



North Carolina Proposed Legislation Enhancing Patient Safety



North Carolina residents deserve the highest level of patient care and safety when undergoing diagnostic medical imaging or radiation therapy treatment. North Carolinians have come to expect the most highly trained, educationally prepared, and clinically competent healthcare professionals when seeking medical attention. Yet, apart from a minor equipment standard for computed tomography, North Carolina has no standards or licensing structure for medical imaging or radiation therapy.

Why Enhancing Patient Safety is Important

PATIENT SAFETY

Medical imaging procedures such as radiography, radiation therapy, and nuclear medicine use ionizing radiation, which can be dangerous when administered incorrectly. This bill will enhance North Carolina patient safety by ensuring facilities and healthcare providers hire educated and competent imaging and radiation therapy personnel. Patients will be protected from unnecessary and possibly unsafe use of radiation along with misdiagnosis from poorly performed imaging.

CONSISTENCY

This bill will create consistent education, certification, continuing education, and competency via licensure and scope of practice standards for individuals performing diagnostic medical sonography, limited x-ray, magnetic resonance imaging, nuclear medicine technology, radiation therapy, radiography (x-ray, CT and mammography) and radiologist assistants performing advanced procedures under radiologist supervision.

TRANSPARENCY

North Carolina residents are left to assume their healthcare providers are well-educated, trained, and competent. However, the state does not currently require standards or licensure to help ensure patient safety. This bill will ensure that the individuals performing these procedures are educated in radiation protection, safety procedures, and medical imaging and radiation therapy patient care.

QUALIFIED PRACTITIONERS

The Enhancing Patient Safety in Medical Imaging and Radiation Therapy Act helps ensure only educationally prepared and clinically competent individuals are licensed and recognized as qualified practitioners to administer ionizing radiation and/or other highly technical procedures. These qualified practitioners increase patient safety and improve access to high-quality healthcare services. Includes grandfathering provisions to ensure professionals currently working can continue serving patients' needs.





Bill Summary

SHORT TITLE

Enhance Patient Safety in Medical Imaging and Radiation Therapy

LONG TITLE

A BILL TO BE ENTITLED AN ACT PROVIDING FOR AND ENHANCING PATIENT SAFETY IN MEDICAL IMAGING BY INSURING EDUCATIONALLY PREPARED AND CLINICALLY COMPETENT PERSONS PERFORM AND ADMINISTER MEDICAL IMAGING AND RADIATION THERAPY PROCEDURES.

FINDINGS

The General Assembly finds and declares that the citizens of this State are entitled to the maximum protection practicable from the harmful effects of improperly performed medical imaging and radiation therapy procedures and that protection and quality can be increased by requiring appropriate education and licensure of persons operating equipment used for medical imaging and radiation therapy procedures. Therefore, it is essential to establish standards of education for these professionals and to provide for appropriate examination and licensure.

SECTION 1, § 90-737 DEFINITIONS

Provides for the technical definitions of Board, Certification Organization, Ionizing Radiation, Hybrid Imaging, Medical Imaging Professional, Licensed Practitioner, and multiple imaging modalities (i.e., CT, Mammography, Radiography, Sonography, Limited X-ray Machine Operator, magnetic imaging resonance), etc.

SECTION 1, § 90-738 LICENSE REQUIRED, EXEMPTIONS

States the conditions which require a license to operate medical imaging and radiation therapy equipment. Affirmatively states there is no enlargement in the scope of practices. States the conditions that are acceptable exemptions.

SECTION 1, § 90-739 SCOPE OF PRACTICE; LIMITS

Further defines the scope of practice limitations in ten (10) imaging modalities. Specifically, recognizes Limited X-Ray Machine Operators, Cardiovascular Invasive Specialists, and Cardiac Electrophysiologists.





SECTION 1, § 90-740
MEDICAL IMAGING
BOARD

Creates the Medical Imaging and Radiation Therapy Board of Examiners. Provides for the board's composition. Describes board member terms, compensation and expenses, officers, meetings, meeting attendance, and quorum. Permits the board to authorize temporary board exemptions to license requirements.

SECTION 1, § 90-741
POWERS OF THE
BOARD

Establishes the powers of the board under this chapter and the state administrative procedures

SECTION 1, § 90-742
REQUIREMENTS FOR
LICENSURE

Specifically lists the requirements for licensure under each modality. Includes limited x-ray machine operator. This includes a two-year grandfathering provision for those currently working in the profession. Requires regular record keeping.

SECTION 1, § 90-743
EXAMINATIONS

Requires the applicant licensee to provide evidence of examination for all modalities. Specifically recognizes additional exams and certifications for limited x-ray machine operators, chiropractic, and podiatric certifications.

SECTION 1, § 90-744
ISSUANCE OF
LICENSE; TEMPORARY
LICENSE; AND
DISPLAY OF LICENSE.

Provides for the licensing of qualified individuals, including temporary licenses, and requires a copy of licenses to be available at the place of employment.

SECTION 1, § 90-745
EDUCATION
PROGRAMS
APPROVED BY THE
BOARD

Empowers the board to approve educational programs in consultation with national organizations

SECTION 1, § 90-746
LICENSE RENEWAL

Provides for the renewal procedures





SECTION 1, § 90-747
RECIPROCITY

Provides for the reciprocity of qualified individuals from other jurisdictions.

SECTION 1, § 90-748
FEES

Provides for the collection of fees for the administration of the program.

SECTION 1, § 90-749
DISCIPLINARY
AUTHORITY

Empowers the board to deny, suspend, revoke, or refuse to renew a license. Empowers the board to impose probationary controls for specifically listed conduct.

SECTIONS 1, § 90-750
VIOLATIONS

Imposes a class 1 misdemeanor for violations.

SECTIONS 1, § 90-751
INJUNCTIVE RELIEF

Empowers the board to seek a court order for enjoining violations.

SECTIONS 1, § 90-752
SEVERABILITY &
EFFECTIVE DATE

Describes the severability of the law and lists the specific effective date upon passage.

