

SENATE BILL 165

Introduced by Hertel

1/15	Introduced
1/15	Referred to Public Health, Welfare & Safety
1/15	Fiscal Note Requested
1/15	First Reading
1/19	Fiscal Note Received
1/20	Fiscal Note Printed
1/20	Hearing
2/05	Committee Report--Bill Passed as Amended
2/06	2nd Reading Passed
2/08	3rd Reading Passed
	Transmitted to House
2/09	Referred to Human Services & Aging
2/09	First Reading
3/03	Hearing
3/08	Tabled in Committee

1 Senate BILL NO. 165
2 INTRODUCED BY Hertel
3 BY REQUEST OF THE DEPARTMENT OF COMMERCE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ADDING AN INACTIVE
6 STATUS RADIOLOGIC TECHNOLOGIST LICENSE; CREATING A
7 RADIOLOGIC TECHNOLOGIST INSPECTOR POSITION; AND AMENDING
8 SECTIONS 37-14-310 AND 37-14-322, MCA."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 37-14-310, MCA, is amended to read:

12 "37-14-310. Annual renewal -- fee -- reissuance of
13 license -- inactive status. (1) Licenses expire annually on
14 the date established by rule of the department.

15 (2) A license ~~shall~~ must be renewed by the board upon
16 payment of a license fee set by the board and submission of
17 a renewal application containing such information as the
18 board considers necessary to show that the applicant for
19 renewal is a radiologic technologist in good standing.

20 (3) A radiologic technologist who has been licensed in
21 Montana and whose license has not been revoked or suspended
22 and who has temporarily ceased activities as a radiologic
23 technologist for not more than 5 years may apply for
24 reissuance of a license upon complying with the provisions
25 of this section, including payment of an application fee. If

1 more than 1 year has passed since the applicant ceased
2 activities as a radiologic technologist, evidence of
3 competence, as established by the board by rule, must be
4 submitted to the board before an active status license may
5 be issued.

6 (4) (a) The board may reclassify to inactive status an
7 active licensee who furnishes satisfactory evidence, as
8 determined by the board by rule, that the licensee has
9 discontinued the actual practice of radiologic technology
10 for personal or professional reasons.

11 (b) An individual who wishes to maintain a Montana
12 license but not maintain a resident practice must be
13 licensed under the inactive status.

14 (c) Application to convert an inactive status license
15 to an active status license must be made in accordance with
16 rules adopted by the board. The renewal fee prescribed for
17 an active status license must accompany an application to
18 convert to active status. If more than 1 year has passed
19 since the applicant's license was placed in an inactive
20 status, evidence of competence, as established by the board
21 by rule, must be submitted to the board before an active
22 status license may be issued."

23 **Section 2.** Section 37-14-322, MCA, is amended to read:

24 "37-14-322. Inspections. (1) Inspections for compliance
25 with the provisions of this chapter may be performed by:

1 †1) (a) the board of radiologic technologists;
2 †2) (b) the department of-commerce; or
3 †3) (c) the department of health and environmental
4 sciences.

5 (2) The department shall appoint one or more inspectors
6 to inspect the procedures of licensees and permitholders at
7 facilities having x-ray equipment to ensure that persons
8 operating the equipment are in compliance with radiologic
9 technologist licensing law and are meeting other
10 requirements that the department or the board may establish.
11 Inspectors may inspect a facility with x-ray equipment
12 during business hours. A licensee or permitholder's refusal
13 to allow the inspection is cause for revocation of the
14 license or permit.

15 (3) The department shall ensure that each facility in
16 this state with x-ray equipment is inspected at least once a
17 year pursuant to rules promulgated by the board."

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0165, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act adding an inactive status Radiologic Technologist License and creating a Radiologic Technologist Inspector position.

ASSUMPTIONS:

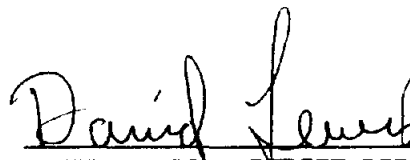
1. There will be 1,000 establishments needing inspection requiring 2 hours per inspection charged at \$15 per hour. These inspections will be handled by a contract person.
2. The work load of the POL Bureau Administrative Service Pool will be increased by 25% of an FTE as a result of the addition of this service. This work will be handled by a Grade 9 position.
3. Current law is based on Executive Budget for FY94 and FY95, including any approved modified levels.
4. For the FY94 and FY95 budget period the board will draw down its cash balance before any adjustments are made to the current fee structure.

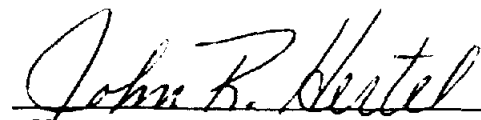
FISCAL IMPACT:

	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Personal Services	1,495	1,495	0	1,495	1,495	0
Operating Expenses	20,090	57,395	37,305	18,877	56,182	37,305
Capital Outlay	500	500	0	500	500	0
Total	22,085	59,390	37,305	20,872	58,177	37,305
<u>Revenues:</u>						
License Fees (02)	31,000	31,000	0	31,000	31,000	0
<u>Net Impact:</u>						
License Account	8,915	(28,390)	(37,305)	10,128	(27,177)	(37,305)

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The license fees of the board may need to increase after FY95, however the safety benefit of persons involved in the X-ray process will increase.

 1-19-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-20-93
JOHN R. HERTEL, PRIMARY SPONSOR DATE
Fiscal Note for SB0165, as introduced

SB 165

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

SENATE BILL NO. 165

INTRODUCED BY HERTEL

BY REQUEST OF THE DEPARTMENT OF COMMERCE

A BILL FOR AN ACT ENTITLED: "AN ACT ADDING AN INACTIVE
STATUS RADIOLOGIC TECHNOLOGIST LICENSE; CREATING A
RADIOLOGIC TECHNOLOGIST INSPECTOR POSITION; AND AMENDING
SECTIONS 37-14-310 AND 37-14-322, MCA."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS PROVIDED FOR THIS BILL BECAUSE
IT EXPANDS RULEMAKING RESPONSIBILITY FOR THE BOARD OF
RADIOLOGIC TECHNOLOGISTS REGARDING INSPECTION OF FACILITIES
WITH X-RAY EQUIPMENT TO ASSURE THAT THE OPERATOR IS LICENSED
OR HAS RECEIVED THE PROPER PERMITS. THIS BILL IS INTENDED TO
ALLOW THE BOARD TO CONTRACT FOR SERVICES TO INSPECT A
FACILITY THAT HAS X-RAY EQUIPMENT TO ASSURE THAT THE PERSON
OPERATING THE EQUIPMENT IS LICENSED AS A RADIOLOGIC
TECHNICIAN OR HAS RECEIVED A PERMIT OR PERMITS FOR SPECIFIC
TYPES OF DIAGNOSTIC IMAGING. THE BOARD SHALL SET FORTH BY
RULE THE QUALIFICATIONS NECESSARY FOR INSPECTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-14-310, MCA, is amended to read:

"37-14-310. Annual renewal -- fee -- reissuance of

license -- inactive status. (1) Licenses expire annually on
the date established by rule of the department.

(2) A license ~~shall~~ must be renewed by the board upon
payment of a license fee set by the board and submission of
a renewal application containing such information as the
board considers necessary to show that the applicant for
renewal is a radiologic technologist in good standing.

(3) A radiologic technologist who has been licensed in
Montana and whose license has not been revoked or suspended
and who has temporarily ceased activities as a radiologic
technologist for not more than 5 years may apply for
reissuance of a license upon complying with the provisions
of this section, including payment of an application fee. If
more than 1 year has passed since the applicant ceased
activities as a radiologic technologist, evidence of
competence, as established by the board by rule, must be
submitted to the board before an active status license may
be issued.

(4) (a) The board may reclassify to inactive status an
active licensee who furnishes satisfactory evidence, as
determined by the board by rule, that the licensee has
discontinued the actual practice of radiologic technology
for personal or professional reasons.

(b) An individual who wishes to maintain a Montana
license but not maintain a resident practice must be

1 licensed under the inactive status.

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 3 to an active status license must be made in accordance with
 4 rules adopted by the board. The renewal fee prescribed for
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 24 Inspectors may inspect a facility with x-ray equipment
 25 during business hours. A licensee or permitholder's refusal

1 to allow the inspection is cause for revocation of the
 2 license or permit.

3 (3) The department shall ensure that each facility in
 4 this state with x-ray equipment is inspected at least once a
 5 year pursuant to rules promulgated by the board.

6 (4) THE COST OF INSPECTIONS MUST BE FUNDED BY THE BOARD
 7 THROUGH LICENSE AND PERMIT FEES."

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