropriate, submit to the appointing Board a list of three persons qualified to serve on the Committee to fill the expired term of their respective member. Appointments may be made from these lists by the appointing Board, and additionally lists may be provided by the respective organizations if requested by the State Board of Medical Licensure and Supervision.

D. The State Board of Medical Licensure and Supervision may remove any member from the Committee for neglect of any duty required by law, for incompetency, or for unethical or dishonorable conduct.

E. The Committee shall meet at least twice each year and shall elect biennially during odd-numbered years a chair and vice-chair from among its members. The Committee may

convene at the request of the chair, or as the Committee may determine for such other meetings as may be deemed necessary.

F. A majority of the members of the Committee, including the chair and vice-chair, shall constitute a quorum at any meeting, and a majority of the required quorum shall be sufficient for the Committee to take action by vote.

G. The Committee shall advise the Board in developing policy and rules pertaining to the Radiologist Assistant Licensure Act.

H. Members of the State Board of Medical Licensure and Supervision and members of the Radiologist Assistant Advisory Committee shall be reimbursed for all actual and necessary expenses incurred while engaged in the discharge of official duties pursuant to this act in accordance with the State Travel Reimbursement Act.

SECTION 541.3.

A. The State Board of Medical Licensure and Supervision shall:

1. License and renew the licenses of duly qualified applicants;

2. Maintain an up-to-date list of every person licensed to practice as a radiologist assistant pursuant to the Radiologist Assistant Licensure Act. The list shall show the licensee's:

a. last-known place of employment,

b. last-known place of residence, and

c. the date and number of the license;

3. Cause the prosecution of all persons violating the Radiologist Assistant Licensure Act and incur necessary expenses therefor;

4. Keep a record of all proceedings of the Board and make the record available to the public for inspection during reasonable business hours;

5. Conduct hearings upon charges calling for discipline of a licensee, or denial, revocation, or suspension of a license; and

6. Share information on a case-by-case basis of any person whose license has been suspended, revoked, or denied. This information shall include the name, type and cause of action, date and penalty incurred, and the length of penalty. This information shall be available for public inspection during reasonable business hours and shall be supplied to similar boards in other states upon request.

B. The State Board of Medical Licensure and Supervision may:

1. Promulgate rules consistent with the laws of this state and in accordance with Article I of the Administrative Procedures Act as may be necessary to enforce the provisions of the Radiologist Assistant Licensure Act;

2. Employ such personnel as necessary to assist the Board in performing its function;

3. Establish license renewal requirements and procedures as deemed appropriate; and

4. Set fees for licensure and renewal not to exceed Three Hundred Dollars ($300.00) per license or renewal.

SECTION 541.4.

A. The applicant, except where otherwise defined in the Radiologist Assistant Licensure Act, shall be required to pass an examination, whereupon the State Board of Medical Licensure and Supervision may issue to the applicant a license to practice as a radiologist assistant.

B. The Board may issue a license to practice as a radiologist assistant by endorsement to:

1. An applicant who is currently licensed to practice as a radiologist assistant under the laws of another state, territory, or country if the qualifications of the applicant are deemed by the Board to be equivalent to those required in this state;

2. Applicants holding credentials who are certified and registered with the American Registry of Radiologic Technologists and have completed a radiologist assistant program accredited by the American Registry of Radiologic Technologists and passed the American Registry of Radiologic Technologists certification examinations, provided such credentials have not been suspended or revoked; and

3. Applicants applying under the conditions of this section who certify under oath that their credentials have not been suspended or revoked.

SECTION 541.5.

A. A person holding a license to practice as a radiologist assistant in this state may use the title “radiologist assistant” and the abbreviation “RA”.

B. A licensee shall present this license when requested.

SECTION 541.6.

A. Except as otherwise provided in the Radiologist Assistant Licensure Act, a license shall be renewed biennially. The State Board of Medical Licensure and Supervision shall mail notices at least thirty (30) days prior to expiration for renewal of licenses to every person to whom a license was issued or renewed during the preceding renewal period. The licensee shall complete

the notice of renewal and return it to the Board with the renewal fee determined by the Board before the date of expiration.

B. Upon receipt of the notice of renewal and the fee, the Board shall verify its contents and shall issue the licensee a license for the current renewal period, which shall be valid for the period stated thereon.

C. A licensee who allows the license to lapse by failing to renew it may be reinstated by the Board upon payment of the renewal fee and reinstatement fee of One Hundred Dollars ($100.00); provided, that such request for reinstatement must be received within thirty (30) days of the end of the renewal period.

D. 1. A licensed radiologist assistant who does not intend to engage in the practice shall send a written notice to that effect to the Board and is not required to submit a notice of renewal and pay the renewal fee as long as the practitioner remains inactive. Upon desiring to resume practicing as a radiologist assistant, the practitioner shall notify the Board in writing of this intent and shall satisfy the current requirements of the Board in addition to submitting a notice of renewal and remitting the renewal fee for the current renewal period and the reinstatement fee.

2. Rules of the Board shall provide for a specific period of time of continuous inactivity after which retesting is required.

E. The Board is authorized to establish by rule fees for replacement and duplicate licenses not to exceed One Hundred Dollars ($100.00) per license.

F. The Board shall by rule prescribe continuing education requirements as a condition for renewal of license. The program criteria with respect thereto shall be approved by the Board.

SECTION 541.7

Fees received by the State Board of Medical Licensure and Supervision and any other monies collected pursuant to the Radiologist Assistant Licensure Act shall be deposited with the State Treasurer who shall place the monies in the regular depository fund of the Board. The deposit, less the ten-percent gross fees paid into the General Revenue Fund pursuant to Section 211 of Title 62 of the Oklahoma Statutes, is hereby appropriated and shall be used to pay expenses incurred pursuant to the Radiologist Assistant Licensure Act.

SECTION 541.8.

The State Board of Medical Licensure and Supervision may revoke, suspend, or refuse to renew any license, or place on probation, or otherwise reprimand a licensee or deny a license to an applicant if it finds that the person:

1. Is guilty of fraud or deceit in procuring or attempting to procure a license or renewal of a license to practice as a radiologist assistant;

2. Is unfit or incompetent by reason of negligence, habits, or other causes of incompetency;

3. Is habitually intemperate in the use of alcoholic beverages;

4. Is addicted to, or has improperly obtained, possessed, used or distributed habit-forming drugs or narcotics;

5. Is guilty of dishonest or unethical conduct;

6. Has practiced as a radiologist assistant after the license has expired or has been suspended;

7. Has practiced as a radiologist assistant under cover of any license illegally or fraudulently obtained or issued;

8. Has violated or aided or abetted others in violation of any provision of the Radiologist Assistant Licensure Act;

9. Has been guilty of unprofessional conduct as defined by the rules established by the Board, or of violating the code of ethics adopted and published by the Board; or

10. Is guilty of the unauthorized practice of medicine.

SECTION 541.9.

The provisions of the Radiologist Assistant Licensure Act shall not require the licensure or certification of radiology technologists or technicians.

Effective 4/11/08