

NOTICE OF INTENT

Department of Health Radiologic Technology Board of Examiners

Radiologic Technologists
(LAC 46:LXVI.901, 1131, 1201, and 12)

Notice is hereby given that the Radiologic Technology Board of Examiners, pursuant to the authority of the Louisiana R.S. 37:3207 and in accordance with the provisions of the Louisiana Administrative Procedures Act, R.S. 49:950 et seq., intends to amend its rules governing temporary permits, LAC 46:LXVI. The proposed Rule changes are made in conjunction with 37: § 3220 and § 1127, which allow for the promulgation of rules related to permits with specific purposes and restrictions as to the type of radiologic activities that may be engaged and the types of services that may be provided to patients. Many urgent care centers throughout the State have a dire need for Limited X-ray Machine Operators (LXMO), who may perform x-rays on patients treated in a private physician office, private clinic, and/or an urgent care center. In conjunction with its authority, the board has voted to promulgate rules to address the professional needs of medical providers in the State. The LXMO permits will be issued for a specified time frame and will apply only to persons who are working in a private physician office, private clinic, or urgent care center as outlined in these rules.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXVI. Radiologic Technologists

Chapter 9. General Provisions

§901. Definitions

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Limited X-Ray Machine Operator—an individual other than a radiologic technologist who performs diagnostic x-ray procedures on selected anatomical sites as noted in §1131.

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Urgent Care Center—a walk in facility focused on the delivery of medical care for minor illnesses and injuries in an ambulatory setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37: 3207 and 3220

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Radiologic Technology Board of Examiners, LR 11:872 (September 1985), amended by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 23:71 (January 1997), LR 38:97 (January 2012), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

Chapter 11. Licensure

§1131. Limited X-ray Machine Operator Permit (LXMO)

A. The board may issue a temporary permit to an applicant seeking to practice as a limited x-ray machine operator for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography certification examination.

1. Necessity of Limited X-ray Machine Operator Permit (LXMO)

a. No person shall assume or use the title or designation "limited x-ray machine operator" unless he holds

a current permit in accordance with the provisions of these rules and regulations.

b. Every Limited x-ray machine operator shall have his permit at work. It shall be displayed or shall be on file. The permit shall be available for inspection at any time upon request by the board.

2. Scope of Practice for Limited X-ray Machine Operator (LXMO). The limited x-ray machine operator permit allows the individual to perform the following exams:

- a. chest;
- b. extremities;
 - i. upper—fingers, hand, wrist, forearm, elbow, humerus and shoulder girdle;
 - ii. lower—toes, foot, calcaneus, ankle, tibia/fibula, knee/patella, femur, and hip;
- c. abdomen;
- d. skull/sinuses;
 - i. skull;
 - ii. paranasal sinuses;
 - iii. facial bones (orbits, nasal bones);
- e. spine;
 - i. cervical spine;
 - ii. thoracic spine;
 - iii. lumbar spine;
 - iv. sacrum, coccyx, and sacroiliac joints.

3. Qualifications. To be eligible for a permit under this Chapter, an applicant shall:

- a. be at least 18 years of age;
- b. be of good moral character;
- c. have successfully completed a four-year course of study in a secondary school approved by the state Board of Elementary and Secondary Education, passed an approved equivalency test, or have graduated from a secondary school outside Louisiana having comparable approval;
- d. shall submit evidence of enrollment in an official LXMO program approved by the board;
- e. be a citizen of the United States or possess valid and current legal authority to work in the United States duly issued by the United States Citizenship and Immigration Services (USCIS) of the United States, Department of Homeland Security, under and pursuant to the Immigration and Nationality Act (66 stat. 163) and the commissioner's regulations thereunder (8 CFR);
- f. self-report any legal, regulatory, licensing, permitting, transgression, and/or accusation and the outcome of such proceedings to the board.

4. Exemption. A limited licensed Private Radiologic Technologist (PRT) with the Louisiana State Board of Medical Examiners who was licensed between January 1, 2025, and the effective date of this rule shall be issued a temporary permit to practice as a limited x-ray machine operator, however in order to obtain a two-year limited x-ray machine operator permit, the PRT must comply with the requirements as stated in this Rule.

5. Educational Requirements

a. An applicant shall have attended and successfully completed an educational program and formal training meeting the following standards in preparation for the position of limited x-ray machine operator prior to making an application for a permit:

- i. a board-approved course of radiological study and safety;
- ii. a board-approved clinical training program;

iii. paid the applicable fees prescribed in these rules.

6. Application for Permit

a. Temporary Work Permit. Requests for application for a temporary permit form shall be requested and submitted to the state board.

b. Limited X-ray Machine Operator Permit. Requests for application for a Limited X-ray Machine Operator permit form shall be requested and submitted to the state board.

7. Follow-Up to Application Submission

a. Incomplete Applications. Applications which are received with incomplete data may cause postponement. "Incomplete notices" are provided to those who did not submit all information requested on the application form.

b. Finding of Ineligibility. If information is received indicating ineligibility, the applicant is notified of the deficiencies. The application is retained on an inactive basis and may be reactivated at the applicant's request whenever the requirements have been met. The application fee is not refundable, however, there is no additional charge for reactivating the application.

8. Modifications to Submitted Information

a. Address or Name Changes. If a temporary limited x-ray machine operator permit applicant must change the mailing address which was entered on the application form, the individual must inform the board in writing. Changes in the permitter's name are to be handled in the same manner, but must be accompanied by documentary evidence of the change (e.g., copy of marriage certificate, legal name change form, etc.).

9. Re-Examination

a. An applicant who fails to pass the ARRT examination in Limited Scope of Radiography within the issued one-year time frame of the temporary permit shall become ineligible for an extension of that temporary permit. The Board will hold the original application for permit up to one year with no additional fee.

10. Issuance of Limited X-ray Machine Operator Permit (LXMO). If the qualifications, requirements and procedures prescribed or incorporated by these rules and regulations are met to the satisfaction of the board, the board shall issue to the applicant a permit to engage in the practice of limited x-ray machine operation in the state of Louisiana.

a. The board may issue a temporary permit to an applicant seeking to practice limited x-ray machine operation for the purpose of obtaining the clinical experience requirements in order to qualify to sit for the required American Registry of Radiologic Technologists (ARRT) Limited Scope of Practice in Radiography certification examination, provided that the applicant:

i. has submitted a board approved clinical training agreement to the board;

ii. satisfies the applicable fees prescribed in these rules.

iii. upon payment a temporary one-year work permit shall be issued one time only and for the time listed on the temporary work permit.

b. The temporary permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

i. 12 months from the date on which it was issued;

ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a limited x-ray machine operator permit;

c. The temporary permit holder who has:

i. successfully and competently completed the required clinical training;

ii. has successfully passed the American Registry of Radiologic Technologists (ARRT) Limited Scope of Radiography exam for Louisiana will then be granted a two-year limited x-ray machine operator permit.

11. Renewal. The board will require that those limited x-ray machine operators applying for renewal of permits shall have, in the preceding two-year period, participated in and completed the continuing education requirements, and/or board-approved alternatives as set forth in these rules. Every person permitted under the provision of this Chapter, shall maintain certification and document of on-going compliance with the board.

12. Biannual Application for Permit Renewal

a. Notification for the renewal of the permit will be mailed to each limited x-ray machine operator whose permit to practice limited x-ray machine operation will expire that May 31 with the permit fee due. Renewal season is March 1 through May 31.

b. Notification for renewal of permit shall be mailed prior to expiration by the board to each person holding a permit issued under these rules and regulations. Such notification shall be mailed to the most recent address as reflected in the official records of the board.

c. The Limited x-ray machine operator is responsible for renewal in the event of not receiving mailed notification. Every limited x-ray machine operator permitted by this board shall renew his/her permit every two years upon application and payment of a renewal fee.

d. Limited x-ray machine operator permits issued under this Section which have expired may be renewed by the board. The Limited x-ray machine operator permit issued under this section shall expire, and thereby become null and void and to no effect on the earliest of the following dates:

i. 24 months from the date on which it was issued;

ii. the date on which the board gives notice to the permit holder of its final action granting or denying issuance of a Limited X-Ray Machine Operator Permit

B. LXMO Continuing Education Requirements

1. Any limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The limited x-ray machine operator shall no longer be considered as holding a valid permit in the state of Louisiana.

2. Limited X-ray Machine Operator. Twelve hours of continuing education credits must be earned per permitting term to meet the continuing education requirements. Credits earned in excess of 12 per permitting term may not be carried over into the next permitting term.

3. Documentation. A limited x-ray machine operator is required to maintain proof of participation in continuing education activities and is required to attest to this participation on the form provided. Said documentation shall be submitted to the board as part of the renewal process. Failure to provide documentation acceptable to the board will result in an expired status. The board will accept copies of documents. Original documents shall be kept by the

limited x-ray machine operators for two years after the end of the permitting term for the purpose of further verification should the board choose to audit the permittees' submissions.

C. **Permitting Term Schedule.** Since the permitting term is defined as that period from June 1 of the renewal or issuance of permit year to the second May 31 to occur after that date, the continuing education credits must be earned in the two years prior to the second occurrence of May 31.

D. **Expiration of Limited X-ray Machine Operator Permit.** Every permit issued by the board under this Chapter, the expiration date of which is not stated thereon or provided by these rules, shall become null and void on May 31, of the second year following the year of issuance. The timely submission of an accurate and complete application for renewal of a permit, appropriate documentation of completion of required continuing education hours and payment of appropriate fees shall operate to continue the expiring permit pending issuance of the renewal permit.

E. **Complaint.** If a complaint is made to the board, the board shall notify the limited x-ray machine operator of the complaint and determine if there should be any action taken on the permit issued under this section. The board shall require the permit holder to abide by a code of ethics adopted by the board.

F. **Applicants for LXMO Renewal Who Fail to Meet CE Requirements.** A limited x-ray machine operator who applies for renewal of permit, but who fails to meet the renewal requirements within the previous permitting term, will automatically be transferred to an expired status. Individuals who are listed as having an expired status, due to failure to meet these renewal requirements, will be published on the website managed by the board and will be reported in response to any inquiries regarding the limited x-ray machine operator's status with the Louisiana State Radiologic Technology Board of Examiners.

1. A limited x-ray machine operator whose permit has been placed on expired status for failure to meet continuing education requirements may be returned to an approved status by payment of the appropriate fees and expenses as specified in this section and completing the required continuing education hours in the six months (on or before December 31) following the May 31 expiration date and paying the delinquency fee. Any hours completed or other requirements met while the permit is expired may not be used to meet the continuing education requirements for the subsequent permit term.

G. **Minimum Standards for the Accreditation of LXMO Education Programs.** Limited x-ray machine operator programs must be approved by the board. The licensed technologist and/or program director shall submit evidence of compliance with minimum standards of education for the accreditation of educational programs to the board upon forms provided by the board.

H. **LXMO Code of Ethics.** A LXMO Code of Ethics will be adopted by the board and shall be sent to each limited x-ray machine operator candidate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health, Radiologic Technology Board of Examiners, LR 51:

Chapter 12. Continuing Education Requirements

§1201. Definitions

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Active Status—radiologic technologists or limited x-ray machine operators who maintain their license or permit by submitting appropriate continuing education, paying an initial or renewal fee, and are listed in good standing with the LSRTBE.

Advanced Level CPR—Repealed.

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Approved Continuing Education Activity—an educational activity which has received approval through a recognized continuing education evaluation/mechanism.

1. Other activities that meet the definition of an approved continuing education activity are the approved entry-level exams. Examples are:

a. ARRT examination in radiography;

b. ARRT examination in Limited Scope of Radiography for Limited X-ray Machine Operator permits only

c. ARRT or NMTCB examination in nuclear medicine technology;

d. ARRT examination in radiation therapy technology;

e. MDCB examination in dosimetry;

f. ARDMS examination in diagnostic medical sonography; vascular technology or diagnostic cardiac sonography.

2. The advanced-level examinations considered acceptable continuing education activity are:

a. ARRT examination in cardiovascular; interventional technology;

b. ARRT examination in mammography;

c. ARRT examination in computed tomography;

d. ARRT examination in magnetic resonance imaging;

e. other ARRT examinations as developed and implemented.

3. Within their licensing period, technologists who pass an entry-level examination for a discipline in which they are not certified and for which they are eligible, or one of the advanced-level examinations that they have not previously passed and for which they are eligible, have met the continuing education requirement for that licensing period.

CAMRT—Canadian Association of Medical Radiation Technologists.

Category A and A+ Credit—educational activity which is planned, organized, and administered to enhance the knowledge and skills of the licensed or permitted individual and provides services to patients, the public, or medical profession.

Continuing Education (CE)—educational activities which serve to improve and expand the knowledge and skills underlying professional performance that a radiologic technologist or limited x-ray machine operator uses to provide services for patients, the public or the medical profession. A contact hour credit is awarded for each 50 to 60 minute educational activity. Activities longer than one hour will be assigned whole or partial CE credit based on the 50-minute hour. Educational activities of 30 to 49 minutes of duration will be awarded half a credit. An activity that lasts less than 30 minutes will receive no credit.

Continuing Education (CE) Activity—a learning activity that is planned, organized, and administered to maintain and enhance the professional knowledge and skills underlying professional performance that a technologist or limited x-ray

machine operator uses to provide services for patients, the public, or the medical profession. Activities meeting this definition may qualify as either category A or A+ credit depending upon whether they have been submitted to review and approval.

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Eligible for Renewal Status—a radiologic technologist or limited x-ray machine operator who has completed all requirements for the renewal of a Louisiana radiologic technologist license or limited x-ray machine operator permit is considered to be eligible for renewal status.

Expired Status—a radiologic technologist or limited x-ray machine operator who fails to meet the continuing education requirements for renewal and pay appropriate fees by May 31 shall be placed on expired status. The radiologic technologist or limited x-ray machine operator shall no longer be considered as holding a valid license or permit in the state of Louisiana.

Inactive Status—classification of license or permit where the LSRTBE waives renewal fees to those licensees or permitted individuals who confirm in writing to the board that they are not actively employed in the state of Louisiana as radiologic technologists or limited x-ray machine operators.

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Permitting—the process of granting a permit attesting to the demonstration of limited qualifications in a profession.

Permitting Term—the LSRTBE issues permits to limited x-ray machine operators for two-year terms. All renewal permits are issued on June first and expire on May 31 of the second year of its issuance.

Recognized Continuing Education Evaluation Mechanism (RCEEM)—Repealed.

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Temporary Permit for Limited X-ray Machine Operator—a LSRTBE issued permit that is granted to qualified applicants for one year.

Temporary Permit for Radiologic Technologists— a LSRTBE issued permit that is granted to qualified individuals for 90 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37: 3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:178 (February 1995), amended LR 23:71 (January 1997), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners, LR 42:2190 (December 2016), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

§1205. Continuing Education Requirements

A. Radiologic technologist, nuclear medicine technologist, radiation therapy technologist and fusion technologist must complete 24 hours of continuing education credits must be earned per licensing term to meet the continuing education requirements. Credits earned in excess of 24 per licensing term may not be carried over into the next licensing term. The continuing education requirement is independent of the number of licenses held by an individual (i.e., a radiologic technologist certified in both radiography and radiation therapy technology needs only 24 credits).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3207 and 3220.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Radiologic Technology Board of Examiners, LR 21:180 (February 1995), amended LR 23:71 (January 1997),

LR 40:2264 (November 2014), amended LR 42:2190 (December 1), LR 40:2264 (November 2014), amended by the Department of Health, Radiologic Technology Board of Examiners LR 51:

Family Impact Statement

After considering R.S. 49:972, it is anticipated that the proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

It is anticipated that the proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973.B. In particular there is no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

After considering HCR 170 of the 2014 Regular Legislative Session, it is anticipated that the proposed Rule should not have any known or foreseeable impact on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to the Executive Director, Louisiana State Radiologic Technology Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to execdirector@lsrtbe.org. Comments will be accepted until 3 p.m. on February 10, 2025.

Public Hearing

No public hearing on this proposed Rule has been scheduled. If a public hearing is needed, all interested parties will be afforded an opportunity to submit data, views, or arguments either orally or in writing. Interested parties may submit a written request to conduct a public hearing to the Executive Director, Louisiana State Radiologic Technology

Board of Examiners, at 3108 Cleary Avenue, Suite 207, Metairie, LA 70002, or via email to execdirector@lsrtbe.org; however, such request must be received no later than 3 p.m. on February 10, 2025. Any person wishing to attend should call to confirm that a hearing is being held by calling 504-838-5231.

Hollie Taranto, M.B.A., R.T. (R)
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Radiologic Technologists**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The estimated implementation costs for the Louisiana State Radiologic Technology Board of Examiners are approximately \$1,500 in FY 25 for the notice and rule publication in the *Louisiana Register*. There are no other estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL
GROUPS (Summary)**

There are no anticipated economic benefits or losses resulting from the proposed rule.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

There is no anticipated effect on competition and employment.

Hollie Taranto
Executive Director
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Deputy Fiscal Officer
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