

### **XXX. REGULATIONS GOVERNING THE PRACTICE OF RADIOLOGIST ASSISTANTS**

#### **A. SCOPE**

1. The following regulations pertain to radiologist assistants performing any x-ray procedure or operating any x-ray equipment in a physician's office.
2. The radiologist assistant shall evaluate the day's schedule of procedures with the supervising radiologist and determine where the radiologist assistant's skills will be best utilized.
3. After demonstrating competency the radiologist assistant when ordered to do so by the supervising radiologist may:
  - a. perform selected procedures under the direct supervision of a radiologist including static and dynamic fluoroscopic procedures;
  - b. assess and evaluate the physiologic and psychological responsiveness of patients undergoing radiologic procedures;
  - c. evaluate image quality, make initial image observations and communicate observations of image quality to the supervising radiologist; and
  - d. administer intravenous contrast media or other prescribed medications.
4. The radiologist assistant may not interpret images, make diagnoses, or prescribe medications or therapies.
5. The radiologist assistant shall adhere to the code of ethics of the American Registry of Radiologic Technologists and to national, institutional and/or departmental standards, policies and procedures regarding the standards of care for patients.

#### **B. DEFINITIONS**

1. A.R.R.T. - American Registry of Radiologic Technologists.
2. Full Certification - Certification obtained by submitting certification issued by the A.R.R.T.
3. Radiologist - A physician licensed by the Mississippi State Board of Medical Licensure who is certified or eligible to be certified by the

American Board of Radiology.

4. Radiologist Assistant Certification - Certification obtained by submitting proof of A.R.R.T. certification as a radiologist assistant which will enable the holder to perform any and all radiologist assistant procedures or functions as defined in Section C below in a radiology practice or radiologist's office.
5. Direct Supervision - The radiologist must be present in the office suite and immediately available to furnish assistance and direction throughout the performance of all procedures. "Direct supervision" does not mean that the supervising radiologist must be present in the room when the procedure is performed.

### **C. QUALIFICATIONS FOR LICENSURE**

1. Applicants for radiologist assistant licensure must be graduates of a radiologist assistant education program accredited by the American Registry of Radiologic Technologists, passed the radiologist assistant examination provided by the A.R.R.T., have current and unencumbered registration as a radiologic technologist with the Mississippi State Department of Health, have current certification in advanced cardiac life support (ACLS), and meet the following additional requirements:
  - a. Satisfies the Board that he is at least twenty-one (21) years of age and of good moral character.
  - b. Submits an application for license on a form supplied by the Board, completed in every detail with a recent photograph (wallet-size/passport type) attached. A Polaroid or informal snapshot will not be accepted.
  - c. Pays the appropriate fee as determined by the Board.
  - d. Presents a certified copy of birth certificate.
  - e. Proof of legal change of name if applicable (notarized or certified copy of marriage or other legal proceeding).
  - f. Provide information on registration or licensure in all other states where the applicant is or has been registered or licensed as a radiologist assistant.
  - g. Must have favorable references from two (2) physicians licensed in the United States with whom the applicant has worked or trained.

- h. No basis or grounds exist for the denial of licensure as provided at Article J below.

Radiologist assistants meeting these licensure requirements will be eligible for license renewal so long as they meet standard renewal requirements.

#### **D. SUPERVISION**

The employing radiologist(s), or a radiologist designated by the employing physician(s) as a substitute supervisor, shall exercise supervision and assume full control and responsibility for the services provided by any person practicing as a radiologist assistant employed in the radiologist's practice. Any services being provided by a radiologist assistant must be performed at either the physical location of the radiologist's primary medical practice or any healthcare facility where the supervising radiologist holds staff privileges.

#### **E. DUTY TO NOTIFY BOARD OF CHANGE OF ADDRESS**

Any radiologist assistant who is licensed or receives a license to practice as a radiologist assistant in this state and thereafter changes his practice location from what was noted in the application upon which he received a license, shall immediately notify the Board in writing of the change of location. Failure to notify within 30 days could result in disciplinary action.

#### **F. CONTINUING EDUCATION**

- 1. Biennially attend and complete twenty-four (24) hours of radiological related continuing education courses sponsored or approved by any of the following organizations:
  - a. Mississippi Society of Radiologic Technologists
  - b. Mississippi Radiological Society
  - c. Mississippi Medical Association
  - d. American Medical Association
  - e. American Society of Radiologic Technologists
  - f. American Registry of Radiologic Technologists
  - g. American College of Radiology

## **G. IDENTIFICATION**

1. The supervising physician shall be responsible to ensure that any radiologist assistant under his supervision does not advertise or otherwise hold himself out in any manner which would tend to mislead the general public or patients. Radiologist assistants shall at all times when on duty wear a name tag, placard or plate identifying themselves as radiologist assistants.
2. Radiologist assistants may not advertise in any manner which implies that the radiologist assistant is an independent practitioner.
3. A person not licensed as a radiologist assistant by the Board who holds himself out as a radiologist assistant is subject to the penalties applicable to the unlicensed practice of medicine.

## **H. PHYSICIAN LIABILITY**

Prior to the supervision of a radiologist assistant, the physician's and/or radiologist assistant's insurance carrier must forward to the Board a Certificate of Insurance.

## **I. RENEWAL SCHEDULE**

1. The license of every person licensed to practice as a radiologist assistant in the State of Mississippi shall be renewed annually.
2. On or before May 1 of each year, the State Board of Medical Licensure shall mail an application for renewal of license to every radiologist assistant to whom a license was issued or renewed during the current licensing year. The applicant shall complete the application and return it to the Board before June 30 and the renewal fee of an amount established by the Board. The payment of the annual license renewal fee shall be optional with all radiologist assistants over the age of seventy (70) years. Upon receipt of the application and fee, the Board shall verify the accuracy of the application and issue to applicant a certificate of renewal for the ensuing year, beginning July 1 and expiring June 30 of the succeeding calendar year. Such renewal shall render the holder thereof a licensed radiologist assistant as stated on the renewal form.
3. A radiologist assistant practicing in Mississippi who allows his license to lapse by failing to renew the license as provided in Subsection 2 may be reinstated by the Board on satisfactory explanation for such failure to renew, by completion of a reinstatement form, and upon payment of the

renewal fee for the current year, and shall be assessed a fine of Twenty-five Dollars (\$25.00) plus an additional fine of Five Dollars (\$5.00) for each month thereafter that the license renewal remains delinquent.

4. Any radiologist assistant not practicing in Mississippi who allows his license to lapse by failing to renew the license as provided in Subsection 2 may be reinstated by the Board on satisfactory explanation for such failure to renew, by completion of a reinstatement form, and upon payment of the arrearage for the previous five (5) years and the renewal fee for the current year.
5. Any radiologist assistant who allows his license to lapse shall be notified by the Board within thirty (30) days of such lapse.
6. Any person practicing as a radiologist assistant during the time his license has lapsed shall be considered an illegal practitioner and shall be subject to the same penalties as provided at Mississippi Code (1972) Annotated, Section 73-25-14.

## **J. DISCIPLINARY PROCEEDINGS**

### **1. GROUNDS FOR DISCIPLINARY ACTION AGAINST RADIOLOGIST ASSISTANTS**

For the purpose of conducting disciplinary actions against individuals licensed to practice as radiologist assistants, the Board hereby incorporates those grounds for the non-issuance, suspension, revocation, or restriction of a license or the denial of reinstatement or renewal of a license, as set forth in Mississippi Code (1972) Annotated, Sections 73-25-29 and 73-25-83. As a basis for denial, suspension, revocation or other restriction, the Board may initiate disciplinary proceedings based upon any one or more of those grounds as set forth in Sections 73-25-29 and 73-25-83, and may make provision for the assessment of costs as provided therein.

### **2. HEARING PROCEDURE AND APPEALS**

No individual shall be denied a license or have his license suspended, revoked or restriction placed thereon, unless the individual licensed as a radiologist assistant has been given notice and opportunity to be heard. For the purpose of notice, disciplinary hearings and appeals, the Board hereby adopts and incorporates by reference all provisions of the "Rules of Procedure" now utilized by the Board for those individuals licensed to practice medicine, osteopathic medicine, and podiatric medicine in the State of Mississippi.

### **3. REINSTATEMENT OF LICENSE**

- a. A person whose license to practice as a radiologist assistant has been revoked, suspended, or otherwise restricted may petition the Mississippi State Board of Medical Licensure to reinstate his license after a period of not less than one (1) year has elapsed from the date of the revocation or suspension. The procedure for the reinstatement of a license that is suspended for being out of compliance with an order for support, as defined in Section 93-11-153, shall be governed by Sections 93-11-157 or 93-11-163, as the case may be.
- b. The petition shall be accompanied by two (2) or more verified recommendations from physicians or osteopaths licensed by the Board of Medical Licensure to which the petition is addressed and by two (2) or more recommendations from citizens each having personal knowledge of the activities of the petitioner since the disciplinary penalty was imposed and such facts as may be required by the Board of Medical Licensure.

The petition may be heard at the next regular meeting of the Board of Medical Licensure but not earlier than thirty (30) days after the petition was filed. No petition shall be considered while the petitioner is under sentence for any criminal offense, including any period during which he is under probation or parole. The hearing may be continued from time to time as the Board of Medical Licensure finds necessary.

- c. In determining whether the disciplinary penalty should be set aside and the terms and conditions, if any, which should be imposed if the disciplinary penalty is set aside, the Board of Medical Licensure may investigate and consider all activities of the petitioner since the disciplinary action was taken against him, the offense for which he was disciplined, his activity during the time his certificate was in good standing, his general reputation for truth, professional ability and good character; and it may require the petitioner to pass an oral examination.

### **K. IMPAIRED RADIOLOGIST ASSISTANTS**

1. For the purpose of the Mississippi Disabled Physician Law, Mississippi Code (1972) Annotated, Sections 73-25-51 to 73-25-67, any individual licensed to practice as a radiologist assistant, shall be subject to restriction, suspension, or revocation, in the case of disability by reason of one or

more of the following:

- a. mental illness;
  - b. physical illness, including but not limited to deterioration through the aging process, or loss of motor skills; and/or
  - c. excessive use or abuse of drugs, including alcohol.
2. If the Board has reasonable cause to believe that a radiologist assistant is unable to practice with reasonable skill and safety to patients because of one or more of the conditions described above, referral of the radiologist assistant shall be made, and action taken, if any, in the manner as provided in Sections 73-25-55 through 73-25-65, including referral to the Mississippi Recovering Physicians Program, sponsored by the Mississippi State Medical Association.

**L. EFFECTIVE DATE OF REGULATIONS**

The above rules and regulations pertaining to the Practice of Radiologist Assistants shall become effective upon adoption.