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CHAPTER 74.

RADIOLOGIC TECHNOLOGISTS

SECTION 44-74-10. Short title.

This chapter may be cited as the “Medical Radiation Health and Safety Act”.

SECTION 44-74-20. Definitions.

As used in this chapter:

- (1) “Board” means the board of the South Carolina Radiation Quality Standards Association.
- (2) “Certificate” means a certificate issued by the board or by an entity recognized by the board authorizing the certificate holder to use radioactive materials or equipment emitting ionizing radiation on humans for diagnostic or therapeutic purposes in accordance with the provisions of this chapter.
- (3) “Licensed practitioner” means a person licensed to practice medicine, dentistry, podiatry, chiropractic, or osteopathy in this State.
- (4) “Limited practice radiographer” means a person who conducts diagnostic radiology exams limited to the performance of specific procedures or applications of ionizing radiation to specific parts of the human body.
- (5) “Limited chest radiographer” means a person who conducts diagnostic radiography exams of the chest only, not to include mammography.
- (6) “Nuclear medicine technologist” means a person, other than a licensed practitioner, who prepares and administers radiopharmaceutical agents to humans for diagnostic and therapeutic purposes.
- (7) “Podiatric limited practice radiographer” means a person who conducts diagnostic radiology exams limited to the performance of specific procedures or applications of ionizing radiation to specific parts of the human body, working under the supervision of a licensed podiatrist.
- (8) “Radiation therapist” means a person, other than a licensed practitioner, who applies radiation to humans for therapeutic purposes.
- (9) “Radiographer” means a person, other than a licensed practitioner, who applies radiation to humans for diagnostic purposes including, but not limited to, mammography, cardiovascular-interventional technology, and computed tomography.
- (10) “Radiologic technologist” means a person who is a limited practice radiographer, radiographer, podiatric limited practice radiographer, limited chest radiographer, radiation therapist, or nuclear medicine technologist certified by the American Registry of Radiologic Technologists or who is certified by the South Carolina Radiation Quality Standards Association or who has obtained a certificate acceptable to the South Carolina Radiation Quality Standards Association.
- (11) “Direct supervision” means a certified radiographer who:
 - (a) reviews the procedure in relation to the student’s achievement;
 - (b) evaluates the condition of the patient in relation to the student’s knowledge;
 - (c) is present during the conduct of the procedure;
 - (d) reviews and approves the procedure; and
 - (e) is present during student performance of any repeat of any unsatisfactory radiograph.

SECTION 44-74-30. Prohibited conduct.

(A) No person, other than a licensed practitioner or a radiologic technologist possessing a certificate from the South Carolina Radiation Quality Standards Association may use ionizing radiation or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes.

(B) No person knowingly may employ or designate as a radiologic technologist a person who does not hold a certificate issued by the South Carolina Radiation Quality Standards Association.

(C) No person holding a certificate issued by the South Carolina Radiation Quality Standards Association may use radioactive substances or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes unless under the direction and supervision of a licensed practitioner and unless so directed by prescription of a licensed practitioner.

(D) No person who is not certified by the South Carolina Radiation Quality Standards Association shall take, use, or exhibit the title of “limited practice radiographer”, “podiatric limited practice radiographer”, “limited chest radiographer”, “radiographer”, “radiation therapist”, or “nuclear medicine technologist”, or any other title, sign, display, or declaration that tends to lead the public to believe that the person is authorized to apply ionizing radiation on humans for diagnostic or therapeutic purposes.

(E) No person, other than a licensed practitioner, may operate any x-ray machinery in the health care setting, including a hospital, a mobile or temporary health care setting, or the office of a person licensed to practice any health care profession pursuant to any chapter of Title 40 of the Code of Laws of South Carolina without possessing a current valid certificate from the South Carolina Radiation Quality Standards Association.

SECTION 44-74-40. Certification requirements; certification without examination; chapter construction.

(A) A radiologic technologist who is certified by the American Registry of Radiologic Technologists is deemed to have met the qualifications for certification by the South Carolina Radiation Quality Standards Association and, upon application, must be issued an initial certification without examination.

(B) Nothing in this chapter limits, enlarges, or affects the practice of a licensed practitioner.

(C) A resident physician or a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, radiologic technology, or a curriculum approved by the South Carolina Radiation Quality Standards Association who applies ionizing radiation to humans while under the supervision of a licensed practitioner or direct supervision of a certified radiologic technologist appropriately trained to supervise the specific procedure is not required to be certified under this chapter.

SECTION 44-74-50. Reporting violators; actions on complaints; certificate display; exemptions.

(A) Any person employing or allowing a person to operate x-ray machinery without possessing a certificate must be reported to the South Carolina Department of Health and Environmental Control. The South Carolina Department of Health and Environmental Control must take appropriate action against the registrant of the x-ray machinery pursuant to regulations of the South Carolina Department of Health and Environmental Control. Reports of violations can be made to the South Carolina Department of Health and Environmental Control by members of the public, licensed health care professionals, hospitals, or the South Carolina Radiation Quality Standards Association. The South Carolina Department of Health and Environmental Control must act on these complaints within ninety days. A current copy of the operators’ certificate must be reviewed by the South Carolina Department of Health and Environmental Control at the time of inspection. The registrant of the equipment must display the current operators’ certificates in public view.

(B) Dentists and their auxiliaries who meet the requirements of the South Carolina Dental Practice Act are exempt from the provisions of this act.

SECTION 44-74-60. Association registration; board composition, compensation and powers.

(A) The South Carolina Radiation Quality Standards Association must be registered with the South Carolina Secretary of State’s Office as a nonprofit corporation and recognized as a tax exempt organization under Section 501(C) of the federal Internal Revenue Code.

(B) The board must be composed of thirteen members from the below listed trade associations as follows: one member shall be a representative from the South Carolina Society of Medical Assistants,

Incorporated, who is also a certified limited practice radiographer and a certified medical assistant; one member shall be a consumer from the South Carolina Radiation Standards Association; two members shall be radiologic technologists from the South Carolina Society of Radiologic Technologists (SCSRT), one of whom is employed by a hospital and from the South Carolina Health Care Alliance; one member shall be a radiologic technologist educator from the SCSRT; one member shall be a radiologic technologist of nuclear medicine from the South Carolina Society of Nuclear Medicine; one member shall be a radiation therapist from the SCSRT; three members shall be medical doctors, one doctor shall be a licensed family physician from the South Carolina Academy of Family Physicians, one doctor shall be a licensed radiologist from the South Carolina Radiological Society, and one doctor shall be a medical doctor of another specialty from the South Carolina Medical Association; one member shall be a chiropractor from the South Carolina Chiropractic Association; one member shall be a podiatrist from the South Carolina Podiatric Medical Association; and one member shall be a nonvoting representative from the South Carolina Department of Health and Environmental Control, ex officio, and from the Radiological Health Branch.

(C) The members of the board shall be appointees from the above listed trade associations and the members of the board shall serve for a term to be established by the board. The members of the board shall serve without compensation. However, the board may establish rates for mileage, subsistence, and per diem to be paid to board members not to exceed the usual payments for mileage, subsistence, and per diem as provided by law for members of state boards, committees, and commissions.

(D) The board is authorized to:

- (1) establish certification qualifications for each category of radiological technologist;
- (2) conduct certification examinations;
- (3) certify qualified radiological technologists;
- (4) establish and collect fees necessary to conduct certification examinations and administer the board; and
- (5) establish continuing education requirements and terms of re-certification.