

**KANSAS STATE BOARD
OF
HEALING ARTS**



**KANSAS STATUTES
ANNOTATED
AND
KANSAS ADMINISTRATIVE
REGULATIONS**

**Relating to the practice of
RADIOLOGIC
TECHNOLOGISTS**

April 2012

FOREWORD

In 2004, the Kansas Legislature enacted the Radiologic Technologists Practice Act. This bill was included in the Kansas Statutes Annotated as K.S.A. 65-7301 *et seq.* Beginning July 1, 2005, the Kansas State Board of Healing Arts commenced licensing of radiologic technologists. In addition, starting October 1, 2005, it became unlawful for anyone not licensed under this act as a radiologic technologist to refer to themselves as a radiologic technologist or use the letters R.T. or L.R.T.

The following is a compilation of the current statutes and rules and regulations pertaining to radiologic technologists. These are also available on the Board's website shown below.

If you have any questions concerning the licensure of radiologic technologists, please contact the Board office.

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65-7301. Citation of act. K.S.A. 2011 Supp. 65-7301 through 65-7315, and amendments thereto, shall be known and may be cited as the radiologic technologists practice act.

History: L. 2004, ch. 84, § 1; July 1.

65-7302. Definitions. As used in this act:

- (a) "Board" means the state board of healing arts.
- (b) "Ionizing radiation" means x-rays, gamma rays, alpha and beta particles, high speed electrons, protons, neutrons and other nuclear particles capable of producing ions directly or indirectly in its passage through matter.
- (c) "License" means a certificate issued by the board authorizing the licensee to perform radiologic technology procedures on humans for diagnostic or therapeutic purposes.
- (d) "Licensed practitioner" means a person licensed to practice medicine and surgery, dentistry, podiatry or chiropractic in this state.
- (e) "Licensure" and "licensing" mean a method of regulation by which the state grants permission to persons who meet predetermined qualifications to engage in a health related occupation or profession.
- (f) "Nuclear medicine technologist" means a person who uses radio pharmaceutical agents on humans for diagnostic or therapeutic purposes.
- (g) "Nuclear medicine technology" means the use of radio nuclides on human beings for diagnostic or therapeutic purposes.
- (h) "Radiation therapist" means a person who applies radiation to humans for therapeutic purposes.
- (i) "Radiation therapy" means the use of any radiation procedure or article intended for the cure, mitigation or prevention of disease in humans.
- (j) "Radiographer" means a person who applies radiation to humans for diagnostic purposes.
- (k) "Radiography" means the use of ionizing radiation on human beings for diagnostic purposes.
- (l) "Radiologic technologist" means any person who is a radiographer, radiation therapist or nuclear medicine technologist.
- (m) "Radiologic technology" means the use of radioactive substance or equipment emitting or detecting ionizing radiation on humans for diagnostic or therapeutic purposes upon prescription of a

licensed practitioner. The term includes the practice of radiography, nuclear medicine technology and radiation therapy, but does not include echocardiography, diagnostic sonography and magnetic resonance imaging.

(n) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 2; July 1.

65-7303. Unlawful representations; lawful activities under the act.

- (a) On and after October 1, 2005, except as otherwise provided in this act, no person shall perform radiologic technology procedures on humans for diagnostic or therapeutic purposes unless the person possesses a valid license issued under this act.
- (b) A person holding a license under this act shall use radioactive substances or equipment for radiologic technology procedures on humans only for diagnostic or therapeutic purposes by prescription of a licensed practitioner.
- (c) No person shall depict one's self orally or in writing, expressly or by implication, as holder of a license who does not hold a current license under this act.
- (d) (1) Only persons licensed under this act as a radiologic technologist shall be entitled to use the title "radiologic technologist" or "licensed radiologic technologist," abbreviations thereof, or words similar thereto or use the designated letters "R.T." or "L.R.T.".
- (2) Only persons licensed under this act as a radiologic technologist and who have received certification from the American registry of radiologic technologists (ARRT) in radiography shall be entitled to use the title "radiologic technologist radiographer" or "licensed radiologic technologist radiographer" or abbreviations thereof, or words similar thereto or use the designated letters "R.T. (R)" or "L.R.T. (R)".
- (3) Only persons licensed under this act as a radiologic technologist and who have received additional certification from the American registry of radiologic technologists (ARRT) in radiation therapy shall be entitled to use the title "radiation therapist" or "licensed radiation therapist," abbreviations thereof, or words similar thereto or use the designated letters "R.T. (T)" or "L.R.T. (T)".

(4) Only persons licensed under this act as a radiologic technologist and who have received additional certification from the American registry of radiologic technologists (ARRT) in nuclear medicine technology shall be entitled to use the title "nuclear medicine technologist," "licensed nuclear medicine technologist" or "registered nuclear medicine technologist," abbreviations thereof, or words similar thereto or use the designated letters "R.T. (N)" or "L.R.T. (N)".

(5) Only persons licensed under this act as a radiologic technologist and who have received additional certification from the nuclear medicine technology certification board (NMTCB) shall be entitled to use the title "certified nuclear medicine technologist," abbreviations thereof, or words similar thereto or use the designated letters "C.N.M.T.".

(e) This section shall not prohibit a person who is licensed as a respiratory therapist by this state from using any letter or designation indicating that such person is engaged in the practice of respiratory therapy.

(f) This section shall take effect on and after October 1, 2005.

History: L. 2004, ch. 84, § 3; L. 2005, ch. 34, § 1; July 1.

65-7304. Persons exempt from licensure. The following shall be exempt from the requirement of a license pursuant to this act:

(a) A licensed practitioner;

(b) a person issued a postgraduate permit by the board or students while in actual attendance in an accredited health care educational program for radiologic technology and under the supervision of a qualified instructor;

(c) health care providers in the United States armed forces, public health services, federal facilities and other military service when acting in the line of duty in this state;

(d) persons rendering assistance in the case of an emergency;

(e) a licensed dental hygienist or an unlicensed person working under the supervision of a licensed dentist who has been trained by a licensed dentist on the proper use of dental radiographic equipment for the purpose of providing medical imaging for dental diagnostic purposes consistent with K.S.A. 65-1422 et seq., and amendments thereto; and

(f) a licensed physician assistant, a licensed nurse or an unlicensed person performing radiologic technology procedures who is (1) working under the supervision of a licensed practitioner or a person designated by a hospital licensed pursuant to K.S.A. 65-425 et seq., and amendments thereto, and (2) who has been trained on the proper use of equipment for the purpose of performing radiologic technology procedures consistent with K.S.A. 65-2001, et seq., or K.S.A. 65-2801, et seq., and amendments thereto. The board shall adopt rules and regulations to assure that persons exempted from licensure under this subsection receive continuing education consistent with their practice authorized herein.

(g) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 4; L. 2005, ch. 34, § 2; July 1.

65-7305. Application for licensure; requirements; temporary licensure; waiver of examination; application for reinstatement; fees.

(a) An applicant for licensure as a radiologic technologist shall file an application, on forms provided by the board, showing to the satisfaction of the board that the applicant meets the following requirements:

(1) At the time of the application is at least 18 years of age;

(2) has successfully completed a four-year course of study in a secondary school approved by the state board of education, passed an approved equivalency test or graduated from a secondary school outside Kansas having comparable approval by the state board of education;

(3) has satisfactorily completed a course of study in radiography, radiation therapy or nuclear medicine technology which is approved by the board and which contains a curriculum no less stringent than the standards of existing organizations which approve radiologic technology programs;

(4) except as otherwise provided in this act, has successfully passed a license examination approved by the board; and

(5) has paid all fees required for licensure prescribed in this act.

(b) The board may issue a temporary license to an applicant seeking licensure as a radiologic technologist when such applicant meets the requirements for licensure or meets all the requirements for

licensure except examination and pays to the board the temporary license fee as required under K.S.A. 2011 Supp. 65-7313, and amendments thereto. Such temporary license shall expire 180 days from the date of issue or on the date that the board approves the application for licensure, whichever occurs first. No more than one such temporary license shall be permitted to any one person.

(c) The board may accept, in lieu of its own licensure examination, a current certificate by the American registry of radiologic technologists, nuclear medicine technologist certification board or other recognized national voluntary credentialing bodies, which the board finds was issued on the basis of an examination which meets standards at least as stringent as those established by the board.

(d) The board may waive the examination or education requirements and grant licensure to any applicant: (1) Who presents proof of current licensure as a radiologic technologist in another state, the District of Columbia or territory of the United States which requires standards for licensure determined by the board to be equivalent to the requirements under this act; and (2) who has, at the time of application, a current valid certificate by the American registry of radiologic technologists, nuclear medicine technology certification board or other recognized national voluntary credentialing bodies, which the board finds was issued on the basis of an examination which meets standards at least as stringent as those established by the board.

(e) A person whose license has been revoked may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, which application shall be accompanied by the fee provided for in K.S.A. 2011 Supp. 65-7308, and amendments thereto.

History: L. 2004, ch. 84, § 5; L. 2007, ch. 129, § 1; July 1, 2008.

65-7307. Expiration of licenses; renewal notification, procedure; fees; reinstatement of lapsed licenses; rules and regulations.

(a) Licenses issued under this act shall expire on the date of expiration established by rules and regulations of the board unless renewed in the manner prescribed by the board. The request for

renewal shall be accompanied by the license renewal fee established pursuant to K.S.A. 2011 Supp. 65-7308, and amendments thereto.

(b) At least 30 days before the expiration of a licensee's license, the board shall notify the licensee of the expiration by mail addressed to the licensee's last mailing address as noted upon the office records. If the licensee fails to submit an application for renewal on a form provided by the board, or fails to pay the renewal fee by the date of expiration, the board shall give a second notice to the licensee that the license has expired and the license may be renewed only if the application for renewal, the renewal fee, and the late renewal fee are received by the board within the thirty-day period following the date of expiration and that, if both fees are not received within the thirty-day period, the license shall be deemed canceled by operation of law and without further proceedings.

(c) The board may require any licensee, as a condition of renewal, to submit with the application for renewal evidence of satisfactory completion of a program of continuing education required by rules and regulations of the board.

(d) Any license canceled for failure to renew may be reinstated upon recommendation of the board. An application for reinstatement shall be on a form provided by the board, and shall be accompanied by payment of the reinstatement fee and evidence of completion of any applicable continuing education requirements. The board may adopt rules and regulations establishing appropriate education requirements for reinstatement of a license that has been canceled for failure to renew.

(e) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 7; July 1.

65-7308. Fees.

(a) The board shall charge and collect in advance fees for radiologic technologists as established by the board by rules and regulations, not to exceed:

Application for radiologic technologist examination	\$200
Application for license	\$80
Temporary licensing fee	\$40
License renewal	\$80
Late license renewal	\$80

License reinstatement fee	\$80
Revoked license reinstatement fee	\$200
Certified copy of license	\$40
Verified copy	\$25

(b) If the examination is not administered by the board, the board may require that fees paid for any examination under the radiologic technologists practice act be paid directly to the examination service by the person taking the examination.

(c) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 11; July 1.

65-7309. Moneys received by board; disposition; healing arts fee fund.

(a) The board shall remit all moneys received by or for the board from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of such amount shall be credited to the state general fund and the balance shall be credited to the healing arts fee fund. All expenditures from the healing arts fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the board or by a person or persons designated by the president.

(b) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 14; L. 2011, ch. 53, § 39; July 1.

65-7310. Radiologic technology council, establishment; membership, terms, vacancies; meetings; majority quorum; expenses.

(a) There is established the radiologic technology council to assist the state board of healing arts in carrying out the provisions of this act. The council shall consist of five members, all citizens and residents of the state of Kansas appointed as follows: The board shall appoint one member who is a physician licensed to practice medicine and surgery who is also certified as a radiologist and one member who is a member of the state board of healing arts. Members appointed by

the board shall serve at the pleasure of the board. The governor shall appoint three radiologic technologists who have at least three years' experience in radiologic technology preceding the appointment and are actively engaged, in this state, in the practice of radiologic technology or the teaching of radiologic technology. At least two of the governor's appointments shall be made from a list of four nominees submitted by the Kansas society of radiologic technologists.

(b) The members appointed by the governor shall be appointed for terms of four years except that of the members first appointed, one shall be appointed for a term of two years, one for a term of three years, and one for a term of four years, with successor members appointed for four years and to serve until a successor member is appointed. If a vacancy occurs on the council, the appointing authority of the position which has become vacant shall appoint a person of like qualifications to fill the vacant position for the unexpired term.

(c) Radiologic technologists initially appointed to the council must be eligible for licensure under K.S.A. 2011 Supp. 65-7305, and amendments thereto. On and after October 1, 2005, new appointees shall be licensed under the provisions of this act.

(d) The council shall meet at least once each year at a time and place of its choosing and at such other times as may be necessary on the chairperson's call or on the request of a majority of the council's members.

(e) A majority of the council constitutes a quorum. No action may be taken by the council except by affirmative vote of the majority of the members present and voting.

(f) Members of the council attending meetings of the council, or a subcommittee of the council, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and amendments thereto, from the healing arts fee fund.

History: L. 2004, ch. 84, § 8; L. 2005, ch. 34, § 4; July 1.

65-7311. Same; duties. The radiologic technology council shall advise the board regarding:

(a) Examination, licensing and other fees;

- (b) rules and regulations to be adopted to carry out the provisions of this act;
 - (c) subject areas to be covered during the educational program and on the licensure examination;
 - (d) the number of yearly continuing education hours required to maintain active licensure;
 - (e) changes and new requirements taking place in the area of radiologic technology; and
 - (f) such other duties and responsibilities as the board may assign.
- History: L. 2004, ch. 84, § 9; July 1.

65-7312. Board of healing arts; duties; rules and regulations; establishments of standards. The board, with the advice and assistance of the radiologic technology council, shall:

- (a) Pass upon the qualifications of all applicants for examination and licensing; contract for examinations; determine the applicants who successfully pass the examination; duly license such applicants and keep a roster of all individuals licensed;
- (b) adopt rules and regulations as may be necessary to administer the provisions of this act; and prescribe forms which shall be issued in the administration of this act;
- (c) establish standards for approval of an educational course of study and clinical experience, criteria for continuing education, procedures for the examination of applicants; and
- (d) establish standards of professional conduct; procedure for the discipline of licensees and keep a record of all proceedings.

History: L. 2004, ch. 84, § 10; July 1.

65-7313. Denial, revocation, suspension or limitation of or refusal to renew license; grounds; censure, reprimand or fine of licensee; administrative procedure; conduct prohibited during license suspension.

- (a) The license of a radiologic technologist may be limited, suspended or revoked, or the licensee may be censured, reprimanded, fined pursuant to K.S.A. 65-2863a, and amendments thereto, or otherwise sanctioned by the board or an application for licensure may be denied if it is found that the licensee or applicant:

- (1) Is guilty of fraud or deceit in the procurement or holding of a license;
 - (2) has been convicted of a felony in a court of competent jurisdiction, either within or outside of this state, unless the conviction has been reversed and the holder of the license discharged or acquitted or if the holder has been pardoned with full restoration of civil rights in which case the license shall be restored;
 - (3) is addicted to or has distributed intoxicating liquors or drugs for other than lawful purposes;
 - (4) is found to be mentally or physically incapacitated to such a degree that in the opinion of the board continued practice by the licensee would constitute a danger to the public's health and safety;
 - (5) has aided and abetted a person who is not a licensee under this act or is not otherwise authorized to perform the duties of a license holder;
 - (6) has undertaken or engaged in any practice beyond the scope of duties permitted a licensee;
 - (7) has engaged in the practice of radiologic technology under a false or assumed name or impersonated another licensee;
 - (8) has been found guilty of unprofessional conduct under criteria which the board may establish by rules and regulations;
 - (9) has interpreted a diagnostic image to a patient; or
 - (10) is, or has been, found guilty of incompetence or negligence while performing as a license holder.
- (b) The denial, refusal to renew, suspension, limitation or revocation of a license or other sanction may be ordered by the board after notice and hearing on the matter in accordance with the provisions of the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act.
- (c) A person whose license is suspended shall not engage in any conduct or activity in violation of the order by which the license was suspended.

- (d) This section shall take effect on and after July 1, 2005.

History: L. 2004, ch. 84, § 12; L. 2010, ch. 17, § 172; July 1.

65-7314. Injunctive remedies for violations.

- (a) When it appears that any person is violating any provision of this act, the board may bring an action in the name of the state in a court

of competent jurisdiction for an injunction against such violation without regard as to whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted.

(b) This section shall take effect on and after October 1, 2005.

History: L. 2004, ch. 84, § 13; L. 2005, ch. 34, § 5; July 1.

65-7315. Violation of act; penalty. On and after October 1, 2005, any violation of this act shall constitute a class B misdemeanor.

History: L. 2004, ch. 84, § 15; L. 2005, ch. 34, § 6; July 1.

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100-73-1. Fees. The following fees shall be collected by the board:

- (a) Application for license \$60.00
- (b) Annual renewal of license:
 - (1) Paper renewal \$50.00
 - (2) On-line renewal \$45.00
- (c) Late renewal of license:
 - (1) Paper late renewal \$55.00
 - (2) On-line late renewal \$50.00
- (d) Reinstatement of cancelled license
\$60.00
- (e) Certified copy of license \$15.00
- (f) Temporary license \$25.00
- (g) Reinstatement of revoked license
\$100.00

(Authorized by K.S.A. 2008 Supp. 65-7312; implementing K.S.A. 2008 Supp. 65-7308; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005; amended Aug. 17, 2007; amended, T-100-6-2-09, June 2, 2009; amended Sept. 11, 2009.)

100-73-2. Application.

(a) Each individual for licensure as a radiologic technologist shall submit an application on a form provided by the board. The form shall contain the following information in plain, legible writing:

- (1) The applicant's full name;
- (2) the applicant's social security number;
- (3) the applicant's residence address and, if different from the residence address, the applicant's current mailing address;
- (4) the applicant's date and place of birth;
- (5) the name of the professional school attended, the degree received, and the date of graduation;
- (6) employment information for the five years before the date of the application;
- (7) information on whether the applicant is currently certified or registered by any national organization;
and
- (8) for each license, registration, or certification issued to the applicant to practice any health care profession, the following

information:

- (A) The date of issuance;
 - (B) the identifying number on the license, registration, or certification; and
 - (C) the place of issuance, specifying the state, country, or territory, or the District of Columbia; and
 - (9) documentation of any prior acts constituting unprofessional conduct as defined in K.S.A. 65-7313, and amendments thereto, and K.A.R. 100-73-6.
- (b)(1) Each applicant shall submit the following with the application:
- (A) The fee required by K.A.R. 100-73-1;
 - (B) an official transcript for the applicant from an educational program approved by the board, as specified in K.A.R. 100-73-3;
 - (C) a copy of the applicant's diploma from an approved educational program. The copy shall be certified by a notarial officer;
 - (D) a verification from each state or jurisdiction where the applicant has been issued any license, registration, or certification to practice any health care profession; and
 - (E) a photograph of the applicant taken within 90 days of submission of the application for licensure.
- (2) In addition to meeting the requirements specified in paragraph (1) of this subsection, each applicant shall have the results of the applicant's written examination, as specified in and required by K.A.R. 100-73-4, provided directly to the board by the testing entity.
- (c) Each applicant shall sign the application under oath.
- (d) Each applicant who applies for a license under K.S.A. 65-7306(a) and amendments thereto shall, in lieu of providing the information requested in paragraphs (a)(5), (a)(7), (b)(1)(B), (b)(1)(C), and (b)(2), provide all of the following:
- (1) A statement signed by the applicant, as described in subsection (f), stating that the applicant has engaged in the practice of radiologic technology for a period of at least two years during the three years immediately preceding July 1, 2005 and listing the dates and places where the applicant practiced;
 - (2) a certificate of employment signed by each employer listed in paragraph (d)(1); and
 - (3) proof of successful completion from a secondary school or its equivalent.

(e) In lieu of providing the information required in paragraphs (a)(5), (b)(1)(B), (b)(1)(C), and (b)(2), each applicant who applies for a license under K.S.A. 65-7306(b), and amendments thereto, shall submit the following:

(1) A statement signed by the applicant that the applicant engaged in the practice of radiologic technology, as described in subsection (f), before July 1, 2005; and

(2) proof of successful completion from a secondary school or its equivalent.

(f) Each applicant shall be deemed to have been engaged in the practice of radiologic technology if the applicant performed at least 100 radiologic procedures during a calendar year on any of the following anatomic regions or any combination of these regions:

(1) The chest and thorax;

(2) the upper extremities;

(3) the lower extremities;

(4) the cranium;

(5) the spine and pelvis; or

(6) the abdomen.

(Authorized by K.S.A. 2004 Supp. 65-7312; implementing K.S.A. 2004 Supp. 65-7305 and 65-7306; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005.)

100-73-3. Criteria for approval of programs in nuclear medicine technology, radiation therapy, and radiography.

(a) To be recognized by the board as providing an approved educational program in radiation therapy or radiography, each school shall meet one of the following:

(1) The accreditation standards for the radiologic sciences, as specified in the “standards for an accredited educational program in radiologic sciences,” adopted and published by the joint review committee on education in radiologic technology, effective January 1, 2002 and hereby adopted by reference; or

(2) the accreditation criteria of the commission on institutions of higher education of the north central association of colleges and schools, or its regional equivalent, as specified in chapter four of the “handbook of accreditation,” second edition, published September 1997, and in the “addendum to the handbook of accreditation,”

second edition, published March 2002, which are hereby adopted by reference.

(b) To be recognized by the board as providing an approved educational program in nuclear medicine technology, each school shall meet one of the following:

(1) The accreditation standards for nuclear medicine technologist as specified in the “essentials and guidelines for an accredited educational program for the nuclear medicine technologist,” adopted and published by the joint review committee on educational programs in nuclear medicine technology, as revised in 2003 and hereby

adopted by reference; or

(2) the accreditation criteria of the commission on institutions of higher education of the north central association of colleges and schools, or its regional equivalent, as specified in chapter four of the “handbook of accreditation,” second edition, published September 1997, and in the “addendum to the handbook of accreditation,” second edition, published March 2002, which are adopted by reference in paragraph (a)(2). (Authorized by K.S.A. 2004 Supp. 65-7312; implementing K.S.A. 2004 Supp. 65-7305; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005.)

100-73-4. Examinations.

(a) Each applicant for licensure as a radiologic technologist who has completed a course of study in radiography shall submit proof of having passed a nationally administered, standardized examination. This examination shall be one that is approved by the board and consists of written questions assessing knowledge on subject matter from the following content categories:

(1) Radiation protection;

(2) equipment operation and quality control;

(3) image production and evaluation;

(4) radiographic procedures; and

(5) patient care and education.

(b) Each applicant for licensure as a radiologic technologist who has completed a course of study in radiation therapy shall submit proof of having passed a nationally administered, standardized examination. This examination shall be one that is approved by the board and

consists of written questions assessing knowledge on subject matter from the following content categories:

- (1) Radiation protection and quality assurance;
- (2) clinical concepts in radiation oncology;
- (3) treatment planning;
- (4) treatment delivery; and
- (5) patient care and education.

(c) Each applicant for licensure as a radiologic technologist who has completed a course of study in nuclear medicine technology shall submit proof of having passed a nationally administered, standardized examination. This examination shall be one that is approved by the board and consists of written questions assessing knowledge on subject matter from the following content categories:

- (1) Radiation protection and safety;
- (2) radionuclides and radiopharmaceuticals;
- (3) instrumentation and quality control;
- (4) diagnostic and therapeutic procedures; and
- (5) patient care and education.

(d) Each applicant who has passed an approved examination required for licensure and has not been in the active practice of radiologic technology for more than one year but fewer than four years from the date the application was submitted shall provide the board with one of the following:

- (1) Evidence of completion of a minimum of 12 continuing education credits for each year during which the applicant has not been in active practice;

(2) proof of current active status certification by the American registry of radiologic technologists or the nuclear medicine technology certification board; or

(3) proof that the applicant has passed an approved examination required for licensure within the 12 months before the date the application was submitted.

(e) Each applicant who has passed an approved examination for licensure and has not been in the active practice of radiologic technology for four years or more from the date the application was submitted shall provide the board with one of the following:

- (1) Proof of current active status certification by the American registry of radiologic technologists or the nuclear medicine

technology certification board; or

(2) proof that the applicant has passed an approved examination required for licensure within the 12 months before the date the application was submitted.

(f) To pass an approved examination, each applicant shall obtain a scaled score of at least 75.

(Authorized by K.S.A. 2004 Supp. 65-7312; implementing K.S.A. 2004 Supp. 65-7305 and 65-7306, as amended by L. 2005, ch. 34, § 3; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005.)

100-73-5. Expiration of license.

(a) Each radiologic technologist license issued before June 1, 2006 shall expire on September 30, 2006.

(b) For each license issued on or after June 1, 2006, the following requirements shall apply:

(1) Each radiologic technologist license issued within the seven-month period beginning June 1 and ending December 31 shall expire on September 30 of the following year.

(2) Each radiologic technologist license issued within the five-month period beginning January 1 and ending May 31 shall expire on September 30 of the same year.

(Authorized by K.S.A. 2004 Supp. 65-7312; implementing K.S.A. 2004 Supp. 65-7307; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005.)

100-73-6. Unprofessional conduct; defined. “Unprofessional conduct” shall mean the commission of any of the following by an applicant or a licensee:

(a) Having a radiologic technologist license, registration, or certification revoked, suspended, or limited or having an application for any of these credentials denied by the proper regulatory authority of another state, territory, or country, or of the District of Columbia;

(b) cheating or attempting to subvert the validity of the examination required for registration;

(c) failing to furnish to the board, or to its investigators or representatives, any information legally requested by the board;

(d) being sanctioned or disciplined by a peer review committee, or a medical care facility for acts or conduct that would constitute

grounds for denial, limitation, suspension, or revocation of a license under K.S.A. 65-7313 and amendments thereto;

(e) surrendering a license, registration, or certification to practice radiologic technology in another state while disciplinary proceedings are pending for acts or conduct that would constitute grounds for denial, limitation, suspension, or revocation of a license under K.S.A. 65-7313 and amendments thereto;

(f) being professionally incompetent, as defined in K.S.A. 65-2837 and amendments thereto;

(g) willfully betraying confidential information;

(h) committing conduct likely to deceive, defraud, or harm the public;

(i) committing any act of sexual abuse, misconduct, or exploitation;

(j) delegating radiologic technology to a person who the licensee knows or has reason to know is not qualified by training or experience to perform it; or

(k) violating any provision of these regulations or any provision of the radiologic technologists practice act and amendments thereto.

(Authorized by and implementing K.S.A. 2004 Supp. 65-7313; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005.)

100-73-7. License renewal; continuing education.

(a) As a condition of license renewal, each licensed radiologic technologist shall certify, on the form provided with the license renewal application, that, during the 12-month period immediately preceding the license expiration date, the person completed at least 12 credits of continuing education. This requirement shall not apply to any person renewing a license for the first time.

(b) Any licensee may request that the board grant an extension of the time to complete the required continuing education if, during the 12-month period immediately preceding the license expiration date, the person experienced an undue hardship resulting from illness, injury, or any other circumstance preventing the licensee's timely completion of continuing education.

(c) One credit shall be 50 minutes of instruction or the equivalent.

(d) Each person who certifies completion of continuing education shall, for at least three years following the date of certification, maintain documentation of completion that shall include one of the

following:

(1) A verification of completion issued by a national, state, or local organization with standards for continuing education that are at least as stringent as the standards of the board;

(2) a copy of the written materials provided with the continuing education activity, along with documentation of all of the following:

(A) The name, address, and telephone number of the activity sponsor and the name and telephone number of a contact person for the activity sponsor;

(B) the title of the continuing education activity;

(C) the date and location of the activity;

(D) specification of whether the activity was presented in person or by video, satellite, or internet;

(E) the number of continuing education credits completed;

(F) the activity agenda;

(G) the name and professional biographical information of each presenter; and

(H) written proof of participation; or

(3) a notarized certificate of current registration with the American registry of radiologic technologists or the nuclear medicine technology certification board.

(e) Within 30 days following a written request by the board to a licensee, the licensee shall provide the board with proof of completion of continuing education as specified in this regulation.

(f) The categories of continuing education experiences shall be the following:

(1) Meetings and courses. Meetings and courses shall be planned, organized, and administered to enhance the knowledge and skills that a radiologic technologist uses to provide services to patients, the public, or the medical profession. Meetings and courses shall include the following:

(A) Symposium. "Symposium" shall mean a conference of more than a single session organized for the purpose of discussing a specific subject from various viewpoints and by various speakers.

(B) Seminar. "Seminar" shall mean directed advanced study or discussion in a specific field of interest.

(C) Workshop. "Workshop" shall mean a series of meetings

designed for intensive study, work, or discussion in a specific field of interest.

(D) Conference. “Conference” shall mean a formal meeting of a number of people for a discussion in a specific field of interest.

(E) Home study course. “Home study course” shall mean a correspondence course designed for advanced study in a specific field of interest.

(2) Leadership. Leadership shall include any presentation at one of the types of meetings described in paragraphs (f)(1)(A) through (D). The number of credits granted for leadership shall be the following:

(A) Six credits for instructor or instructor trainer at a cardiopulmonary resuscitation (CPR) course provided by the American red cross, American heart association, or American safety and health institute; and

(B) two credits for the development of each one-hour presentation that meets the requirements of paragraph (f)(1)(A), (B), (C), or (D).

(3) Classwork. Classwork shall include the following:

(A) Six credits for satisfactory completion of an advanced life support class or a pediatric life support class provided by the American red cross, the American heart association, or the American safety and health institute; and

(B) 12 credits for each academic quarter or semester credit granted by a post-secondary educational institution in a course that is relevant to radiologic technology or patient care for which the student received a grade of at least C or its equivalent, or a grade of pass in a pass-fail course. Relevant courses shall include courses in the biologic sciences, physical sciences, radiologic sciences, health and medical sciences, social studies, communication, mathematics, computers, management, and education methodology.

(g) Each continuing education activity offered using distance-learning media shall qualify for continuing education credit if the activity is in one of the categories of continuing education experiences specified in subsection (f) and meets all of the following conditions:

(1) The activity has a mechanism in place for the user to be able to contact the provider regarding questions about the continuing education activity.

(2) The provider of the activity evaluates the user’s knowledge of the

subject matter discussed in the continuing education activity.

(3) The activity limits the amount of time within which a user can complete the activity, which shall be no more than twice the number of hours for each credit awarded for the activity.

(4) The person or organization offering the activity provides a printed verification of completion of the activity or allows the user to print verification when the activity is completed.

(Authorized by K.S.A. 2005 Supp. 65-7307 and 65-7312; implementing K.S.A. 2005 Supp. 65-7307; effective Nov. 27, 2006.)

100-73-8. Reinstatement; canceled and revoked licenses.

(a) Each applicant desiring to reinstate a license that has been canceled for failure to renew for more than 30 days shall submit proof of continuing education to the board as follows:

(1) If the time since the license was canceled has been one year or less, no continuing education shall be required in addition to that which would have been necessary had the license been renewed before cancellation.

(2) If the time since the license was canceled has been more than one year but fewer than four years, the applicant shall provide one of the following:

(A) Evidence of completion of a minimum of 12 credits of continuing education for each year during which the applicant has not been in active practice;

(B) proof of completion of the continuing education required by the American registry of radiologic technologists or nuclear medicine technology certification board, as evidenced by proof of current active status certification; or

(C) proof that the applicant has passed an examination required for a license within 12 months before the date the application was submitted.

(3) If the time since the license was canceled has been four years or more, the applicant shall provide one of the following:

(A) A notarized certificate of current registration with the American registry of radiologic technologists or nuclear medicine technology certification board; or

(B) proof that the applicant has passed the examination required for a

license within 12 months before the date on which the application was submitted.

(4) If, since the date the license was canceled, the applicant has been in active practice as a radiologic technologist in another state or jurisdiction that requires a license, registration, or certification to practice, the applicant shall submit proof of the current license, registration, or certification and proof of compliance with the continuing education requirements of that jurisdiction.

(b) Each applicant seeking reinstatement of a revoked license shall be required to successfully complete an individually tailored program approved by the board.

(Authorized by K.S.A. 2005 Supp. 65-7307 and 65-7312; implementing K.S.A. 2005 Supp. 65-7307; effective Nov. 27, 2006.)

100-73-9. Continuing education; persons exempt from licensure.

Each person who performs any radiologic technology procedures and who is exempt from the licensure requirement pursuant to K.S.A. 65-7304(f), and amendments thereto, shall obtain 12 credits of continuing education each calendar year. The continuing education shall meet the criteria for continuing education specified in K.A.R. 100-73-7 and shall include the subjects for the training of x-ray equipment operators specified in K.A.R. 28-35-256.

(Authorized by K.S.A. 2006 Supp. 65-7312; implementing K.S.A. 2006 Supp. 65-7304; effective July 6, 2007; amended March 28, 2008.)