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# WEST VIRGINIA LEGISLATURE

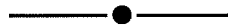
FIRST REGULAR SESSION, 1999



# ENROLLED

## House Bill No. 2672

(By Mr. Speaker, Mr. Kiss, and Delegates Compton,  
Leach, Douglas, Mezzatesta, Staton and Martin)



Passed March 12, 1999

In Effect Ninety Days from Passage

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OFFICE OF CLERK OF HOUSE  
SPECIAL SESSION

## ENROLLED

# H. B. 2672

(BY MR. SPEAKER, MR. KISS, AND DELEGATES  
COMPTON, LEACH, DOUGLAS, MEZZATESTA,  
STATON AND MARTIN)

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[Passed March 12, 1999; in effect ninety days from passage.]

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AN ACT to amend and reenact sections three and six, article twenty-three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to exempting certified densitometry technologists from obtaining radiologic technologist licenses; and eliminating obsolete "grandfather" provisions for licensure.

*Be it enacted by the Legislature of West Virginia:*

That sections three and six, article twenty-three, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all to read as follows:

### ARTICLE 23. RADIOLOGIC TECHNOLOGISTS.

#### §30-23-3. License required.

- 1 (a) No person may engage in, offer to engage in, or hold
- 2 himself or herself out to the public as being engaged in, the
- 3 practice of radiologic technology in this state, nor may any
- 4 person use in connection with any trade, business, profession or
- 5 occupation, except in those instances specifically provided in

6 subdivisions (1), (2), (3), (4) and (5), subsection (c), section six  
7 of this article, the word radiologic technologist or any other  
8 title, word or abbreviation which induces or tends to induce the  
9 belief that such person is qualified to engage or is engaged in  
10 the practice of radiologic technology, unless and until the  
11 person first obtains a license or temporary permit to engage in  
12 the practice of radiologic technology in accordance with the  
13 provisions of this article, which license or temporary permit  
14 remains unexpired, unsuspended and unrevoked: *Provided,*  
15 That no such license or temporary permit may be required for  
16 a radiologic technologist who is not a resident of this state, who  
17 is the holder of a license or certificate to engage in the practice  
18 of radiologic technology issued by a state with licensing or  
19 certification requirements determined by the board to be at least  
20 equal to those provided in this article, who has no regular place  
21 of practice in this state and who engages in the practice of  
22 radiologic technology in this state for a period of not more than  
23 ten days in any calendar year.

24 (b) No firm, association or corporation may, except through  
25 a licensee or licensees, render any service or engage in any  
26 activity which if rendered or engaged in by any individual  
27 would constitute the practice of radiologic technology.

**§30-23-6. Qualifications of applicants; exceptions; applications;  
fee.**

1 (a) To be eligible for a license to practice radiologic  
2 technology the applicant must:

3 (1) Be of good moral character;

4 (2) Have completed four years of high school education or  
5 its equivalent;

6 (3) Have successfully completed a minimum twenty-four-  
7 month course in radiologic study in a school of radiologic  
8 technology approved by the board;

9 (4) Have passed the examination prescribed by the board,  
10 which examination shall cover the basic subject matter of  
11 radiologic technology, skills and techniques; and

12 (5) Not have been convicted of a felony in any court in this  
13 state or any federal court in this or any other state within ten  
14 years preceding the date of application for registration, which  
15 conviction remains unreversed; and not have been convicted of  
16 a felony in any court in this state or any federal court in this or  
17 any other state at any time if the offense for which the applicant  
18 was convicted related to the practice of radiologic technology,  
19 which conviction remains unreversed.

20 (b) Any person who holds a license or certificate, including  
21 the American Registry of Radiologic Technologists, to practice  
22 radiologic technology issued by any other state, the require-  
23 ments for which license or certificate are found by the board to  
24 be at least equal to those provided in this article, shall be  
25 eligible for a license to practice radiologic technology in this  
26 state without examination.

27 (c) The following persons are not required to obtain a  
28 license in accordance with the provisions of this article:

29 (1) A technology student enrolled in or attending an  
30 approved school of technology who as part of his or her course  
31 of study applies ionizing radiation to a human being under the  
32 supervision of a licensed practitioner;

33 (2) A person acting as a dental assistant who under the  
34 supervision of a licensed dentist operates only radiographic  
35 dental equipment for the sole purpose of dental radiography;

36 (3) A person engaged in performing the duties of a technol-  
37 ogist in the person's employment by an agency, bureau or  
38 division of the government of the United States;

39 (4) Any licensed practitioner, radiologist or radiology  
40 resident; and

41 (5) Any person who demonstrates to the board that as of the  
42 first day of July, one thousand nine hundred ninety-nine, he or  
43 she:

44 (A) Has engaged in the practice of radiologic technology  
45 for the limited purpose of performing bone densitometry in this  
46 state for five or more years;

47 (B) Practices under the supervision of a licensed practitio-  
48 ner; and

49 (C) Has received a densitometry technologist degree  
50 certified by the international society for clinical densitometry.

51 (d) Any applicant for any such license shall submit an  
52 application therefor at such time (subject to the time limitation  
53 set forth in subsection (d) of this section), in such manner, on  
54 such forms and containing such information as the board may  
55 from time to time by reasonable rule and regulation prescribe,  
56 and pay to the board a license fee of thirty dollars, which fee  
57 shall be returned to the applicant if the license application is  
58 denied.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Randy Schenover*  
Chairman Senate Committee

*Joe F. Smith*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.  
*Barry E. Helms*  
Clerk of the Senate

*Bryony M. Smith*  
Clerk of the House of Delegates

*Carl Ray Tomblin*  
President of the Senate

*John C. Robison*  
Speaker of the House of Delegates

The within *approved* this the *3/31*  
day of *March*, 1999.

*Earl K. Radtke*  
Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/99

Time 4:00 pm