



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 337

BOARD OF MEDICAL IMAGING

FILED

04/21/2025 4:13 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amend LXMO Bone Densitometry Supervision and Provide a pathway for licensure
predetermination

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/25/2025 8:00 AM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Stacy Katler
971-673-0216
stacy.l.katler@obmi.oregon.gov

800 NE Oregon St # 1160A
Portland, OR 97232

Filed By:
Stacy Katler
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 07/24/2025

TIME: 1:00 PM - 2:00 PM

OFFICER: Stacy Katler

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 971-673-0216

CONFERENCE ID: 87256777464

SPECIAL INSTRUCTIONS:

password: 760945

NEED FOR THE RULE(S)

Update LXMO Bone Densitometry Supervision and comply with SB 1552

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Current ORS/ OAR

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

There is no impact on racial equity for these changes.

FISCAL AND ECONOMIC IMPACT:

There is no fiscal impact anticipated for these changes.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

No cost is expected for small businesses or other members of the public. No Expected costs for professional services, equipment supplies, labor or increased administration.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small Businesses are not involved with these rule changes.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

minor change and compliance with Senate Bill

RULES PROPOSED:

337-010-0030, 337-010-0090

AMEND: 337-010-0030

RULE SUMMARY: Amendment aligns Supervision with appropriate practice

CHANGES TO RULE:

337-010-0030

Limited X-Ray Machine Operator (LXMO) Permits ¶

(1) Applicants are required to complete multiple steps to obtain a Permanent LXMO Permit. An applicant for an Initial Permanent LXMO permit must provide evidence of and complete all of the following within a 12-month period starting with the date on the course completion certificate from course of study that is approved by the Board and ending with the date of the Initial Permanent LXMO application:¶

(a) An applicant for a LXMO permit must be at least 18 years of age; and¶

(b) Pay a non-refundable application fee; and¶

(c) Successfully attend, pass and obtain a signed course completion certificate from a course of study that: is approved by the Board; taught by a board-approved instructor; includes Core module and at least one didactic portion of a Radiographic Procedure Module (anatomic areas in: Skull/Sinus, Spine, Chest, Extremities, and/or Podiatric); includes a course of instruction in laboratory practice approved by Board; includes all subjects outlined in the Board's "Limited X-Ray Machine Operator (LXMO) Instruction Manual" dated October 2023 which is incorporated by reference and made a part of this rule. "Limited X-Ray Machine Operator (LXMO) Instruction Manual" dated October 2023 is found on the OBMI website: <https://www.oregon.gov/obmi/Documents/LXMO-Instruction-Manual-current.pdf>; and¶

(d) Provided an applicant has a valid course completion certificate as described in this rule, apply through OBMI, take, and pass with a score of at least 70 percent, the American Registry of Radiologic Technologists (ARRT) Limited Scope Examination in Diagnostic Radiologic Technology in CORE module. A passing score in CORE module is required to apply for a Temporary Initial LXMO Permit; and¶

(A) Apply through OBMI, take, and pass with a score of at least 70 percent, the ARRT Limited Scope Examination in Diagnostic Radiologic Technology Radiographic Procedure Module(s) in which the applicant passed in an approved course of study and wishes to include on the Permanent LXMO Permit¶

(B) A person is allowed three attempts to pass an individual section of the ARRT exam during the 12-month time frame. Upon failure of the three attempts for CORE Module, all course work must be repeated, and a new course completion certificate is required for Core module and all Radiographic Procedure Module(s) regardless of a previous passing score for any individual Radiographic Procedure Module(s); and¶

(e)(A) Provided an applicant has passed the ARRT examination in at least CORE Module, apply for and obtain a Temporary Initial LXMO Permit through OBMI. A Temporary Permit will only be issued for anatomic areas that the applicant successfully completed from an approved course of study, as reflected on the course completion certificate. A person cannot perform a radiographic procedure on a patient without a LXMO Permit. With a temporary LXMO Permit, a person may only perform a radiographic procedure on the anatomic area(s) for which

the Temporary LXMO Permit is valid;¶

(B) A Temporary Initial LXMO Permit holder may apply to renew a Temporary LXMO Permit in an anatomic area in order to have additional time to complete the practical experience requirements. A temporary LXMO permit may be renewed one time and can extend no longer than the 12-month time frame outlined in this rule, starting with the date on the course completion certificate from a course of study that is approved by the Board; and¶

(C) Temporary Permit holders must provide current verification of supervision for the duration of a temporary permit. Supervision must be provided by: licensed physician, licensed nurse practitioner or a licensed physician assistant with adequate training in radiography in accordance with RPS rules. Personal Supervision is required (Personal supervision means that the supervisor is always physically present in the room during the performance of the procedure.); and¶

(f) Provided the applicant holds a valid temporary LXMO Permit, obtain an instructor's certification that the applicant has demonstrated all the positions, projections and requirements as described in the "Limited X-Ray Machine Operator (LXMO) Instruction Manual" dated October 2023 for each category; and¶

(g)(A) Provided an applicant has completed the above requirements, apply for Permanent Initial LXMO Permit through OBMI¶

(B) A Permanent LXMO Permit will only be issued to applicants who have passed the ARRT CORE module exam, at least one Radiographic Procedure Module anatomic area and completed all required clinical experience. With a LXMO Permit, a person may only perform a radiographic procedure on the anatomic area(s) for which the LXMO Permit is valid¶

(2) In the event that a person is unable to complete all requirements to obtain a Permanent LXMO Permit in the 12 months' time frame, a person must retake the Core Module and didactic portions of the Radiographic Procedure Module as described in this rule and obtain a new course completion certificate.¶

(3) A Permanent LXMO Permit holder may add an anatomical area to their existing Permit by obtaining a course completion certificate from a course of study that is approved by the Board as described in this rule and apply to OBMI for a temporary LXMO permit to complete practical experience requirements in that anatomic area. The applicant can only work on live patients in the desired anatomic area if the applicant has a Temporary LXMO Permit in the desired anatomic area. The applicant has one year from the date on the course completion certificate to complete practical experience requirements as specified in this rule for that specific anatomic area, pass the ARRT examination for that anatomic area, and notify OBMI to add the anatomic area to their existing Permanent LXMO Permit. The applicant is eligible for one six-month Temporary LXMO Permit, which may be renewed one time and can extend no longer than 12 months from the date on the course completion certificate. A permanent limited permit holder does not need to pass the CORE module exam to attempt to add an anatomic area.¶

(4) The Board, at its discretion and upon a showing of good cause, upon written request, may extend specific deadlines established in this rule to a later specified date, based upon a demonstration of compelling circumstances by the individual making the request for an extension. The Board may grant an extension that is based upon factors including but not limited to pregnancy, military service, or disability. This provision only applies to time limitations established by the board, and cannot be applicable to time limitations governed by entities other than the Board or that are otherwise governed by statute.¶

(5) ARRT Limited Scope Examination in Diagnostic Radiologic Technology Fees and application process:¶

(a) The ARRT examination fees and procedures to apply are set by ARRT; and ¶

(b) A \$20 additional fee is required for each examination module for which the applicant is tested; and¶

(c) All fees, along with the required certifications and verifications that the applicant has completed Board-approved Core Module course and Radiographic Procedure Module courses, must be submitted to the Board. Upon submission and acceptance of the application materials, OBMI shall begin the ARRT exam registration for the applicant; and ¶

(d) The examination shall consist of sections as described in the "Limited X-Ray Machine Operator (LXMO) Instruction Manual" dated October 2023; and¶

(e) Limited scope examinations will be administered at computer-based testing sites identified by ARRT. The applicant is subject to rules regarding test administration at the testing site; and¶

(f) All application fees are non-refundable.¶

(6) Application for a permanent Bone Densitometry Limited Permit. ¶

(a) Applicants are required to complete multiple steps to obtain a Bone Densitometry Limited Permit. An applicant for a Bone Densitometry Limited Permit must provide evidence of and complete all of the following within a 12-month period starting with the date on the course completion certificate from a course of study that is approved by the Board and ending with the date of the Bone Densitometry Limited Permit application:¶

(b) Must be at least 18 years of age; and¶

(c) Pay a non-refundable application fee; and¶

(d) Successfully attend and pass a course of study that is approved by the Board and obtain a signed course completion certificate that meets the didactic and practical experience requirements stated in the Board's

publication "Bone Densitometry Instruction Manual" dated October 2023 which is incorporated by reference and made a part of this rule and is found on the OBMI website: <https://www.oregon.gov/obmi/Documents/Bone-Densitometry-Instructor-manual-current.pdf>; and¶

(e)(A) Provided an applicant has a valid course completion certificate as described in this rule, apply through OBMI, take, and pass with a score of at least 70 percent, the ARRT Bone Densitometry Equipment Operators Examination ¶

(B) A person is allowed three attempts to pass the ARRT Bone Densitometry Equipment Operators Examination during the 12-month time frame. Upon failure of the three attempts, all course work must be repeated, and a new course completion certificate is required; and¶

(f) Provided an applicant has passed the ARRT Bone Densitometry Equipment Operators Examination, apply for a Permanent Bone Densitometry Limited Permit. ¶

(g) In the event that a person is unable to complete all requirements to obtain a Bone Densitometry Limited Permit in the 12 months' time frame, a person must repeat all course work and obtain a new course completion certificate.¶

(h) Every person who performs bone densitometry procedures must have an active bone densitometry limited permit from OBMI, except for a person who has a radiography license from OBMI or who is exempted from OBMI's licensure requirements.¶

(i) Permit holders must provide current verification of supervision upon renewal. Supervision must be provided by a licensed physician, licensed nurse practitioner or licensed physician assistant. ~~Direct~~ Supervision is required

(~~Direct~~ ~~s~~Supervision means that the act of monitoring and reviewing the supervisor is physically present in the buildformance of medical imaging licensees or limited X-ray machine operators through regular inspections of work produced, regardless of whether the supervising and immediately available to furnish assistance as needed individual is continuously physically present during the performance or use of medical imaging equipment or X-ray equipment.) .¶

(7) The Board, at its discretion and upon a showing of good cause, upon written request, may extend specific deadlines established in this rule to a later specified date, based upon a demonstration of compelling circumstances by the individual making the request for an extension. The Board may grant an extension that is based upon factors including but not limited to pregnancy, military service, or disability. This provision only applies to time limitations established by the Board and cannot be applicable to time limitations governed by entities other than the board or that are otherwise governed by statute. The extension may be provided through authorization for an additional temporary permit for a period of time specified by the Board.

Statutory/Other Authority: ORS 688.555

Statutes/Other Implemented: ORS 688.515

ADOPT: 337-010-0090

RULE SUMMARY: Provides a pathway for licensure predetermination

CHANGES TO RULE:

337-010-0090

337-010-0090 Criminal Conviction Determination Process

- (1) Prior to beginning required education or training, a person who was convicted of a crime may petition the Board for a determination as to whether a criminal conviction will prevent the person from receiving a license issued by the Board.
- (2) To be complete, a petition must include the following:
 - (a) a complete and signed determination request form;
 - (b) the following records related to the final judgment of each criminal conviction:
 - (i) a certified copy of the judgment of criminal conviction;
 - (ii) any charging document(s);
 - (iii) the arrest report(s);
 - (iv) probation and parole records, if they exist;
 - (c) a written statement from the petitioner regarding the facts underlying the criminal conviction, and any intervening circumstances.
 - (d) a written statement or other document listing all criminal convictions, including dates of conviction and a summary of the facts, if the petitioner has more than one.
- (3) A separate completed petition and fee must be filed for each criminal conviction for which the petitioner is requesting a determination.
- (4) If any of the records in (3)(c) no longer exist, have been sealed or are otherwise unavailable to the petitioner, petitioner must provide evidence from the agency that held the record that the record no longer exists.
- (5) If any of the documents required under subsections (2) and (4) are not provided, petitioner will have 60 days to provide the required documents or information. Upon failure to comply, the petition will be deemed incomplete and will be closed.
- (6) The petition and the Board's determination are subject to Oregon's public records laws, and unless an exemption applies, the information in the petition and determination are subject to public disclosure.
- (7) The Board will reconsider a determination that a criminal conviction prevents the person from obtaining a license when the person submits a completed application for a license.
- (8) Upon reconsideration, the Board may rescind a previous determination that a criminal conviction does not prevent the person from obtaining a license if the applicant:
 - (a) Has allegations or charges pending in criminal court;
 - (b) Has failed to disclose a previous criminal conviction;
 - (c) Has been convicted of another crime during the period between the determination and the person's submission of a completed application for an occupational or professional license; or
 - (d) Has been convicted of a crime that, during the period between the determination and the person's submission of a completed application for an occupational or professional license, became subject to a change in state or federal law that prohibits licensure for an occupational or professional license because of a conviction of that crime.
- (9) Failure to disclose a previous criminal conviction includes any misrepresentation or a prior criminal conviction, any concealment or failure to disclose a material fact about a prior criminal conviction, or any other misinformation regarding a prior criminal conviction.
- (10) Nothing in this rule prohibits the Board from denying licensure when the person submits a completed application for a reason other than conviction of a crime.
- (11) A determination under this rule is not considered a final determination of the Board.

Statutory/Other Authority: ORS 688.555, Oregon Laws 2024, chapter 95, section 44 (SB 1552).

Statutes/Other Implemented: