



Oregon  
John A. Kitzhaber, M.D., Governor

Board of Medical Imaging  
800 NE Oregon Street, Suite 1160A  
Portland, OR 97232-2162  
Phone: (971) 673-0215  
FAX: (971) 673-0218

May 2014

## **BOARD OF MEDICAL IMAGING**

### **\*\*\* MAY 2014 UPDATE \*\*\***

#### **BOARD DEFERS FINAL ACTION ON RULE TO REQUIRE "CT" CREDENTIAL**

At the April 25, 2014 Board meeting, The OBMI deferred a final decision on a proposed rule to require a credential in computed tomography (CT) for technologists who practice diagnostic CT. The Board plans to take some time to review the public comments that were submitted and to make a final decision on the rule at the Board's July 18 quarterly meeting in Portland. If enacted, this new rule would require a CT credential for any radiographers, radiation therapists and nuclear medicine technologists to practice diagnostic CT, including cone beam CT. Technologists without a CT credential would be eligible to practice diagnostic CT only after obtaining a temporary CT license, which would be available for up to 12 months and which would require them to practice under supervision. The temporary license would enable CT candidates to complete supervised clinical prerequisites necessary to sit for a CT credentialing examination. Based on the initial draft of the rule, the requirement to have a CT credential would only apply to *diagnostic* CT and would not apply to:

- Radiographers or radiation therapists operating the CT attenuation correction portion of the hybrid imager; or
- Licensed nuclear medicine technologists operating PET and attenuation correction portion of the hybrid imager.

Implementation date and implementation process was not included in the original rules draft, and has yet to be decided. One key issue the Board is likely to consider is whether to provide a grace period before the CT requirement goes into effect, to give licensees some time to earn the credential, and whether to allow for waivers in certain situations.

#### **OBMI VOTES TO ENABLE PHYSICIAN ASSISTANTS TO PERFORM FLUOROSCOPY**

At the April 25, 2014 quarterly meeting, the OBMI voted to propose a legislative concept to provide a pathway for physician assistants to practice fluoroscopy. By way of background, representatives from the Oregon Society of Physician Assistants (OSPA) previously approached the OBMI to request that the Board allow PAs to practice fluoroscopy. (Under current rules of Radiation Protection Services, the only practitioners authorized to practice fluoroscopy in Oregon include radiologists; non-radiologist physicians with fluoroscopy training; RRAs; RPAs; and RTs.) To support its position, the OSPA noted that a number of other states allow PAs to practice fluoroscopy, and pointed to a PA/fluoroscopy curriculum developed jointly by the American Association of Physician Assistants (AAPA) and the American Society of Radiologic Technologists (ASRT) which requires 40 hours of didactic education and 40 hours of clinical requirements. The legislative concept would give the Board authority to issue fluoroscopy permits to physician assistants and to set requirements (through administrative rulemaking) for training, supervision and continuing education.

#### **\$52 ONE-TIME FEE FOR NEW LICENSE APPLICANTS FOR FINGERPRINT CHECK**

In keeping with its mission to protect the public health and safety, the Oregon Board of Medical Imaging approved a new process to require *initial* license and permit applicants – *not renewals*—to undergo a comprehensive national fingerprint criminal background check, beginning July 1, 2014. This will require first-time applicants to pay a one-time \$52 fee to undergo an FBI fingerprint check, as part of their initial application.

With over 500 new applicants every year, including a substantial number of out-of-state residents seeking Oregon licensure, the Board believes it can better meet its mission to protect the public by instituting a more comprehensive criminal background verification process for initial applicants.

Similar to what the Oregon State Board of Nursing charges, the one-time \$52 fee will be divided three ways, with \$28 going to pay the Oregon State Police, \$16.50 going to the FBI and \$7.50 staying with the OBMI for administrative expenses related to handling the background check. *Renewal* applicants will continue to be checked through the state police, with no added fee. Proposed rules to implement the fee were published on April 1, 2014, followed by a public comment period, and were approved by the Board on April 25, 2014.

### **BOARD DECLINES LEGISLATION TO CLARIFY REGULATION OF SUB-SPECIALTIES**

At the April 25, 2014 Board meeting, the Board of Medical Imaging declined to endorse a legislative proposal that would clarify that the Board has the authority to require imaging licensees to be credentialed in an area of licensure sub-specialization. This legislative proposal had been discussed as a way to give the Board clear statutory authority to write administrative rules to require sonographers to have passed a registry examination in a general area of sub-specialization – general, cardiac and vascular -- in order to practice in that area of sub-specialization. Under current statutes, any state-licensed sonographer can practice in any of the three general areas of sub-specialization. With this issue tabled for the 2015 legislative session in Salem, the next opportunity to consider the legislation will not come around until the Oregon Legislature convenes in 2017. In the meantime, the Board intends to conduct further discussions with interested parties to try to identify a consensus on ways to promote more training and credentialing in sub-specialties.

### **BOARD VOTES TO RESTRUCTURE BOARD MEMBERSHIP, TO ADDRESS VACANCIES**

At the April 25, 2014 Board meeting, the Board of Medical Imaging approved a legislative concept to restructure the Board membership to include at least one physician and to expand the number of Board slots available to licensees or public members. Board membership would also be available to limited x-ray permit holders. The changes would be accomplished without altering the overall size of the Board (12 voting members), by reducing the mandated number of physician members from four to one, and allowing those open three slots to be filled by either physicians, imaging licensees, limited permit holders, or public members. The Board proposed the legislative concept for the 2015 legislative session in Salem, primarily due to the difficulty in finding physicians able to serve on the Board.

### **MUST REPORT ANY ARREST OR CRIMINAL ACTION, EVEN IF DISMISSED**

Current Board policy requires that, on an initial license/permit application, applicants must report *any* prior arrests or criminal history. Renewal applicants must report *any* arrests or criminal action since their last renewal. These reporting requirements apply *even if the arrest resulted in a diversion program or if the charges were dropped or dismissed*. If you believe that you do not have to report a criminal action because the action was expunged, you are encouraged to first confirm that fact with the court. Note that completing a diversion agreement is not the same as expungement. For every initial application and every renewal, the Board conducts a criminal records search. Failure to comply with this reporting requirement may result in an appearance before the Board. The maximum penalty for failure to comply with this reporting requirement is \$500.

### **QUESTIONS/COMMENTS:**

Ed Conlow, Executive Director, 971-673-0216; [ed.conlow@state.or.us](mailto:ed.conlow@state.or.us).

Our mailing address is:

Oregon Board of Medical Imaging

800 NE Oregon Street, Suite 1160A, Portland, OR 97232

Our Website: [www.oregon.gov/obmi](http://www.oregon.gov/obmi)

**Remainng  
2014 Board  
Meeting Dates:**

July 18, 2014  
October 17, 2014