

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Enrolled

House Bill 934

(Delegate Hutchinson, *et al.*)

Health and Government Operations

Finance

State Board of Physicians - Performance of X-Ray Duties Without a License

This bill alters the circumstances under which an individual may perform x-ray duties without a license. A physician’s office that employs an unlicensed individual to perform x-ray duties is responsible for ensuring that all requirements are met for each x-ray examination performed. If an unlicensed individual performs x-ray duties without meeting the bill’s requirements, the Maryland Board of Physicians (MBP) may impose a civil penalty (1) of up to \$5,000 for each violation of the physician’s office where the violation occurred and (2) of up to \$1,000 for each violation of the individual who committed the violation. The bill may not be construed to prohibit the establishment of a program that provides training described in the bill before the bill’s effective date. By October 1, 2029, MBP must report to specified committees of the General Assembly on the number of individuals who have registered to perform limited x-ray duties and its recommendations regarding continuing the registration process or replacing the registration process with a limited licensure category. **The bill takes effect January 1, 2025, and terminates December 31, 2030.**

Fiscal Summary

State Effect: MBP can implement the bill with existing budgeted resources. Revenues are not materially affected.

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Bill Summary: Under the bill, an individual who performs x-ray duties without a license must do so in accordance with regulations adopted by MBP. An individual may perform x-ray procedures limited to (1) the chest; (2) the spine, including the cervical spine, lumbar spine, sacroiliac joints, sacrum and coccyx, and thoracic spine; (3) the lower extremities, including toes, the foot, the ankle, the calcaneus, the tibia and fibula, the knee and patella, and the femur; and (4) the upper extremities, including fingers, the hand, the wrist, the forearm, the elbow, the humerus, the shoulder, the clavicle, acromioclavicular joint, and the scapula.

These x-ray duties must be performed (1) in the physician's office under the supervision of a licensed physician or radiologic technologist who is on site or able to provide immediately available direction and (2) by an individual who meets specified requirements.

Specifically, to perform x-ray duties without a license, an individual must:

- attest to the completion of at least six months of clinical care experience;
- complete a limited scope x-ray educational program consisting of at least 115 hours of didactic training delivered by a radiologic technologist certified by the American Registry of Radiologic Technologists (ARRT) providing instruction, as specified;
- complete at least 480 hours of clinical training and a minimum of five competencies in each body part specified under the direct supervision of a radiologic technologist certified by ARRT;
- achieve a passing score (as determined by MBP) on the ARRT examination for limited scope of practice in radiography or an alternative examination approved by MBP; and
- register with MBP attesting to completion of each of the above requirements and the completion of at least 24 hours of approved continuing education credits earned during the two-year period immediately following the date of initial registration and every two years thereafter.

Current Law: The mission of MBP is to assure quality health care in Maryland through the efficient licensure and effective discipline of health providers under its jurisdiction by protecting and educating clients/customers and stakeholders and enforcing the Maryland Medical Practice Act. The board has regulatory authority over physicians, physician assistants, radiographers, radiation therapists, nuclear medicine technologists, radiologist assistants, respiratory care practitioners, polysomnographic technologists, athletic trainers, perfusionists, naturopathic doctors, and genetic counselors.

In general, an individual must be licensed by MBP before the individual may practice radiation therapy, radiography, nuclear medicine technology, and radiology assistance under the supervision of a licensed physician. An individual may perform x-ray duties without a license only if the duties (1) do not include computerized or noncomputerized tomography, fluoroscopy, invasive radiology, mammography, nuclear medicine, radiation therapy, or xerography; (2) are limited to x-ray procedures of the chest (anterior-posterior and lateral), spine (anterior-posterior and lateral), or extremities (anterior-posterior and lateral, not including the head); and (3) are performed by an individual who is not employed primarily to perform x-ray duties, in the medical office of the physician who delegates the duties, and by an individual with specified training who has passed a specified examination.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 830 (Senator Klausmeier) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2024
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