

NOTICE OF PROPOSED EXPEDITED RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

PREAMBLE

<u>1.</u>	<u>Article, Part, of Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
	Article 6	New Article
	R9-16-601	New Section
	R9-16-602	New Section
	R9-16-603	New Section
	R9-16-604	New Section
	R9-16-605	New Section
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	R9-16-615	New Section
	R9-16-616	New Section
	R9-16-617	New Section
	R9-16-618	New Section
	R9-16-619	New Section
	R9-16-620	New Section
	R9-16-621	New Section
	R9-16-622	New Section
	R9-16-623	New Section
	R9-16-624	New Section

2. Citations to the agency's statutory authority for the rulemaking to include the authorizing statute (general) and the implementing statute (specific):

Authorizing Statutes: A.R.S. §§ 32-2803, 36-136(G)

Implementing Statutes: A.R.S. §§ 32-2803, 32-2804, 32-2811 through 32-2819, 32-2821, 32-2824 and 36-2841 through 32-2843

3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed expedited rulemaking:

Notice of Docket Opening: 25 A.A.R. XXXX, May 17, 2019

4. The agency's contact person who can answer questions about the rulemaking:

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or

Name: Robert Lane, Chief

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5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, under A.R.S. § 41-1027, to include an explanation about the rulemaking:

Arizona Revised Statutes (A.R.S.) Title 9, Chapter 28, Article 2 provides for the certification of different classifications of radiation technologists. Rules for certification are currently in Arizona Administrative Code (A.A.C.) Title 12, Chapter 2. Laws 2017, Ch. 313, and Laws 2018, Ch. 234, makes the Arizona Department of Health Services

(Department) responsible for regulating radiation technologists, replacing the Arizona Radiation Regulatory Agency, the Radiation Regulatory Hearing Board, and the Medical Radiologic Technology Board of Examiners in these duties. The rules in 12 A.A.C. 2 do not refer to the Department as the agency responsible for regulating radiation technologists. Moreover, the rules are inconsistent with statutory requirements and formatted in a way that is difficult to understand. All of these issues may cause confusion on the part of regulated persons, unnecessarily adding to their administrative burden, as described in a five-year-review report approved by the Governor's Regulatory Review Council in December 2018. In addition, the rules do not comply with requirements in HB 2569 relating to reciprocity of professional licenses. After receiving an exception from the Governor's rulemaking moratorium established by Executive Order 2019-01, the Department is revising the rules by expedited rulemaking to make changes described in the five-year-review report and to comply with HB 2569 to reduce the regulatory burden while achieving the same regulatory objective, comply with statutory requirements, and help eliminate confusion on the part of the public. The Department believes the rulemaking meets the criteria for expedited rulemaking since the changes to be made will not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of persons regulated.

6. A reference to any study relevant to the rules that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state.

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

Under A.R.S. § 41-1055(D)(2), the Department is not required to provide an economic, small business, and consumer impact statement.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Not applicable

10. Where, when, and how persons may provide written comment to the agency on the proposed expedited rules under A.R.S. § 41-1027(C):

Close of record: Monday, June 17, 2019, 4:00 p.m.

A person may submit written comments on the proposed expedited rules no later than the close of record to either of the individuals listed in item 4.

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The Department believes the certification issued to an individual is a general permit in that certification specifies the individual and the tasks/services the individual is authorized by certification to provide, but a certified individual is not limited to providing the tasks/services in any one location.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Federal laws do not apply to the certification rules. However, federal regulations may impact the scope of practice and methodologies employed by certified individuals.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No such analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES OCCUPATIONAL
LICENSING
ARTICLE 6. RADIATION TECHNOLOGISTS

- R9-16-601. Definitions
- R9-16-602. Training Programs
- R9-16-603. Practical Radiological Technologist - Eligibility and Scope of Practice
- R9-16-604. Practical Technologist in Podiatry - Eligibility and Scope of Practice
- R9-16-605. Practical Technologist in Bone Densitometry - Eligibility and Scope of Practice
- R9-16-606. Application for Examination
- R9-16-607. Application for Initial Certification
- R9-16-608. Radiological Technologist, Nuclear Medicine Technologist, and Radiation
Therapy Technologist - Eligibility and Scope of Practice
- R9-16-609. Initial Application for a Radiological Technologist, Nuclear Medicine
Technologist, and Radiation Therapy Technologist
- R9-16-610. Mammographic Technologist - Eligibility and Scope of Practice
- R9-16-611. Student Mammographic Technologist Permit
- R9-16-612. Initial Application for Certification for a Mammographic Technologist
- R9-16-613. Computed Tomography Technologist - Eligibility and Scope of Practice
- R9-16-614. Application for Computed Tomography Technologist Preceptorship and
Temporary Permit
- R9-16-615. Application for Initial Certification for a Computed Tomography Technologist
- R9-16-616. Radiologist Assistant - Eligibility and Scope of Practice
- R9-16-617. Application for Initial Certification for a Radiologist Assistant
- R9-16-618. Special Permit
- R9-16-619. Application
- R9-16-620. Renewal of Certification
- R9-16-621. Time Frames
- R9-16-622. Changes Affecting a Certificate or Certificate Holder; Request for a Duplicate
Certificate
- R9-16-623. Fees

R9-16-624. Enforcement

ARTICLE 6. RADIATION TECHNOLOGISTS

R9-16-601. Definitions

In addition to the definitions in A.R.S. § 32-2801, the following definitions apply in this Article unless otherwise specified:

1. “Applicant” means:
 - a. An individual who submits an application packet, or
 - b. A person who submits a request for approval of a radiation technologist training program.
2. “Application packet” means the information, documents, and fees required by the Department for a certificate or permit.
3. “ARRT” means the American Registry of Radiologic Technologists.
4. “Authorized user” means the same as in A.A.C. R9-7-102.
5. “Calendar day” means each day, not including the day of the act, event, or default, from which a designated period of time beings to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
6. “CBRPA” means the Certification Board for Radiology Practitioner Assistants.
7. “Certification” means the issuing of a certificate.
8. “Chest radiography” means radiography performed to visualize the heart and lungs only.
9. “Continuing education” means a course or learning activity that provides instruction and training designed to develop or improve the professional competence of a certificate holder related to the certificate holder’s scope of practice.
10. “Contrast media” means material intentionally administered to a human body to define a part or parts of the human body that are not normally radiographically visible.
11. “Department-approved educational program” means a curriculum of courses and learning activities that is accredited by a nationally recognized accreditation body or granted approval through the Department.

12. “Department-approved examination” means a test administered through ARRT, NMTCB, ISCD, or CBRPA.
13. “Extremity” means the same as in A.A.C. R9-7-102.
14. “Fluoroscopy” means the use of radiography to directly visualize internal structures of the human body, the motion of internal structures, and fluids in real time, or near real-time, to aid in the treatment or diagnosis of disease or the performance of other medical procedures.
15. “ISCD” means the International Society for Clinical Densitometry.
16. “Nationally recognized accreditation body” means ARRT, NMTCB, ISCD, or CBRPA.
17. “NMTCB” means the Nuclear Medicine Technology Certification Board.
18. “Radiograph” means the record of an image, representing anatomical details of a part of a human body examined through the use of ionizing radiation, formed by the differential absorption of ionizing radiation within the part of the human body.
19. “Radiography” means the use of ionizing radiation in making radiographs.
20. “Radiopharmaceutical agent” means a radionuclide or radionuclide compound designed and prepared for administration to human beings.

R9-16-602. Training Programs

- A.** The Department shall maintain a list of Department-approved educational programs according to A.R.S. § 32-2804 on the Department’s website at <https://www.azdhs.gov/licensing/special/index.php#mrt-provider-info>.
- B.** An applicant may request Department approval of a curriculum of courses and learning activities as a training program by submitting an application packet that contains:
 1. An application, in a Department-provided format, that includes:
 - a. The name and address of the school providing the training program;
 - b. The name, title, telephone number, and e-mail address of the administrator or designee of the school; and
 - c. A list of each training program for which approval is being requested, including the number of hours of instruction provided for each;
 2. A copy of the curriculum that includes course titles and course descriptions; and
 3. A list of instructors providing the instruction and the credentials of each.

- C.** The Department shall:
1. Review each application packet according to R9-16-621; and
 2. If approved, add the applicant's school to the list of Department-approved educational programs in subsection (A).
- D.** If an applicant for certification or permit did not complete a Department-approved educational program, the applicant may submit to the Department a copy of the curriculum for the training program completed by the applicant with the applicant's application packet in R9-16-606(B), R9-16-607(A), or R9-16-609(A).

R9-16-603. Practical Technologist in Radiology - Eligibility and Scope of Practice

- A.** An individual is eligible for certification as a practical technologist in radiology if the individual:
1. Is at least 18 years of age; and
 2. Either:
 - a. Has completed a training program in radiologic technology through a Department-approved educational program and achieved a score of at least 67% on a Department-approved examination; or
 - b. Meets the criteria in A.R.S. § 32-4302(A).
- B.** An individual certified as a practical technologist in radiology shall:
1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_lxmo.pdf?sfvrsn=29e176d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments;
 2. Perform only:
 - a. Chest radiography, and
 - b. Radiography of the extremities; and
 3. Not use fluoroscopy or contrast media.

R9-16-604. Practical Technologist in Podiatry - Eligibility and Scope of Practice

- A.** An individual is eligible for certification as a practical technologist in podiatry if the individual:
1. Is at least 18 years of age; and

2. Either:
 - a. Has:
 - i. Completed a training program in podiatry radiology through a Department-approved educational program;
 - ii. Received a signed and dated attestation from a podiatrist licensed according to A.R.S. Title 32, Chapter 7, verifying that the applicant:
 - (1) Completed training under the direction of the licensed podiatrist, and
 - (2) Is proficient in independently taking radiographs; and
 - iii. Achieved a score of at least 70% on a Department-approved examination; or
 - b. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a practical technologist in podiatry shall:

1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards incorporated by reference and available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_lxmo.pdf?sfvrsn=29e176d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
2. Only perform radiographic examinations of the lower leg, ankle, and foot, without the use of fluoroscopy or contrast media.

R9-16-605. **Practical Technologist in Bone Densitometry - Eligibility and Scope of Practice**

A. An individual is eligible for certification as a practical technologist in bone densitometry if the individual:

1. Is at least 18 years of age; and
2. Either:
 - a. Has completed a training program in bone densitometry through a Department-approved educational program and achieved a score of at least 70% on a Department-approved examination, or
 - b. Meets the criteria in A.R.S. § 32-4302(A).

- B.** An individual certified as a practical technologist in bone densitometry shall:
1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Bone Densitometry Practice Standards incorporated by reference and available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_bd.pdf?sfvrsn=11e176d0_22, incorporated by reference, on file with the Department, and including no future editions or amendments; and
 2. Apply ionizing radiation only to a person's hips, spine, and extremities through the use of a bone density machine without the use of fluoroscopy or contrast media.

R9-16-606. Application for Examination

- A.** An individual may apply for examination if the individual meets eligibility criteria for a:
1. Practical technologist in radiology listed in R9-16-603(A);
 2. Practical technologist in podiatry listed in R9-16-604(A); or
 3. Practical technologist in bone densitometry listed in R9-16-605(A).
- B.** An applicant for examination shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Except as provided in R9-16-602(D), documentation of completion of a Department-approved educational program; and
 3. For an applicant for examination as a practical technologist in podiatry, the attestation specified in R9-16-604(A)(2)(a)(ii).
- C.** The Department shall approve or deny an individual's application for examination according to R9-16-621.
- D.** If the Department determines that the application packet submitted under subsection (B) is complete and in compliance, the Department shall notify the applicant that the applicant is approved to test.
- E.** Upon notification by the Department according to subsection (D), and applicant:
1. Shall arrange testing through AART, and
 2. Has six months to complete testing before the applicant is required to re-apply for examination.

R9-16-607. Application for Initial Certification as a Practical Technologist in Radiology,

**Practical Technologist in Podiatry, or Practical Technologist in Bone
Densitometry**

- A.** Except as provided in subsection (B), an applicant for initial certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Except as provided in R9-16-602(D), documentation of completion of a Department-approved educational program;
 3. Documentation of achieving the applicable minimum score on a Department-approved examination;
 4. For an application for a practical technologist in podiatry, the signed attestation in R9-16-604(A)(2)(a)(ii) containing:
 - a. The name and date of birth of the applicant,
 - b. The name and license number of the licensed podiatrist,
 - c. A statement by the licensed podiatrist verifying completion of the applicant's clinical training and approval of radiographic images taken by the applicant, and
 - d. The licensed podiatrist's signature and date; and
 5. The applicable fee in R9-16-623.
- B.** If an applicant for initial certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the professional license or certification issued to the applicant by each state in which the applicant holds a professional license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified in another state for at least one year, with a scope of practice consistent with the scope of practice for which certification is being requested;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);

- c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
- d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
- 4. The applicable fee in R9-16-623.
- C. The Department shall approve or deny an individual's application for initial certification according to R9-16-621.

R9-16-608. Radiologic Technologist, Nuclear Medicine Technologist, and Radiation Therapy Technologist - Eligibility and Scope of Practice

- A. An individual is eligible to apply for initial certification as a radiologic technologist, nuclear medicine technologist, or radiation therapy technologist if the individual:
 - 1. Is at least 18 years of age; and
 - 2. Satisfies one of the following:
 - a. Holds current applicable ARRT or NMTCB certification,
 - b. Has completed a Department-approved educational program in radiation technology and has a passing score on a Department-approved examination, or
 - c. Meets the criteria in A.R.S. § 32-4302(A).
- B. An individual certified as a radiologic technologist shall follow the standards specified in the 2017 American Society of Radiologic Technologists Radiography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_rad.pdf?sfvrsn=13e176d0_18 , incorporated by reference, on file with the Department, and including no future editions or amendments.
- C. An individual certified as a nuclear medicine technologist shall:
 - 1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Nuclear Medicine Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_nm.pdf?sfvrsn=1ee176d0_14, incorporated by reference, on file with the Department, and including no future editions or amendments; and
 - 2. Use radiopharmaceutical agents on humans for diagnostic or therapeutic purposes

only.

- D.** An individual certified as a radiation therapy technologist shall follow the standards specified in the 2017 American Society of Radiologic Technologists Radiation Therapy Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_rt.pdf?sfvrsn=18e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments.

R9-16-609. **Application for Initial Certification as a Radiation Technologist, Nuclear Medicine Technologist, or Radiation Therapy Technologist**

- A.** Except as provided in subsection (B), an applicant for initial certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Either:
 - a. A copy of the applicant's current ARRT or NMTCB certification; or
 - b. Documentation of:
 - i. Completing a Department-approved educational program, except as provided in R9-16-602(D); and
 - ii. Having a passing score on a Department-approved examination;and
 3. The applicable fee in R9-16-623.
- B.** If an applicant for initial certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the professional license or certification issued to the applicant by each state in which the applicant holds a professional license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified in another state for at least one year, with a scope of practice consistent with the scope of practice for which certification is being requested;
 - b. Has met minimum education requirements and, if applicable, work

experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);

- c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
- d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and

4. The applicable fee in R9-16-623.

B. The Department shall approve or deny an individual's application for initial certification according to R9-16-621.

R9-16-610. Mammographic Technologist - Eligibility and Scope of Practice

A. An individual is eligible to apply for initial certification as a mammographic technologist if the individual:

- 1. Is at least 18 years of age;
- 2. Possesses a current Department-issued certification in radiologic technology; and
- 3. Satisfies one of the following:
 - a. Holds a current ARRT certification in mammography;
 - b. Meets the initial training and education requirements in 21 CFR 900.12 and has a passing score on a Department-approved examination in mammography, or
 - c. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a mammographic technologist:

- 1. Shall follow the standards specified in the 2017 American Society of Radiologic Technologists Mammography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_mamm.pdf?sfvrsn=10e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
- 2. May perform diagnostic mammography or screening mammography, as defined in A.R.S. § 30-651.

R9-16-611. Student Mammography Permits

- A. Before beginning the initial training in 21 CFR 900.12 under R9-16-610(A)(3)(b), an individual shall obtain a student mammography permit from the Department.
- B. An applicant for a student mammography permit shall submit an application packet to the Department that includes:
 - 1. The information and documents required under R9-16-619; and
 - 2. A Department-provided agreement form that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant's supervision and training; and
 - d. The licensed radiologist's signature and date of signing.
- C. The Department shall approve or deny an individual's application for a student mammography permit according to R9-16-621.
- D. A student mammography permit is valid for one year from the date issued and may not be renewed.

R9-16-612. Application for Initial Certification as a Mammographic Technologist

- A. Except as provided in subsection (B), an applicant for initial certification as a mammographic technologist shall submit an application packet to the Department that includes:
 - 1. The information and documents required in R9-16-619;
 - 2. The applicant's current radiology technologist certificate number;
 - 3. The applicant's current student mammography permit number, if applicable;
 - 4. Either:
 - a. A copy of current ARRT certification in mammography; or
 - b. Documentation of:
 - i. Completing of initial education and training that meets the requirements specified in 21 CFR 900.12, and
 - ii. Having a passing score on a Department-approved examination in mammography; and
 - 5. The applicable fee in R9-16-623.

B. If an applicant for initial certification as a mammographic technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:

1. The information and documentation required in R9-16-619;
2. Documentation of the license or certification as a mammographic technologist issued to the applicant by each state in which the applicant holds the license or certification;
3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified as a mammographic technologist in another state for at least one year;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
4. The applicable fee in R9-16-623.

C. The Department shall approve or deny an individual's application for initial certification as a mammographic technologist according to R9-16-621.

R9-16-613. Computed Tomography Technologist - Eligibility and Scope of Practice

A. An individual is eligible to apply for initial certification as a computed tomography technologist if the individual:

1. Is at least 18 years of age;
2. Possesses a current Department-issued certification as a radiologic technologist or nuclear medicine technologist; and
3. Satisfies one of the following:
 - a. Holds a current ARRT or NMTCB certification in computed tomography.
 - b. Has completed two years of training in computed tomography and twelve

hours of computed tomography-specific education, or

c. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a computed tomography technologist:

1. Shall follow the standards specified in the 2017 American Society of Radiologic Technologists Computed Tomography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_ct.pdf?sfvrsn=9e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
2. May apply ionizing radiation to a human using a computed tomography machine for diagnostic purposes.

R9-16-614. Application for Computed Tomography Preceptorship and Temporary Certification

A. Before beginning training under R9-16-613(A)(3)(b), an individual shall obtain a computed tomography preceptorship certificate from the Department.

B. An applicant for a computed tomography preceptorship certificate shall submit an application packet to the Department that includes:

1. The information and documents required under R9-16-619; and
2. A Department-provided agreement form from a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology, that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of the licensed radiologist;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant's supervision and training; and
 - d. The licensed radiologist's signature and date of signing.

C. The Department shall approve or deny an individual's application for a computed tomography preceptorship certificate according to R9-16-621.

D. A computed tomography preceptorship certificate is valid for one year from the date issued and may not be renewed.

E. At least 30 days before the expiration of an individual's computed tomography preceptorship certificate, the individual may apply for a computed tomography temporary

certificate by submitting an application packet to the Department that includes:

1. The information and documents required under R9-16-619; and
2. A Department-provided agreement form from a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology, that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of the licensed radiologist;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant's supervision and training; and
 - d. The licensed radiologist's signature and date of signing.
- F.** The Department shall approve or deny an individual's application for a computed tomography temporary certificate according to R9-16-621.
- G.** A computed tomography temporary certificate is valid for one year and may not be renewed.

R9-16-615. Application for Initial Certification for a Computed Tomography Technologist

- A.** Except as provided in subsection (B), an applicant for initial certification as a computed tomography technologist shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. The applicant's current radiation technologist or nuclear medicine technologist certificate number;
 3. The applicant's computed tomography preceptorship number or temporary certificate number, if applicable;
 4. Either:
 - a. A copy of the applicant's current ARRT or NMTCB certification in computed tomography; or
 - b. Documentation of completion of:
 - i. Two years of training in computed tomography, and
 - ii. Twelve hours of computed tomography-specific education; and
 5. The applicable fee in R9-16-623.

- B.** If an applicant for initial certification as a computed tomography technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the license or certification as a computed tomography technologist issued to the applicant by each state in which the applicant holds the license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified as a computed tomography technologist in another state for at least one year;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
 4. The applicable fee in R9-16-623.
- C.** The Department shall approve or deny an individual's application for initial certification as a computed tomography technologist according to R9-16-621.

R9-16-616. Radiologist Assistant - Eligibility and Scope of Practice

- A.** An individual is eligible to apply for initial certification as a radiologist assistant if the individual:
1. Is at least 18 years of age; and
 2. Satisfies one of the following:
 - a. Holds a current ARRT or CBRPA certification as a radiologist assistant;
 - b. Has:
 - i. Completed a baccalaureate degree or post-baccalaureate certificate from an accredited educational institution that encompasses a radiologist assistant curriculum that includes a

radiologist-directed clinical preceptorship, and

ii. Achieved a passing score on an ARRT or a CBRPA examination for radiologist assistants; or

c. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a radiologist assistant:

1. Shall follow the standards specified the 2017 American Society of Radiologic Technologists Radiologist Assistant Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_raa.pdf?sfvrsn=1ae076d0_16, incorporated by reference on file with the Department, and including no future editions or amendments; and
2. May perform the following procedures under the direction of a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology:
 - a. Fluoroscopy;
 - b. Assessment and evaluation of the physiological and psychological responsiveness of individuals undergoing radiologic procedures;
 - c. Evaluation of image quality, making initial image observations and communicating observations to the supervising radiologist; and
 - d. Administration of contrast media or other medications prescribed by the supervising radiologist.

C. A radiologist assistant shall not interpret images, make diagnoses, or prescribe medications or therapies.

R9-16-617. Application for Initial Certification as a Radiologist Assistant

A. Except as provided in subsection (B), an applicant for initial certification as a radiologist assistant shall submit an application packet to the Department that includes:

1. The information and documents required in R9-16-619;
2. Either:
 - a. The applicant's current ARRT or CBRPA certification as a radiologist assistant; or
 - b. Documentation of:
 - i. Completing a baccalaureate degree or post-baccalaureate certificate from an accredited educational institution that

encompasses a radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship, and

ii. Having a passing score on an ARRT or a CBRPA examination for radiologist assistants; and

3. The applicable fee in R9-16-623.

B. If an applicant for initial certification as a radiologist assistant may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:

1. The information and documentation required in R9-16-619;

2. Documentation of the license or certification as a radiologist assistant issued to the applicant by each state in which the applicant holds the license or certification;

3. A statement, signed and dated by the applicant, attesting that the applicant:

a. Has been licensed or certified as a radiologist assistant in another state for at least one year;

b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);

c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and

d. Does not have a complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and

4. The applicable fee in R9-16-623.

C. The Department shall approve or deny an individual's application for initial certification as a radiologist assistant according to R9-16-621.

R9-16-618. Special Permits

A. An applicant for a special permit under A.R.S. § 32-2814(B) shall submit an application packet to the Department containing:

1. The information and documents required in R9-16-619;

2. An attestation, in a Department-provided format, from the health care institution

in which the applicant proposes to practice:

- a. Stating that the requesting health care institution is located in an Arizona medically underserved area, as defined in A.A.C. R9-15-101(4), or a health professional shortage area, as defined in A.A.C. R9-15-101(25);
- b. Verifying that the health care institution developed and is implementing a program of continuing education for the applicant to protect the health and safety of individuals undergoing radiologic procedures; and
- c. Signed and dated by the health care institution's administrator or designee; and

3. A letter signed by the health care institution's administrator or designee that provides justification for the issuance of a special permit.

B. The Department shall approve or deny an application for a special permit according to R9-16-621.

C. A special permit is valid for no more than one year, but may be renewed as provided in subsection (A) if the circumstances justifying the issuance of a special permit have not changed.

R9-16-619. Application Information

An applicant for certification shall submit to the Department:

1. The following information in a Department-provided format:
 - a. The applicant's name;
 - b. The applicant's residential address and, if different, mailing address;
 - c. The applicant's telephone number;
 - d. The applicant's e-mail address;
 - e. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
 - f. The applicant's date of birth;
 - g. The applicant's current employment in the radiation technology field, if applicable, including:
 - i. The employer's name,
 - ii. The applicant's position,
 - iii. Dates of employment,
 - iv. The address of the employer,

- v. The supervisor's name,
- vi. The supervisor's email address, and
- vii. The supervisor's telephone number;
- h. The applicant's educational history related to radiation technology, including:
 - i. The name and address of each educational institution,
 - ii. The degree or certification received, and
 - iii. The applicant's date of graduation;
- i. The type of certificate being applied for;
- j. Whether the applicant has ever been convicted of a felony or a misdemeanor in this or another state;
- k. If the applicant has been convicted of a felony or a misdemeanor:
 - i. The date of the conviction,
 - ii. The state or jurisdiction of the conviction,
 - iii. An explanation of the crime of which the applicant was convicted, and
 - iv. The disposition of the case;
- l. Whether the applicant holds other professional licenses or certifications and, if so:
 - i. The professional license or certification, and
 - ii. The state in which the professional license or certification was issued;
- m. Whether the applicant has had a professional license or certificate suspended, revoked, or had disciplinary action taken against the professional license or certificate;
- n. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-621;
- o. An attestation that the information submitted as part of an application packet is true and accurate; and
- p. The applicant's signature and date of signing;
- 2. If the applicant has had a professional license or certificate suspended, revoked, or had disciplinary action taken against the professional license or certificate within the previous five years, documentation that includes:

- a. The date of the disciplinary action, revocation, or suspension;
- b. The state or nationally accredited certifying body that issued the disciplinary action, revocation, or suspension; and
- c. An explanation of the disciplinary action, revocation, or suspension;
3. If the applicant is currently ineligible for licensing or certification in any state because of a license revocation or suspension, documentation that includes:
 - a. The date of the ineligibility for licensing or certification,
 - b. The state or jurisdiction of the ineligibility for licensing or certification, and
 - c. An explanation of the ineligibility for licensing or certification; and
4. Documentation for the applicant that complies with A.R.S. § 41-1080.

R9-16-620. Renewal of Certification

- A.** Certifications issued under R9-16-607, R9-16-609, R9-16-612, R9-16-615, and R9-16-617 are valid for two years after issuance, unless revoked.
- B.** A certificate holder may apply to renew a certification:
 1. Within 90 days before the expiration date of the certificate holder's current certification;
 2. Within the 30-day period after the expiration date of the certificate holder's certification, if the certificate holder pays the late renewal penalty fee in R9-16-623; or
 3. Within the extension time period granted under A.R.S. § 32-4301.
- C.** An applicant for renewal of a certification shall submit to the Department an application packet, including:
 1. The following in a Department-provided format:
 - a. The applicant's name, address, telephone number, email address, date of birth, and Social Security number;
 - b. The applicant's current certification number and type;
 - c. The applicant's current employment in the radiation technology field, if applicable, including:
 - i. The employer's name,
 - ii. The applicant's position,
 - iii. Dates of employment,

- iv. The address of the employer,
 - v. The supervisor's name,
 - vi. The supervisor's email address, and
 - vii. The supervisor's telephone number;
 - d. Whether the applicant has, within the two years before the date of the application, had:
 - i. A certificate issued under this Article suspended or revoked; or
 - ii. A professional license or certificate revoked by another state, jurisdiction, or nationally recognized accreditation body;
 - e. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-621;
 - f. Attestation that all the information submitted as part of the application packet is true and accurate; and
 - g. The applicant's signature and date of signature;
 - 2. Either:
 - a. An attestation that the applicant completed continuing education required under A.R.S. § 32-2815(D) and that documentation of completion is available upon request, signed and dated by the applicant; or
 - b. A copy of the applicant's current certification from a nationally recognized accreditation body; and
 - 3. The applicable renewal fee and, if applicable, the late renewal penalty fee required in R9-16-623.
- C.** The Department shall approve or deny an application for recertification according to R9-16-621.

R9-16-621. Review Timeframes

- A.** For each type of certificate or permit issued by the Department under this Article, Table 6.1 specifies the overall timeframe described in A.R.S. § 41-1072(2).
 - 1. An applicant and the Department may agree in writing to extend the substantive review timeframe and the overall timeframe.
 - 2. The extension of the substantive review timeframe and overall timeframe may not exceed 25% of the overall timeframe.
- B.** For each type of certificate or permit issued by the Department under this Article, Table

6.1 specifies the administrative completeness review timeframe described in A.R.S. § 41-1072(1).

1. The administrative completeness review timeframe begins on the date the Department receives an application packet required in this Article.
2. Except as provided in subsection (B)(3), the Department shall provide written notice of administrative completeness or a notice of deficiencies to an applicant within the administrative completeness review timeframe.
 - a. If an application packet is not complete, the notice of deficiencies shall list each deficiency and the information or documentation needed to complete the application packet.
 - b. A notice of deficiencies suspends the administrative completeness review timeframe and the overall timeframe from the date of the notice until the date the Department receives the missing information or documentation.
 - c. If the applicant does not submit to the Department all the information or documentation listed in the notice of deficiencies within 30 calendar days after the date of the notice of deficiencies, the Department shall consider the application packet withdrawn.
3. If the Department issues a certificate during the administrative completeness review timeframe, the Department shall not issue a separate written notice of administrative completeness.

C. For each type of certificate or permit issued by the Department under this Article, Table 6.1 specifies the substantive review timeframe described in A.R.S. § 41-1072(3), which begins on the date the Department sends a written notice of administrative completeness.

1. Within the substantive review timeframe, the Department shall provide written notice to the applicant that the Department approved or denied the application.
2. During the substantive review timeframe:
 - a. The Department may make one comprehensive written request for additional information or documentation; and
 - b. If the Department and the applicant agree in writing, the Department may make supplemental requests for additional information or documentation.
3. A comprehensive written request or a supplemental request for additional information or documentation suspends the substantive review timeframe and the overall timeframe from the date of the request until the date the Department

receives all the information or documentation requested.

4. If the applicant does not submit to the Department all the information or documentation listed in a comprehensive written request or supplemental request for additional information or documentation within 30 calendar days after the date of the request, the Department shall deny the certificate or permit.

D. An applicant who is denied a certificate or permit may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

Table 6.1. Time-frames

<u>Type of Application</u>	<u>Administrative Completeness Review Timeframe (in Calendar Days)</u>	<u>Substantive Review Timeframe (in Calendar Days)</u>	<u>Overall Timeframe (in Calendar Days)</u>
<u>Application for Examination</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>Initial Certificate</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>Renewal Certificate</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>Student Mammography Permit</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>Computed Tomography Preceptorship Certificate or Computed Tomography Temporary Certificate</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>Special Permit</u>	<u>30</u>	<u>30</u>	<u>60</u>
<u>School Approval</u>	<u>60</u>	<u>60</u>	<u>120</u>

R9-16-622. Changes Affecting a Certificate or Certificate Holder; Request for a Duplicate Certificate

- A.** A certificate holder shall notify the Department in writing, within 30 calendar days after the effective date of a change in:
1. The certificate holder’s residential address, mailing address, or e-mail address, including the new residential address, mailing address, or e-mail address;
 2. The certificate holder’s name, including a copy of the legal document establishing the certificate holder’s new name; or
 3. The certificate holder’s employer, including the name and address of the new employer.

B. A certificate holder may obtain a duplicate certificate by submitting to the Department:

1. A written request for a duplicate certificate, in a Department-provided format, that includes:
 - a. The certificate holder's name and address,
 - b. The certificate holder's certificate number and expiration date, and
 - c. The certificate holder's signature and date of signature; and
2. The duplicate certificate fee in R9-16-623.

C. A certificate holder may submit to the Department, either as a separate written document or as part of the renewal application, a signed and dated request to transfer to inactive status or retirement status under A.R.S. § 32-2816(F).

R9-16-623. Fees

A. An applicant shall submit to the Department the following nonrefundable fees for:

1. An initial application or renewal application for certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry, \$60;
2. An initial application or renewal application for certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist, \$60;
3. An initial application or renewal application for certification as a mammographic technologist, \$20;
4. An initial application or renewal application for certification as a computed tomography technologist, \$20;
5. An initial application or renewal application for certification as a radiologist assistant, \$60; and
6. A late renewal penalty fee according to A.R.S. § 32-2816(C), \$50.

B. The fee for a duplicate certificate is \$10.

R9-16-624. Enforcement

A. The Department may, as applicable:

1. Deny, revoke, or suspend a certificate or permit under A.R.S. § 36-2821;
2. Request an injunction under A.R.S. § 36-2825; or
3. Assess a civil money penalty under A.R.S. § 36-2821.

B. In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:

1. The type of violation,
2. The severity of the violation,
3. The danger to public health and safety,
4. The number of violations,
5. The number of individuals affected by the violations,
6. The degree of harm to an individual,
7. A pattern of noncompliance, and
8. Any mitigating or aggravating circumstances.

C. A certificate holder or permittee may appeal a disciplinary action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.