

# 10.32.~~[10]~~19 ~~[Licensure of]~~ Radiation Therapists, Radiographers, Nuclear Medicine Technologists, and Radiology Assistants

## .01 Scope.

A. This chapter governs the practice of radiation therapy, radiography, nuclear medicine technology, and radiology assistance.

B. This chapter does not prohibit:

(1) A radiation therapy, radiography, nuclear medicine technology, or radiology assistance student enrolled in an educational program from practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance in the educational program; *or*

~~[(2) An individual employed by the federal government as a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant from practicing within the scope of that employment; or~~

~~(3)]~~ (2) An individual from practicing a health occupation that the individual is authorized to practice under the Health Occupations Article.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Advanced procedure request” means a written request to the Board to allow a radiologist assistant to perform one or more procedures listed in Regulation .10E of this chapter.

~~[(+)]~~ (2) “ARRT” means the American Registry of Radiologic Technologists, its predecessor, or its successor.

~~[(2)]~~ (3) “Board” ~~[means the Board of Physicians.]~~ has the meaning stated in Health Occupations, § 14-101, Annotated Code of Maryland.

~~[(3) “Certification” means recognition of an individual who has satisfied certain standards required by a national certifying board.]~~

(4) “Committee” means the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee ~~[of the Board]~~.

(5) “Computed tomography (CT)” means the use of a machine that produces ionizing radiation to obtain cross-sectional images.

~~(6) [Direct Supervision:~~

~~(a)] “Direct supervision” means *the supervisor is:*~~

~~(a) *Physically present on the premises;*~~

~~(b) *Personally treating the patient; and*~~

~~(c) *In the presence of the patient while services are provided.*~~

~~[supervision by a licensed physician who is:~~

~~(i) *In the physical presence of the licensee and a patient; and*~~

~~(ii) *Observing and directing the licensee as the licensee performs a procedure.*~~

~~(b) “Direct supervision” includes, for purposes of meeting the examination eligibility requirements set out in Regulation .10B of this chapter, supervision by a:~~

~~(i) *Licensed nuclear medicine technologist with the post-primary computed tomography (CT) credential;*~~

~~(ii) *Licensed radiographer with the post-primary CT credential; or*~~

~~(iii) *Licensed radiologist or radiation oncologist.]*~~

(7) “*Good standing*” means the health care practitioner is not suspended, on probation, under restrictions, or subject to any pending disciplinary proceedings.

(8) “Hybrid nuclear medicine/CT device” means a machine that combines two distinct imaging modalities.

~~[(8)] (9) “Immediately available ~~[direction]~~ supervision” means ~~[the responsibility of a licensed physician to provide necessary direction for a licensee in person, by telephone, or by other electronic means if the licensee needs assistance with a procedure]~~ to provide necessary direction in person, by telephone, or by other electronic means.~~

~~[(9) “JRCNMT” means the Joint Review Committee on Educational Programs in Nuclear Medicine Technology.]~~

~~[(10) “Licensee” means an individual who is licensed to practice radiography, radiation therapy, nuclear medicine technology, or radiology assistance in Maryland.]~~

~~[(11)] (10) “NMTCB” means the Nuclear Medicine Technology Certification Board, *its predecessor, or its successor.*~~

~~[(12)]~~ (11) “Nuclear medicine technologist” means an individual licensed by the Board to practice nuclear medicine technology.

~~[(13)]~~ (12) “On-site supervision” means the responsibility of a ~~[licensed physician]~~ the supervisor ~~[to]~~ is:

(a) ~~To be able to provide necessary direction [for a licensee when the physician is:]~~

(a) Be physically present in the facility; and

(b) ~~To be able to respond immediately in person [if the licensee needs assistance with a procedure].~~

~~[(14)]~~ (13) “Physician” ~~[means an individual who is licensed by the Board to practice medicine.]~~ means an individual licensed to practice medicine in Maryland under Health Occupations Article, Title 14, Annotated Code of Maryland.

~~[(15)]~~ (14) “Post-primary computed tomography (CT) credential” means passing a specialty examination by the ARRT or the NMTCB to establish competency in performing computed tomography.

~~[(16)]~~ (15) “Practice nuclear medicine technology” means to:

(a) Prepare and administer radiopharmaceuticals to human beings; or

(b) Conduct in vivo detection and measurement of radioactivity for medical purposes to assist the physician in the diagnosis and treatment of disease or injury.

~~[(17)]~~ (16) “Practice radiation therapy” means to perform tumor localization radiography and apply therapeutic doses of radiation for the treatment of disease or injury.

~~[(18)]~~ (17) “Practice radiography” means to use ionizing radiation to:

(a) Demonstrate portions of the human body to assist the physician in the diagnosis of disease or injury; or

(b) Perform tumor localization radiography.

~~[(19)]~~ (18) “Practice radiology assistance” means to:

(a) Practice radiography; and

(b) Perform:

(i) Fluoroscopy and selected radiology procedures;

(ii) Patient assessment; and

(iii) Patient management.

~~[(20)]~~ (19) “Radiation therapist” means an individual licensed by the Board to practice radiation therapy.

~~[(21)]~~ (20) “Radiographer” means an individual who is licensed by the Board to practice radiography.

~~[(22)]~~ (21) “Radiologist assistant” means an individual who is currently certified by the ARRT as a radiographer and is licensed by the Board to practice radiology assistance.

(22) “Radiologist” means a ~~[licensed]~~ physician who:

- (a) Specializes in radiology; and
- (b) Has current certification in radiology by one of the following organizations:
  - (i) American Board of Radiology;
  - (ii) American Osteopathic Board of Radiology;
  - (iii) British Royal College of Radiology; or
  - (iv) Royal College of Physicians and Surgeons of Canada.

~~[(23) “Special procedure request” means a written request to the Board to allow a licensed radiologist assistant to perform one or more procedures listed in Regulation .11E of this chapter.~~

~~(24) “Supervision” means the responsibility of the licensed physician to exercise on-site direction or immediately available direction for licensees.]~~

### ***.03 Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee.***

A. The Board shall ~~[establish a Committee composed of the following individuals]~~ *appoint members of the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee as follows:*

- (1) One physician whose approved specialty is radiology;
- (2) One physician whose approved specialty is nuclear medicine;
- (3) One physician whose approved specialty is radiation oncology;
- (4) One physician who specializes in radiology and who supervises a radiologist assistant;
- (5) One radiographer;
- (6) One radiation therapist;
- (7) One nuclear medicine technologist;
- (8) One radiologist assistant; *and*
- (9) One consumer member~~]; and~~
- ~~(10) One Board member].~~

B. Selection.

(1) The physician whose specialty is radiology, the physician whose specialty is radiation oncology, and the physician who specializes in radiology and supervises a radiologist assistant may be selected by the Board from a list of nominees submitted by the American College of Radiology—Maryland Chapter.

Nominees are not required to be members of the American College of Radiology.

(2) The physician whose specialty is nuclear medicine may be selected by the Board from a list of nominees submitted by the Mideastern Chapter—Society of Nuclear Medicine. Nominees are not required to be members of the Mideastern Chapter—Society of Nuclear Medicine.

(3) The radiographer and the radiation therapist may be selected by the Board from a list of nominees submitted by the Maryland Society of Radiologic Technologists. Nominees are not required to be members of the Maryland Society of Radiologic Technologists.

(4) The nuclear medicine technologist may be selected by the Board from a list of nominees submitted by the Mideastern Chapter—Society of Nuclear Medicine —Technologist Section. Nominees are not required to be members of the Mideastern Chapter—Society of Nuclear Medicine—Technologist Section.

(5) The consumer member shall ~~[-(a) Meet]~~ *meet* the requirements in Health Occupations Article, §14-5B-05~~(c)~~, Annotated Code of Maryland; ~~and~~

~~(b) Be selected by the Board.]~~

(6) *Each member of the Committee shall:*

(a) *Be a resident of the State; and*

(b) *Be in good standing with the Board if licensed by the Board.*

C. *Tenure.*

(1) The term of a member is 3 years.

(2) The terms of the members are staggered.

(3) At the end of a term, a member continues to serve until a successor is appointed.

(4) An individual may be reappointed for a second term but the individual may not serve more than two full consecutive terms.

D. *Vacancy.*

(1) If a vacancy occurs as to a member, the Board shall appoint a new member to serve~~[-as provided in this regulation]~~ *on the Committee.*

(2) The successor member shall only serve for the remainder of the term, unless reappointed.

E. *Removal. The Board, by a majority, may vote to remove any member of the Committee for:*

(1) *Neglect of duty, including but not limited to:*

(a) *Failure to attend two successive committee meetings without adequate reason;*

(b) *Failure to attend Board-mandated training; or*

(c) *Failure to complete necessary ethics filing requirements;*

(2) *Misconduct; or*

(3) *Incompetency.*

F. *Chair.*

(1) ~~[The Committee shall elect a chair]~~ From among its members, *the Committee shall elect a chair [once] every 2 years.*

(2) *The Chair, or the Chair's designee, shall serve in an advisory capacity to the Board as a representative to the Committee.*

G. *Quorum.*

(1) *A quorum of the Committee consists of five members.*

(2) *Business may not be conducted at a Committee meeting unless there is a quorum.*

G. The Committee shall:

(1) *Develop and recommend to the Board:*

(a) Regulations to carry out Health Occupations, § 14-5B, Annotated Code of Maryland; and

(b) Any statutory changes that affect the profession; and

(2) Keep a record of its meetings.

I. The Committee may:

(i) Provide recommendations regarding the practice of radiation therapy, radiography, nuclear medicine technology, and radiology assistance; and

(ii) Advise the Board on any other matters related to radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants.

J. A Committee member shall meet any other requirements as established in Health Occupations, § 14-5B-05, Annotated Code of Maryland.

~~[(1) Review selected applications for licensure of radiographers, nuclear medicine technologists, radiation therapists, and radiologist assistants, and make recommendations to the Board for approval;~~

~~(2) Make recommendations to the Board regarding regulations governing radiographers, nuclear medicine technologists, radiation therapists, and radiologist assistants;~~

~~(3) Make recommendations to the Board on the requirements for licensure of radiographers, radiation therapists, nuclear medicine technologists, and radiologist assistants;~~

~~(4) Make recommendations to the Board on a code of ethics for the practice of radiography, radiation therapy, nuclear medicine technology, and radiology assistance;~~

~~(5) Advise the Board on matters related to standards of care for the practice of radiography, nuclear medicine technology, radiation therapy, and radiology assistance;~~

~~(6) Advise the Board on matters related to the practice of radiography, nuclear medicine technology, radiation therapy, and radiology assistance; and~~

~~(7) Keep a record of the Committee's proceedings.]~~

## .04 Qualifications for *Initial* Licensure – Radiographer.

A. ~~[An individual shall be licensed by the Board if the individual meets the requirements of]~~ *To qualify for a license, a radiographer shall meet the requirements of 10.32.01 of this subtitle and § B of this regulation.*

B. ~~[An individual shall be licensed by the Board if the individual:]~~ *An applicant for a license as a radiographer shall submit satisfactory evidence of:*

~~[(1) Completes an application on a form supplied by the Board;~~

~~(2) Pays an application fee as specified in Regulation .18 of this chapter;~~

- (3) Is 18 years old or older;
- (4) Is of good moral character;
- (5) Demonstrates oral and written competency in English by any of the following:
  - (a) Graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;
  - (b) Graduation from a recognized English-speaking professional school with acceptable proof of proficiency in the oral and written communication of English;
  - (c) Receiving a grade of:
    - (i) At least 26 on the “Speaking Section” of the Internet-based Test of English as a Foreign Language; and
    - (ii) At least 79 on the Internet-based Test of English as a Foreign Language;
- (6) Has successfully completed and graduated] (1) Graduation from a radiographer educational program that is recognized by the ARRT [or its successor];
- [7) Has passed] (2) A passing result on the examination in radiography constructed by the ARRT [or its successor]; and
- [8) Has been certified and maintains] (3) Current registration or active certification from the ARRT [or its successor] at the time of application.

## .05 Qualifications for *Initial* Licensure – Nuclear Medicine Technologist.

- A. [An individual shall be licensed by the Board if the individual meets] *To qualify for a license, a nuclear medicine technologist shall meet the requirements of 10.32.01 of this subtitle and §B of this regulation.*
- B. [An individual shall be licensed by the Board if the individual:] *An applicant for a license as a nuclear medicine technologist shall submit satisfactory evidence of:*
  - (1) Completes an application on a form supplied by the Board;
  - (2) Pays an application fee as specified in Regulation .18 of this chapter;
  - (3) Is 18 years old or older;
  - (4) Is of good moral character;
  - (5) Demonstrates oral and written competency in English by any of the following:
    - (a) Graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;
    - (b) Graduation from a recognized English-speaking professional school with acceptable proof of proficiency in the oral and written communication of English;

~~(c) Receiving a grade of:~~

~~(i) At least 26 on the “Speaking Section” of the Internet-based Test of English as a Foreign Language; and~~

~~(ii) At least 79 on the Internet-based Test of English as a Foreign Language;~~

~~(6) Has successfully completed and graduated] (1) Graduation from a nuclear medicine educational program that is recognized by the ARRT [or its successor], or the NMTCB [or its successor];~~

~~[(7) Has passed] (2) A passing result on the examination in nuclear medicine technology constructed by the ARRT [or its successor], or the NMTCB [or its successor]; and~~

~~[(8) Has been certified and maintains] (3) Current registration or active certification from the ARRT [or its successor], or the NMTCB [or its successor] at the time of application.~~

## .05-01 Qualifications for *Initial* Licensure – Radiation Therapists.

A. ~~[An individual shall be licensed by the Board if the individual meets]~~ *To qualify for a license, a radiation therapist shall meet* the requirements of 10.32.01 of this subtitle and §B of this regulation.

B. ~~[An individual shall be licensed by the Board if the individual:]~~ *An applicant for a license as a radiation therapist shall submit satisfactory evidence of:*

~~[(1) Completes an application on a form supplied by the Board;~~

~~(2) Pays an application fee as specified in Regulation .18 of this chapter;~~

~~(3) Is 18 years old or older;~~

~~(4) Is of good moral character;~~

~~(5) Demonstrates oral and written competency in English by any of the following:~~

~~(a) Graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;~~

~~(b) Graduation from a recognized English-speaking professional school with acceptable proof of proficiency in the oral and written communication of English;~~

~~(c) Receiving a grade of:~~

~~(i) At least 26 on the “Speaking Section” of the Internet-based Test of English as a Foreign Language; and~~

~~(ii) At least 79 on the Internet-based Test of English as a Foreign Language;~~

~~(6) Has successfully completed and graduated] (1) Graduation from a radiation therapy educational program that is recognized by the ARRT [or its successor];~~

~~[(7) Has passed] (2) A passing result on the examination in radiation therapy constructed by the ARRT [or its successor]; and~~

~~[(8)Has been certified and maintains]~~ (3) Current registration or active certification from the ARRT ~~[or its successor]~~ at the time of application.

## .05-02 Qualifications for *Initial* Licensure – Radiologist Assistants.

A. ~~[An individual shall be licensed by the Board if the individual meets]~~ *To qualify for a license, a radiologist assistant shall meet* the requirements of 10.32.01 of this subtitle and §B of this regulation.

B. ~~[An individual shall be licensed by the Board if the individual:]~~ *An applicant for a license as a radiologist assistant shall submit satisfactory evidence of:*

~~(1) Completes an application on a form supplied by the Board;~~

~~(2) Pays an application fee as specified in Regulation .18 of this chapter;~~

~~(3) Is 18 years old or older;~~

~~(4) Is of good moral character;~~

~~(5) Demonstrates oral and written competency in English by any of the following:~~

~~(a) Graduation from a recognized English-speaking high school or undergraduate school after at least 3 years of enrollment;~~

~~(b) Graduation from a recognized English-speaking professional school with acceptable proof of proficiency in the oral and written communication of English; or~~

~~(c) Receiving a grade of:~~

~~(i) At least 26 on the “Speaking Section” of the Internet-based Test of English as a Foreign Language; and~~

~~(ii) At least 79 on the Internet-based Test of English as a Foreign Language;~~

~~(6) Has been educated as follows] (1) Successful completion of:~~

~~(a) [Completed] A radiologist assistant educational program that is recognized by the ARRT [or its successor]; and~~

~~(b) [Successfully completed] Coursework that leads to a baccalaureate degree or post-baccalaureate certificate;~~

~~[(7) Has passed] (2) A passing result on the examination administered by the ARRT [or its successor]; and~~

~~[(8) Has been certified and maintains] (3) Current registration or active certification as a radiologist assistant from the ARRT [or its successor] at the time of application.~~

~~[C. In addition to the requirements specified in §B of this regulation, an applicant for a license as a radiologist assistant shall have:~~

~~(1) (4) Issuance of a general Maryland license to perform radiography [A current Maryland license as a radiographer];~~

~~[(2) Completed] (5) Completion a radiologist or radiation oncologist-directed clinical preceptorship as a part of the educational program required by §B[(6)](1) of this regulation;~~

~~[(3)] (6) Current certification in advanced cardiac life support; and~~

~~[(4) Current certification as a radiologist assistant by the ARRT or its successor].~~

## ~~[.07]~~ .06 Scope of Practice – General.

### A. Supervision.

- (1) A radiation therapist, radiographer, or a nuclear medicine technologist may practice only under the *immediately available* supervision of a ~~[licensed]~~ physician.
- (2) A ~~[licensed]~~ radiologist assistant may practice only under the supervision of a ~~[licensed]~~ radiologist or radiation oncologist.

### B. Administration of Medications or Contrast Media.

- (1) A radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant may initiate an intravenous line and administer contrast media with the following supervision:
  - (a) A radiologist assistant may administer contrast media under the immediately available ~~[direction]~~ *supervision* of a radiologist or radiation oncologist; and
  - (b) A radiation therapist, radiographer, or nuclear medicine technologist may administer contrast media:
    - (i) After consultation with a physician ~~[who is physically available on the premises]~~; and
    - (ii) *Under the on-site supervision of a physician.*
- (2) A radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant may not administer narcotic or sedating medication.

~~[C. Identification. A radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant, when practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance shall wear a badge which identifies the individual wearing the badge to be a licensed radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant.]~~

## ~~[.08]~~ .07 Scope of Practice – Radiation Therapy.

The practice of radiation therapy includes the following:

A. Scope of practice for simulation procedures and for operation of external beam treatment devices, CT simulator, and fluoroscopic simulator for patient therapy which includes:

- (1) Preparation of machine for patient procedure;
- (2) Positioning patient for treatment or localization, or both;
- (3) Adjustment of machine components and systems;
- (4) Application of machine adjustments while patient is on the table;
- (5) Attachment or removal of any machine device or machine accessory for patient service, or both;
- (6) Manipulation of machine controls for patient exposure for localization or treatment, or both;

- (7) Production of radiation for tumor or field localization on, or treatment of, a patient, or both;
  - (8) Documentation of technical set up used on a patient;
  - (9) Monitoring of patient and equipment during the simulation or treatment procedures for application of corrective actions;
  - (10) Oversight and application of image development standards and appropriate labeling of images regarding patient identification, date, and documentation of technical parameters;
  - (11) Performance of patient or image measurements, or both;
  - (12) Application of technical procedures in accordance with accepted radiation safety standards and regulations;
  - (13) Performance of dosimetric and geometric calculations related to patient treatment; and
  - (14) Manipulation, data entry, or other use of computer-accelerator interfaced hardware or software for patient treatment;
- B. Scope of practice for preparation of patient treatment devices which includes:
- (1) Oversight of in-facility manufacture of devices or device accessories for use in patient treatment; and
  - (2) Approval of devices for use in patient simulation and treatment;
- C. Scope of practice for brachytherapy and radiopharmaceutical procedures which includes:
- (1) Removal, return, or handling of radiation sources or medical applicators, or both, containing radioactive material;
  - (2) Transportation of radioactive materials;
  - (3) Documentation for the accountability and use of the radiation sources;
  - (4) Insertion and removal of sources from medical applicators;
  - (5) Preparation of sealed radiopharmaceuticals for therapeutic administration to patients under *the immediately available supervision of a physician* [supervision];
  - (6) Assisting the [licensed] physician in the preparation and administration of sealed therapeutic radiopharmaceuticals for brachytherapy;
  - (7) Documentation of the therapeutic application of radiopharmaceuticals;
  - (8) Oversight of radiation safety practices related to the handling and administration of radiopharmaceuticals for therapy of patients;
  - (9) Management of transportation and handling of therapeutic radiopharmaceuticals, immediate management and appropriate notifications for any spills or other accidents involving radiopharmaceuticals; [and]
  - (10) Calibration of therapeutic radiopharmaceuticals for dose accuracy; *and*

- (11) Preparation of unsealed radiopharmaceuticals for therapeutic administration to patients under direct supervision ~~[by]~~ of a ~~[licensed]~~ physician if the radiation therapist has received on-site training from an authorized user; and
- D. Performance of any other duties that the Board determines may be performed by a radiation therapist.

## ~~[-09]~~ .08 Scope of Practice — Radiography.

A. The scope of practice of radiography includes the following:

- (1) Analysis and correlation of procedure requests and clinical information provided by a physician or patient, or both, for preprocedure determination of the appropriate exam, its extent, and its scope;
- (2) Evaluation of the physical and emotional status of the patient with respect to the ability to undergo the procedure requested;
- (3) Selection, preparation, and operation of radiography equipment and accessories to perform procedures;
- (4) Positioning patient to best demonstrate anatomy of interest, while respecting patient's physical limitations and comfort;
- (5) Determination of radiographic exposure factors, setting of factors on control panel, and application of x-ray exposures;
- (6) Application of radiation protection principles to minimize radiation exposure to patient, self, and others;
- (7) Evaluation of images for technical quality;
- (8) Performance of noninterpretive fluoroscopic procedures according to institutional policy;
- (9) Oversight of image processing standards and the appropriate labeling of images;
- (10) Administering contrast media:
  - (a) After consultation with a *physician*~~;~~ and;
  - (b) Under the *on-site* supervision of a physician ~~[who is immediately and physically available]~~; and
- (11) Performing any other duties that the Board determines may be performed by a radiographer.

B. The scope of practice of radiography includes the administration of intravenous medications and other patient care procedures as directed by the physician if the:

(1) Radiographer is:

- (a) Registered by the ARRT in advanced qualifications in cardiac-interventional radiography, vascular-interventional radiography, or cardiovascular-interventional radiography;

(b) Working in a cardiac catheterization laboratory or interventional radiographic laboratory while cardiac catheterization or interventional procedures are ongoing; and

(c) Administering the medication or performing a patient care procedure at the direction of a physician while ~~[the physician is present in the room directing the administration and dosage of medication or performance of the patient care procedure]~~ *under the direct supervision of the physician;*

(2) Supervising physician in the cardiac catheterization or interventional laboratory is responsible for the acts of the radiographer when delegating the administration of intravenous medications or performance of a patient care procedure; and

(3) Facility where the procedure is performed:

(a) Has protocols available for review by the Board;

(b) Documents the training provided to the radiographer; and

(c) Evaluates the radiographer on a regular basis for competency, documents the results of these tests, and makes the results available for inspection by the Board.

C. The scope of practice of radiography includes the insertion and removal of peripherally inserted central catheters with or without fluoroscopic guidance if the:

(1) Radiographer is:

(a) Registered by the ARRT in advanced qualifications in cardiac-interventional radiography, vascular-interventional radiography, or cardiovascular-interventional radiography;

(b) Working in a cardiac catheterization laboratory or interventional radiographic laboratory while cardiac catheterization or interventional procedures are ongoing; and

(c) Under the on-site supervision of the supervising physician;

(2) Supervising physician in the cardiac catheterization or interventional laboratory is responsible for the acts of the radiographer with respect to insertion or removal of peripherally inserted central catheters; and

(3) Facility where the procedure is performed:

(a) Has protocols available for review by the Board;

(b) Documents the training provided to the radiographer; and

(c) Evaluates the radiographer on a regular basis for competency, documents the results of these tests, and makes the results available for inspection by the Board.

## [.10] .09 Scope of Practice – Nuclear Medicine Technology.

A. The scope of practice of nuclear medicine technology includes the following:

- (1) Scope of practice for diagnostic in-vivo procedures and in-vitro procedures which includes:
  - (a) Analysis and correlation of procedure request and clinical information provided by the referring physician or patient, or both, for determination of appropriate exam, extent, and scope;
  - (b) Evaluation of the physical and emotional status of the patient with respect to the ability to undergo the procedure requested;
  - (c) Immediate predose review of patient's identification, prescribed dose quantity and route of administration, and identification of the test agent designed to prevent dose misadministration;
  - (d) Preparation of the appropriate radiopharmaceutical with measurement of dose activity;
  - (e) Administration of appropriate diagnostic dose levels of radiopharmaceuticals;
  - (f) Administration of nonradioactive pharmaceuticals utilized in conjunction with a nuclear medicine imaging or in-vivo procedure, for example, cholecystokinin, furosemide, vitamin B12, in accordance with hospital or facility procedures, excluding narcotic and sedating medication;
  - (g) Selection of appropriate imaging or test parameters, or both;
  - (h) Obtaining images according to established protocols and any special views to optimize information as appropriate;
  - (i) Placement of patient in proper position using supportive materials and immobilizer as necessary;
  - (j) Assuring appropriate image labeling as to patient identification, position, and appropriate anatomic land marks for each view;
  - (k) Evaluation of images or data, or both, for technical quality;
  - (l) Recognition of unusual variances in the images or data, or both, caused by instrumentation malfunction and initiating appropriate action;
  - (m) Monitoring of patient and equipment during procedure for determination and application of any corrective actions necessary;
  - (n) Monitoring of data collection and processing and performance of technical analysis of test results;
  - (o) Preparation and performance of laboratory in-vivo nuclear medicine procedures, inclusive of the selection and operation of laboratory counting equipment, performance of calculations and data processing necessary for completion of lab procedures and the submission of results to the physician or ~~licensee~~ *nuclear medicine technologist*;
  - (p) Oversight and application of image development; and
  - (q) Performance of in-vitro testing of serum, plasma, or other body fluids using radio immunoassay, or similar ligand assay methods;

(2) Scope of practice for handling radiopharmaceuticals which includes:

(a) Preparation, by means of tagging, compounding, etc., in accordance with manufacturer's specifications;

(b) Measurement and calculation of activity of radionuclides with a dose calibrator;

(c) Application of radioactive decay calculations to determine required volume or unit form necessary to deliver the prescribed radioactive dose; and

(d) Recording of radiopharmaceutical information on a patient's permanent record;

(3) Scope of practice for radionuclide therapy which includes:

(a) Assisting [~~licensed~~] physician in the preparation and applications of therapeutic radionuclides;

(b) Oversight of radiation safety practices related to the handling and administration of radiopharmaceuticals for therapy of patients;

(c) Management of transportation and handling of therapeutic radiopharmaceuticals;

(d) Calibration of therapeutic radiopharmaceuticals for dose accuracy; and

(e) Radiation monitoring, decontamination, disposal, and patient follow-up as appropriate and required;

(4) Scope of practice for radiation safety which includes:

(a) Maintenance of records of radioactive material receipt, use, storage, and disposal in accordance with regulatory requirements;

(b) Oversight and enforcement of radiation safety policies, practices, and regulations regarding the possession and use of radioactive materials; and

(c) Performance of radiation safety procedures such as radiation survey and wipe testing of incoming radioactive shipments and facility fixtures;

(5) Operation of a hybrid nuclear medicine/CT device for a nondiagnostic attenuation correction CT without intravenous contrast; and

(6) Performing any other duties that the Board determines may be performed by a nuclear medicine technologist.

B. The scope of practice of a nuclear medicine technologist includes operation of a standalone CT or hybrid nuclear medicine/CT device for a diagnostic CT with or without intravenous contrast if the nuclear medicine technologist:

(1) Has successfully passed the ARRT or NMTCB specialty exam for CT; and

(2) Administers contrast media:

(a) After consultation with [~~and under the supervision of,~~] a physician [~~who is immediately and physically available.~~]; and

(b) *Under the on-site supervision of the physician.*

C. In order to meet the eligibility requirements to sit for the ARRT or the NMTCB post-primary CT examination, a ~~[Licensed]~~ nuclear medicine technologist may perform all procedures involving diagnostic CT with or without intravenous contrast only under the direct supervision of a:

- (1) ~~[Licensed]~~ Nuclear medicine technologist with the post-primary CT credential;
- (2) ~~[Licensed]~~ Radiographer with the post-primary CT credential; or
- (3) ~~[Licensed]~~ Radiologist or radiation oncologist.

## ~~[41]~~ .10 Scope of Practice – Radiologist Assistant.

A. The scope of practice of a radiologist assistant *is to practice radiography, and* includes the following activities to obtain the clinical history and physical examination of the patient:

- (1) Review the patient's medical record to verify the appropriateness of a specific exam or procedure;
- (2) Interview the patient to obtain, verify, or update medical history;
- (3) Explain procedure to the patient or significant others, including a description of risks, benefits, alternatives, and follow-up;
- (4) Obtain informed consent;
- (5) Determine if the patient has followed instructions in preparation for the exam such as diet and premedications;
- (6) Assess risk factors that may be contraindications to the procedure such as health history, medications, pregnancy, psychological indicators, and alternative medicines;
- (7) Obtain and evaluate vital signs;
- (8) Perform physical examination and analysis of data such as signs and symptoms, laboratory values, and significant abnormalities, as required by the imaging procedure to be conducted; and
- (9) Report findings related to Regulation ~~[40].09A(1)–(5)~~ of this chapter to the supervising radiologist or radiation oncologist.

B. The scope of practice of a radiologist assistant includes the following general procedures:

- (1) Apply ECG leads and recognize life threatening ECG abnormalities;
- (2) Perform urinary catheterization;
- (3) Perform venipuncture;
- (4) Monitor IV for flow rate and complications;
- (5) Position patient to perform required procedure, using immobilization devices and modifying technique as necessary;
- (6) Assess patient's vital signs and levels of anxiety and pain and inform the radiologist or radiation oncologist when appropriate;

- (7) Recognize and respond to medical emergencies, such as drug reactions, cardiac arrest, and hypoglycemia, and activate emergency response systems, including notification of the radiologist;
- (8) Administer oxygen as prescribed;
- (9) Operate a fixed/mobile fluoroscopic unit;
- (10) Assure documentation of fluoroscopy time;
- (11) Explain effects and potential side effects to the patient of the pharmaceutical required for the examination;
- (12) Administer contrast agents as prescribed by the radiologist or radiation oncologist;
- (13) Administer general medications, excluding radiopharmaceuticals and narcotic or sedating medications, as prescribed by the radiologist; and
- (14) Monitor patient for side effects or complications of the pharmaceuticals.

C. The scope of practice of the radiologist assistant includes performing the following examinations and procedures, including contrast media administration, placement of needle or catheter, and operation of imaging equipment, under the ~~[immediate]~~ *immediately* available ~~[direction]~~ *supervision* of a radiologist or radiation oncologist:

- (1) Upper GI;
- (2) Esophagus;
- (3) Small bowel studies;
- (4) Barium enema;
- (5) Evaluation of percutaneous gastric and enteric tubes;
- (6) Swallowing study;
- (7) Cystogram and voiding cystourethrogram; and
- (8) Nasoenteric and oroenteric feeding tube placement.

D. The scope of practice of the radiologist assistant includes performing the following examinations and procedures, including contrast media administration, placement of needle or catheter, and operation of imaging equipment, under the on-site supervision of a radiologist or radiation oncologist:

- (1) Joint injection and aspiration;
- (2) Arthrogram, including conventional, CT, and MR;
- (3) PICC placement;
- (4) Paracentesis with appropriate image guidance;
- (5) Thoracentesis with appropriate image guidance;
- (6) Lumbar puncture under fluoroscopic guidance;
- (7) Fistulogram; and
- (8) Port injection.

A. The scope of practice of a radiologist assistant includes the following activities to obtain the clinical history and physical examination of the patient:

- (1) Review the patient's medical record to verify the appropriateness of a specific exam or procedure;
- (2) Interview the patient to obtain, verify, or update medical history;
- (3) Explain procedure to the patient or significant others, including a description of risks, benefits, alternatives, and follow-up;
- (4) Obtain informed consent;
- (5) Determine if the patient has followed instructions in preparation for the exam such as diet and premedications;
- (6) Assess risk factors that may be contraindications to the procedure such as health history, medications, pregnancy, psychological indicators, and alternative medicines;
- (7) Obtain and evaluate vital signs;
- (8) Perform physical examination and analysis of data such as signs and symptoms, laboratory values, and significant abnormalities, as required by the imaging procedure to be conducted; and
- (9) Report findings related to Regulation [10].09A(1)—(5) of this chapter to the supervising radiologist or radiation oncologist.

B. The scope of practice of a radiologist assistant includes the following general procedures:

- (1) Apply ECG leads and recognize life threatening ECG abnormalities;
- (2) Perform urinary catheterization;
- (3) Perform venipuncture;
- (4) Monitor IV for flow rate and complications;
- (5) Position patient to perform required procedure, using immobilization devices and modifying technique as necessary;
- (6) Assess patient's vital signs and levels of anxiety and pain and inform the radiologist or radiation oncologist when appropriate;
- (7) Recognize and respond to medical emergencies, such as drug reactions, cardiac arrest, and hypoglycemia, and activate emergency response systems, including notification of the radiologist;
- (8) Administer oxygen as prescribed;
- (9) Operate a fixed/mobile fluoroscopic unit;
- (10) Assure documentation of fluoroscopy time;
- (11) Explain effects and potential side effects to the patient of the pharmaceutical required for the examination;
- (12) Administer contrast agents as prescribed by the radiologist or radiation oncologist;
- (13) Administer general medications, excluding radiopharmaceuticals and narcotic or sedating medications, as prescribed by the radiologist; and

(14) Monitor patient for side effects or complications of the pharmaceuticals.

C. The scope of practice of the radiologist assistant includes performing the following examinations and procedures, including contrast media administration, placement of needle or catheter, and operation of imaging equipment, under the ~~[immediate]~~ *immediately* available ~~[direction]~~ *supervision* of a radiologist or radiation oncologist:

- (1) Upper GI;
- (2) Esophagus;
- (3) Small bowel studies;
- (4) Barium enema;
- (5) Evaluation of percutaneous gastric and enteric tubes;
- (6) Swallowing study;
- (7) Cystogram and voiding cystourethrogram; and
- (8) Nasoenteric and oroenteric feeding tube placement.

D. The scope of practice of the radiologist assistant includes performing the following examinations and procedures, including contrast media administration, placement of needle or catheter, and operation of imaging equipment, under the on-site supervision of a radiologist or radiation oncologist:

- (1) Joint injection and aspiration;
- (2) Arthrogram, including conventional, CT, and MR;
- (3) PICC placement;
- (4) Paracentesis with appropriate image guidance;
- (5) Thoracentesis with appropriate image guidance;
- (6) Lumbar puncture under fluoroscopic guidance;
- (7) Fistulogram; and
- (8) Port injection.

E. On a case-by-case basis as specified in Regulation ~~[12]~~ .11 of this chapter, the Board or its designee may approve a radiologist assistant to perform one or more of the following procedures under ~~[the level of supervision by]~~ *the immediately available supervision or on-site supervision* of a radiologist or radiation oncologist as specified in the request letter submitted by the radiologist or radiation oncologist and radiologist assistant:

- (1) Lower extremity venography;
- (2) Lumbar, thoracic, or cervical myelography;
- (3) Non-tunneled venous central line placement;
- (4) Venous catheter placement for dialysis;
- (5) Breast needle localization;
- (6) Ductogram (galactogram);
- (7) T-tube cholangiogram;

- (8) Retrograde urethrogram;
- (11) Sinogram;
- (12) Loopogram;
- (14) Hysterosalpingogram; and
- (15) Other specific procedures approved by the Board.

*F. A radiologist assistant may perform an advanced procedure as specified in §E of this Regulation under the immediately available supervision or on-site supervision of a radiologist or radiation oncologist without approval of the Board or its designee if:*

- (1) The radiologist or radiation oncologist is Board-certified;*
- (2) The radiologist assistant has been previously approved by the Board to perform the advanced procedure;*
- (3) The employer has verified the credentials of the radiologist assistant;*
- (4) The employer has verified the credentials of the supervising radiologist or radiation oncologists; and*
- (5) After providing notification to the Board of:*
  - (i) The intent of the radiologist assistant to perform a previously approved advanced procedure;*
  - (ii) The level of supervision that the radiologist assistant will perform the advanced procedure under;*
  - (iii) Credentialing by the employer of the radiology assistant to perform the specified advanced duty; and*
  - (iv) Credentialing by the employer of the supervising radiologist or radiation oncologist*

*G. The scope of practice of a radiologist assistant includes the following post-imaging activities:*

- (1) Review of imaging procedures, making initial observations, and communicating observations only to the radiologist or radiation oncologist;*
- (2) Communication of radiologist's report to referring physician;*
- (3) Provision of radiologist-prescribed post-care instructions to patients;*
- (4) Performance of follow-up patient evaluation, and communication of findings to the radiologist or radiation oncologist;*
- (5) Documenting procedure in appropriate record, and documenting exceptions from established protocol or procedure;*
- (6) Writing patient discharge summary for review and co-signature by the radiologist or the radiation oncologist;*
- (7) Participating in quality improvement activities within radiology practice; and*
- (8) Assisting with data collection and review for clinical trials or other research.*

## [.12] .11 Request for Radiologist Assistant to Perform Advanced Procedures.

A. *Exemptions. This regulation does not apply to a radiologist assistant:*

(1) *Performing a procedure for training purposes under the direct supervision of a radiologist or radiation oncologist; or*

(2) *Who has been previously approved by the Board or its designee to perform the advanced procedure in accordance with Regulation .10F of this chapter.*

B. *Except as provided in §A of this regulation, a radiologist assistant may not perform any of the procedures specified in regulation .10E of this chapter until the Board or its designee has approved the advanced procedure request submitted by the radiologist or radiation oncologist and radiologist assistant.*

C. *Eligibility. The Board may grant a radiologist assistant permission to perform one or more of the procedures specified in Regulation [.11].10E of this chapter based on the following criteria:*

(1) *Evidence of satisfactory completion of an adequate number of cases for the procedure being requested; and*

(2) *Level of supervision of the radiologist assistant, as specified by the radiologist or radiation oncologist.*

[B:] D. *Request. The radiologist or radiation oncologist and radiologist assistant shall jointly request approval to perform [a special] an advanced procedure by submitting a letter on a form supplied by the Board that includes the following:*

(1) *[Special] The advanced procedures requested; [and]*

(2) *Documentation of satisfactory completion of an adequate number of cases [of] for the the procedure being requested; and*

(3) *An application fee as specified in Regulation .13 of this chapter.*

[C:] E. *Training and Experience. Documentation of successful completion of cases of a procedure may include cases performed within the most recent 2 years that have been:*

(1) *[Cases] Submitted to ARRT for registration as a [registered] radiologist assistant; and*

(2) *[Other cases] Performed under the direct supervision of a radiologist or radiation oncologist [who is present and observing the procedure].*

[D:] *Board Approval:*

(1) *Except as provided in §D(2) of this regulation, a licensed radiologist assistant may not perform any of the procedures specified in Regulation .11E of this chapter until the Board or its designee has approved the special procedure request submitted by the radiologist or radiation oncologist and radiologist assistant.*

(2) *A licensed radiologist assistant may perform a procedure for training purposes under the direct supervision of a radiologist or radiation oncologist who is:*

(a) *Physically present with the patient and the radiologist assistant; and*

(b) *Observing the performance of the procedure by the radiologist assistant.]*

## **[.13] .12 Renewal, [and] Reinstatement, and Continuing Education.**

A. *Renewal. The Board may renew the license of a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant if the radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant meets:*

- (1) The requirements of 10.32.01 of this subtitle; and*
- (2) The continuing education requirements of § C of this regulation;*

B. *Reinstatement.*

- (1) This section does not apply to a post-disciplinary reinstatement as defined under 10.32.02.*
- (2) A radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant applying for reinstatement may be denied reinstatement subject to the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland, for any of the grounds listed in Health Occupations Article, §14-5B-14, Annotated Code of Maryland.*
- (3) Subject to § B(2) of this regulation, the Board shall reinstate the license of a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant who has failed to renew the license for any reason if the radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant:*
  - (a) Is of good moral character;*
  - (b) Applied for reinstatement after the date the license expires;*
  - (c) Provides documentation of the continuing education requirements of § C of this regulation;*
  - (d) Completes a criminal history records check in accordance with Health Occupations, § 14-308.1, Annotated Code of Maryland; and*
  - (e) Pays to the Board the reinstatement fee set forth by the Board in accordance with Regulation .13 of this chapter.*

C. *Continuing Education.*

- (1) A radiation therapist, radiographer, or nuclear medicine technologist shall complete at least 24 hours of approved continuing education, earned during the 2-year period preceding:*
  - (a) For license renewal, the expiration of a license for radiation therapy, radiography, or nuclear medicine technology;*
  - (b) For license reinstatement, the date of submission of the application for reinstatement.*
- (2) A radiologist assistant shall complete at least 50 hours of approved continuing education, earned during the 2-year period:*
  - (a) For license renewal, the expiration of a license for radiology assistance;*

- (b) For license reinstatement, the date of submission of the application for reinstatement.*
- (3) A radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant shall obtain the required documentation for the succeeding 6 years for possible inspection by the Board.*
- (4) The required documentation shall contain, at a minimum, the following information:*
- (a) Program title;*
  - (b) Sponsor's name;*
  - (c) Radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant's name;*
  - (d) Inclusive date or dates and location of the program;*
  - (e) The number of continuing education hours earned; and*
  - (f) Documented verification that the radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant attended the program by stamp, signature, print-out, or other official proof.*
- (5) Proof of maintenance of certification by the ARRT or the NMTCB may be used to document compliance with the continuing education requirements specified in this regulation.*
- (6) The Board may request a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant to submit evidence of having met the continuing education requirements specified in this regulation.*
- (7) If a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant cannot demonstrate completion of the required continuing education credit hours, the Board may impose a civil penalty of up to \$100 per missing continuing education credit hour.*
- (8) Approved continuing education is as follows:*
- (a) In-service programs at a hospital or related institution as defined in Health-General Article, §19-301, Annotated Code of Maryland, or a health maintenance organization certified by the State; or*
  - (b) Programs relevant to the practice of a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant approved by the:*
    - (i) American College of Radiology or its chapters;*
    - (ii) Maryland Society of Radiologic Technologists;*
    - (iii) Mideastern Chapter—Society of Nuclear Medicine — Technologist Section;*
    - (iv) Mideastern Chapter—Society of Nuclear Medicine or the District of Columbia Chapter of the American College of Radiology;*
    - (v) American Medical Association;*
    - (vi) MedChi, the Maryland State Medical Society; or*
    - (vii) American Society of Radiologic Technologists.*

*(9) The continuing education requirement applies to all renewal applications after the first renewal.*

~~[(1) The Board may not renew a license until the Comptroller of Maryland has verified that the individual has paid all undisputed taxes and unemployment insurance contributions, or arranged for repayment, as required by COMAR 10.31.02.~~

~~(2) An individual who has been licensed by the Board as a radiation therapist, radiographer, or nuclear medicine technologist shall renew the license every 2 years on the date specified by the Board by:~~

~~(a) Completing a renewal application on a form approved by the Board;~~

~~(b) Paying a renewal fee as specified in Regulation .18 of this chapter; and~~

~~(c) Attesting to one of the following:~~

~~(i) Completion of at least 24 hours of approved continuing education earned during the 2-year period preceding the expiration of the license for radiation therapist, radiographer, or nuclear medicine technologist, in accordance with the requirements specified in §A(5) of this regulation;~~

~~(ii) Current American Registry of Radiologic Technologists (ARRT) registration; or~~

~~(iii) Active certification by the Nuclear Medicine Technology Certification Board.~~

~~(3) An individual who has been licensed by the Board as a radiologist assistant shall renew the license every 2 years on the date specified by the Board by:~~

~~(a) Completing a renewal application on a form approved by the Board;~~

~~(b) Paying a renewal fee as specified in Regulation .18 of this chapter;~~

~~(c) Attesting to one of the following:~~

~~(i) Completion of at least 50 hours of approved continuing education earned during the 2-year period preceding the expiration of the license for radiologist assistant, in accordance with the requirements specified in §A(5) of this regulation; or~~

~~(ii) Current American Registry of Radiologic Technologists (ARRT) registration as a radiologist assistant.~~

~~(4) Continuing education hours that are used to satisfy the continuing education requirement for renewal of a license as a radiographer may also be used to satisfy the continuing education requirement for a radiologist assistant.~~

~~(5) Approved continuing education is as follows:~~

~~(a) In-service programs at a hospital or related institution as defined in Health General Article, §19-301, Annotated Code of Maryland, or a health maintenance organization certified by the State; or~~

~~(b) Programs relevant to the practice of a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant approved by the:~~

~~(i) American College of Radiology or its chapters;~~

~~(ii) Maryland Society of Radiologic Technologists;~~

- ~~(iii) Mideastern Chapter—Society of Nuclear Medicine—Technologist Section;~~
  - ~~(iv) Mideastern Chapter—Society of Nuclear Medicine or the District of Columbia Chapter of the American College of Radiology;~~
  - ~~(v) American Medical Association;~~
  - ~~(vi) MedChi, the Maryland State Medical Society; or~~
  - ~~(vii) American Society of Radiologic Technologists.~~
- ~~(6) The continuing education requirement applies to all renewal applications after the first renewal.~~
- ~~B. Reinstatement. The Board shall reinstate the license of a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant if the individual:~~
- ~~(1) Completes a reinstatement application on a form approved by the Board;~~
  - ~~(2) Pays a reinstatement fee as defined in Regulation .18 of this chapter; and~~
  - ~~(3) Documents evidence of:~~
    - ~~(a) For a radiographer, radiation therapist, or nuclear medicine technologist, at least one of the following requirements:~~
      - ~~(i) Completion of at least 24 hours of approved continuing education earned during the 2-year period preceding the date of the submission of the application for reinstatement of the license for radiation therapist, radiographer, or nuclear medicine technologist;~~
      - ~~(ii) Current ARRT registration; or~~
      - ~~(iii) Active certification by the NMTCB; or~~
    - ~~(b) For a radiologist assistant, at least one of the following requirements:~~
      - ~~(i) Completion of at least 50 hours of approved continuing education earned during the 2-year period preceding the date of the submission of the application for reinstatement of the license for radiologist assistant; or~~
      - ~~(ii) Current ARRT registration as a radiologist assistant.]~~

## ~~[.14 Prohibited Conduct.~~

~~A. Subject to the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland, the Board may deny an application, may reprimand any licensed radiation therapist, licensed radiographer, licensed nuclear medicine technologist, licensed radiologist assistant, place any licensed radiation therapist, licensed radiographer, licensed nuclear medicine technologist, licensed radiologist~~

~~assistant, on probation, or suspend or revoke the license of any licensed radiation therapist, licensed radiographer, licensed nuclear medicine technologist, or licensed radiologist assistant for the commission of a prohibited act.~~

~~B. The following are prohibited acts:~~

~~(1) Fraudulently or deceptively obtaining or attempting to obtain a license for the applicant or licensed individual or for another;~~

~~(2) Fraudulently or deceptively using a license;~~

~~(3) Being guilty of unprofessional or immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;~~

~~(4) Being professionally, physically, or mentally incompetent;~~

~~(5) Abandoning a patient;~~

~~(6) Habitually being intoxicated;~~

~~(7) Being addicted to or abusing any narcotic or controlled dangerous substance as defined in Criminal Law Article, Annotated Code of Maryland;~~

~~(8) Providing professional services while:~~

~~(a) Under the influence of alcohol;~~

~~(b) Using any narcotic or controlled dangerous substance, as defined in Criminal Law Article, Annotated Code of Maryland, or other drug that is in excess of therapeutic amounts or without valid medical indication;~~

~~(9) Promoting the sale of services, drugs, devices, appliances, or goods to a patient to exploit the patient for financial gain;~~

~~(10) Willfully making or filing a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;~~

~~(11) Willfully failing to file or record any report as required under law, willfully impeding or obstructing the filing or recording of the report, or inducing another to fail to file or record the report;~~

- ~~(12) Paying or agreeing to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepting or agreeing to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient;~~
- ~~(13) Knowingly making a misrepresentation while practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance;~~
- ~~(14) Knowingly practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance with an unauthorized person or aiding an unauthorized person in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance;~~
- ~~(15) Offering, undertaking, or agreeing to cure or treat disease by a secret method, treatment, or medicine;~~
- ~~(16) Being disciplined by a licensing or disciplinary authority, being convicted or disciplined by a court of any state or country or disciplined by any branch of the United States uniformed services or the Veterans' Administration for an act that would be grounds for disciplinary action under the Board's disciplinary statutes or this regulation;~~
- ~~(17) Failing to meet appropriate standards as determined by appropriate peer review for the delivery of quality radiation therapy care, radiography care, nuclear medicine technology care, or radiology assistance care performed in an outpatient surgical facility, office, hospital, or any other location in this State;~~
- ~~(18) Knowingly submitting false statements to collect fees for which services are not provided;~~
- ~~(19) Having been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under this regulation and the licensed individual:~~
- ~~(a) Surrendered the license issued by the state or country, or~~
- ~~(b) Allowed the license issued by the state or country to expire or lapse;~~
- ~~(20) Knowingly failing to report suspected child abuse in violation of Family Law Article, §5-704, Annotated Code of Maryland;~~
- ~~(21) Selling, prescribing, giving away, or administering drugs for illegal or illegitimate purposes;~~
- ~~(22) Breaching patient confidentiality;~~

~~(23) Practicing beyond the authorized scope of practice;~~

~~(24) Practicing or attempting to practice any radiation therapy, radiography, nuclear medicine technology, or radiology assistance procedure, or using radiation therapy, radiography, nuclear medicine technology, or radiology assistance equipment, if the applicant or licensed individual has not received education, training, or experience in the use of that procedure or the use of the equipment;~~

~~(25) Refusing, withholding from, denying, or discriminating against an individual with regard to the provision of professional services for which the license holder is licensed and qualified to render because the individual is HIV positive;~~

~~(26) Failing to cooperate with a lawful investigation of the Board;~~

~~(27) Failing to practice under the supervision of a physician or violating a supervisory order of a supervising physician; or~~

~~(28) Failing to comply with these regulations:~~

~~C. Unprofessional conduct in the practice of medicine, under Health Occupations Article, §14-404(a)(3), Annotated Code of Maryland, includes the failure of a physician to comply with the statute and regulations governing the physician's duty to supervise a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant.~~

~~D. Crimes of Moral Turpitude:~~

~~(1) On the filing of certified docket entries with the Board by the Attorney General, the Board shall order the suspension of a license if the licensee has been convicted of, or pled guilty or nolo contendere with respect to, a crime involving moral turpitude, regardless of whether any appeal or other proceeding is pending to have the conviction or plea set aside.~~

~~(2) After completion of the appellate process, if the conviction has not been reversed or the plea has not been set aside with respect to a crime of moral turpitude, the Board shall order the revocation of the license.]~~

## ~~[.15 Investigations, Hearings, and Appeals.~~

~~A. Complaints alleging prohibited conduct shall be referred to the Board to be investigated according to the Board's procedures.~~

~~B. A hearing on charges issued under Regulation .14A of this chapter or Health Occupations Article, §14-5B-14(a), Annotated Code of Maryland, shall be held in accordance with the hearing provisions of Health Occupations Article, §14-405, Annotated Code of Maryland.~~

~~C. Proceedings for crimes of moral turpitude, under Health Occupations Article, §14-5B-14(e), Annotated Code of Maryland, or Regulation .14D of this chapter shall be held in accordance with COMAR 10.32.02.04.~~

~~D. All other hearings shall be held in accordance with the Administrative Procedure Act.~~

~~E. Appeals from a final Board decision shall be taken in accordance with Health Occupations Article, §14-5B-14.1, Annotated Code of Maryland.]~~

## ~~[.16 Penalties, Fines, and Sanctioning Guidelines.~~

~~[A. The Board may impose a civil fine of not more than \$5,000 on an individual who is not licensed to practice radiation therapy, radiography, nuclear medical technology, or radiology assistance in Maryland if the individual:~~

~~(1) Represents to the public in any way that the individual is authorized to practice radiation therapy, radiography, nuclear medicine technology, or radiology assistance;~~

~~(2) Practices or attempts to practice radiation therapy, radiography, nuclear medicine technology, or radiology assistance; or~~

~~(3) Violates any provision of Health Occupations Article, Title 14, Subtitle 5B, Annotated Code of Maryland, or any regulation in this chapter.~~

~~B. The Board shall deposit a penalty collected under §A of this regulation into the Board of Physicians fund.~~

~~C. The Board may impose a civil fine of not more than \$1,000 on an individual who fails to file a report under Regulation .17 of this chapter.~~

~~D. The Board may impose a civil fine of not more than \$1,000 on a licensed physician or employer who employs or supervises an individual practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance without a license.~~

~~E. The Board shall deposit a fine collected under §D or E of this regulation into the General Fund.~~

~~F. General Application of Sanctioning Guidelines:~~

~~(1) Sections F and G of this regulation and Regulation .19 of this chapter do not apply to offenses for which a mandatory sanction is set by statute or regulation.~~

~~(2) Except as provided in §G of this regulation, for violations of the sections of the Maryland Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Act listed in the sanctioning guidelines, the Board shall impose a sanction not less severe than the minimum listed in the sanctioning guidelines nor more severe than the maximum listed in the sanctioning guidelines for each offense.~~

~~(3) Ranking of Sanctions:~~

~~(a) For the purposes of this regulation, the severity of sanctions is ranked as follows, from the least severe to the most severe:~~

~~(i) Reprimand;~~

~~(ii) Probation;~~

~~(iii) Suspension; and~~

~~(iv) Revocation.~~

~~(b) A stayed suspension in which the stay is conditioned on the completion of certain requirements is ranked as probation.~~

~~(c) A stayed suspension not meeting the criteria for §F(3)(b) of this regulation is ranked as a reprimand.~~

~~(d) A fine listed in the sanctioning guidelines may be imposed in addition to but not as a substitute for a sanction. If a minimum fine is listed, at least the minimum fine shall be imposed in addition to the sanction listed.~~

~~(e) The addition of a fine does not change the ranking of the severity of the sanction.~~

~~(4) The Board may impose more than one sanction, provided that the most severe sanction neither exceeds the maximum nor is less than the minimum sanction permitted in the chart.~~

~~(5) Any sanction may be accompanied by conditions reasonably related to the offense or to the rehabilitation of the offender. The inclusion of conditions does not change the ranking of the sanction.~~

~~(6) If a licensee has violated more than one ground for discipline as set out in the sanctioning guidelines:~~

~~(a) The sanction with the highest severity ranking shall be used to determine which ground will be used in developing a sanction; and~~

~~(b) The Board may impose concurrent sanctions based on other grounds violated.~~

~~(7) Notwithstanding the sanctioning guidelines set forth in Regulation .19 of this chapter, in order to resolve a pending disciplinary action, the Board and the licensee may agree to a surrender of license or a consent order with terms, sanction, and fine agreed to by the Board, the administrative prosecutor, and the licensee.~~

~~(8) Depending on the facts and circumstances of each case, and to the extent that the facts and circumstances apply, the Board may consider the aggravating and mitigating factors set out in §G(4) and (5) of this regulation and may in its discretion determine, based on those factors, that an exception should be made and that the sanction in a particular case should fall outside the range of sanctions listed in the sanctioning guidelines.~~

~~(9) If the Board imposes a sanction that departs from the sanctioning guidelines as set forth in Regulation .19 of this chapter, the Board shall state its reasons for doing so in its final decision and order.~~

#### G. Aggravating and Mitigating Factors.

~~(1) Depending on the facts and circumstances of each case, and to the extent that the facts and circumstances apply, the Board may consider the aggravating and mitigating factors set out in §G(4) and (5) of this regulation and may in its discretion determine, based on those factors, that an exception should be made and that the sanction in a particular case should fall outside the range of sanctions listed in the sanctioning guidelines.~~

~~(2) Nothing in this regulation requires the Board or an Administrative Law Judge to make findings of fact with respect to any of these factors.~~

~~(3) The existence of one or more of these factors does not impose on the Board or an Administrative Law Judge any requirement to articulate its reasoning for not exercising its discretion to impose a sanction outside of the range of sanctions set out in the sanctioning guidelines.~~

~~(4) Mitigating factors may include, but are not limited to, the following:~~

~~(a) The absence of a prior disciplinary record;~~

~~(b) The offender self-reported the incident;~~

~~(c) The offender voluntarily admitted the misconduct, made full disclosure to the Board, and was cooperative during the Board proceedings;~~

~~(d) The offender implemented remedial measures to correct or mitigate the harm arising from the misconduct;~~

~~(e) The offender made good faith efforts to make restitution or to rectify the consequences of the misconduct;~~

~~(f) The offender has been rehabilitated or exhibits rehabilitative potential;~~

~~(g) The misconduct was not premeditated;~~

~~(h) There was no potential harm to patients or the public or other adverse impact; or~~

~~(i) The incident was isolated and is not likely to recur.~~

~~(5) Aggravating factors may include, but are not limited to, the following:~~

~~(a) The offender has a previous criminal or administrative disciplinary history;~~

~~(b) The offense was committed deliberately or with gross negligence or recklessness;~~

- ~~(c) The offense had the potential for or actually did cause patient harm;~~
  - ~~(d) The offense was part of a pattern of detrimental conduct;~~
  - ~~(e) The offender committed a combination of factually discrete offenses adjudicated in a single action;~~
  - ~~(f) The offender pursued his or her financial gain over the patient's welfare;~~
  - ~~(g) The patient was especially vulnerable;~~
  - ~~(h) The offender attempted to hide the error or misconduct from patients or others;~~
  - ~~(i) The offender concealed, falsified, or destroyed evidence or presented false testimony or evidence;~~
  - ~~(j) The offender did not cooperate with the investigation; or~~
  - ~~(k) Previous attempts to rehabilitate the offender were unsuccessful.~~
- ~~(6) A departure from the sanctioning guidelines set forth in Regulation .19 of this chapter is not a ground for any hearing or appeal of a Board action.~~

~~H. The Board may impose a fine of \$100 for a violation of Health Occupations Article, §14-5B-12.1, Annotated Code of Maryland.~~

~~I. Offenses Related to Continuing Medical Education Credits.~~

~~(1) First Offense of Failure to Document Credits.~~

~~(a) Except as provided in §I(2) or (3) of this regulation, if a licensee has submitted an application claiming the completion of continuing education credits and the licensee fails to document the completion of such continuing education credits when audited by the Board, the Board may impose a civil fine under Health Occupations Article, §14-5B-12, Annotated Code of Maryland, of up to \$100 per missing continuing education credit in lieu of a sanction under Health Occupations Article, §14-5B-14, Annotated Code of Maryland.~~

~~(b) Section I(1)(a) does not limit the Board's authority to require completion of the missing continuing education credits.~~

~~(2) Willful Falsification.~~

~~(a) If a licensee has willfully falsified an application with respect to continuing education credits, the licensee may be charged under one or more of the following, as appropriate:~~

~~(i) Health Occupations Article, §14-5B-14(a)(3), Annotated Code of Maryland;~~

~~(ii) Health Occupations Article, §14-5B-14(a)(10), Annotated Code of Maryland; and~~

~~(iii) Health Occupations Article, §14-5B-14(a)(11), Annotated Code of Maryland.~~

~~(b) Upon a finding of a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5A-14, Annotated Code of Maryland, and the sanctioning guidelines.~~

~~(3) Licensees Previously Disciplined Under §I(1) or (2) of this Regulation.~~

~~(a) If a licensee has been previously fined or otherwise disciplined under §I(1) or (2) of this regulation, the Board may, for a subsequent offense relating to continuing education credits, charge a licensee under one or more of the following, as appropriate:~~

~~(i) Health Occupations Article, §14-5B-14(a)(3), Annotated Code of Maryland;~~

~~(ii) Health Occupations Article, §14-5B-14(a)(10), Annotated Code of Maryland; and~~

~~(iii) Health Occupations Article, §14-5B-14(a)(11), Annotated Code of Maryland.~~

~~(b) Upon a finding of a violation, the Board may impose any discipline authorized under Health Occupations Article, §14-5B-14, Annotated Code of Maryland, and the sanctioning guidelines for a subsequent offense.~~

~~(c) The Board may not apply the sanction described in §I(1) of this regulation in determining a sanction for a licensee previously fined or disciplined for an offense related to continuing education credits.~~

~~(4) The Board shall pay all monies collected pursuant to §I of this regulation into the Board of Physicians Fund.~~

#### ~~J. Payment of Fines:~~

~~(1) An individual shall pay to the Board any fine imposed under this regulation within 15 calendar days of the date of the order, unless the order specifies otherwise.~~

~~(2) Filing an appeal under State Government Article, §10-222, Annotated Code of Maryland, does not stay payment of a fine imposed by the Board pursuant to this regulation.~~

~~(3) If an individual fails to pay, in whole or in part, a fine imposed by the Board pursuant to this regulation, the Board may not restore, reinstate, or renew a license until the fine has been paid in full.~~

~~(4) In its discretion, the Board may refer all cases of delinquent payment to the Central Collection Unit of the Department of Budget and Management to institute and maintain proceedings to ensure prompt payment.]~~

## ~~[.17 Required Reports:~~

~~A. Except as provided in §B of this regulation, an employer of a licensed radiation therapist, licensed radiographer, a licensed nuclear medical technologist, or licensed radiologist assistant shall report to the Board if the employer limits, reduces, or otherwise changes the responsibilities of or terminates a licensed therapist, licensed radiographer, licensed nuclear medical technologist, or licensed radiologist assistant for any reason that might be grounds for disciplinary action under Health Occupations Article, Title 14, Subtitle 5B, Annotated Code of Maryland, or any regulation in this chapter.~~

~~B. If the action taken by an employer under §A relates to alcohol or drug impairment, reporting shall be in compliance with Health Occupations Article, §14-5B-15(b),(c), and (d), Annotated Code of Maryland.~~

~~C. A licensed radiation therapist, licensed radiographer, licensed nuclear medical technologist, or licensed radiologist assistant shall notify the licensee's employer of a decision to enter an accredited alcohol or drug treatment program.~~

~~D. An accredited alcohol or drug treatment program that is treating a licensed radiation therapist, licensed radiographer, licensed nuclear medical technologist, or licensed radiologist assistant who has given notice to his employer under §C of this regulation shall notify the employer if the licensed radiation therapist, licensed radiographer, licensed nuclear medical technologist, or licensed radiologist assistant is found to be noncompliant with the treatment program's policies and procedures.~~

~~E. An individual is not required to make a report under this regulation that would be in violation of any federal or State law, rule, or regulation concerning the confidentiality of alcohol and drug abuse patient records.]~~

## ~~[.18]~~ .13 Fees.

The following fees are applicable to radiation therapists, radiographers, nuclear medicine technologists, and radiologist assistants:

A. *Initial Licensure.*

~~(1) [Application for initial] Initial licensure application fee . . . \$150;~~

~~(2) Fee for remaining months until first renewal – \$5 per month;~~

B. *Renewal of Licensure [fees]:*

~~(1) [Renewal of license] License renewal application fee . . . \$135; and~~

~~(2) Maryland Health Care Commission (MHCC) fee . . . As determined by MHCC under COMAR 10.25.02;~~

~~C. Reinstatement [of license] fee . . . \$150;~~

~~D. Written verification of licensure fee . . . \$25; and~~

~~E [Other Fees:~~

~~(1) Duplicate license . . . \$25;~~

~~(2) Duplicate wall certificate . . . \$25;] Application fee for Radiologist Assistant Advanced Procedure Procedures Request fee...\$100.~~

**[.19] .14 Sanctioning Guidelines [for Radiation Therapists, Radiographers, Nuclear Radiation Technologists, and Radiologist Assistants].**

A. Subject to provisions of [~~Regulation .16F and G of this chapter, the Board~~] *COMAR 10.32.02.10*, a disciplinary panel may impose sanctions as outlined in §B of this regulation on a radiation therapist, radiographer, nuclear medicine technologist, or radiologist assistant for violations of Health Occupations Article, §14-5B-14(a), Annotated Code of Maryland.

B. Range of Sanctions.

Ground	<del>[Maximum]</del> <i>Minimum</i> Sanction	<del>[Minimum]</del> <i>Maximum</i> Sanction	<del>[Maximum]</del> <i>Minimum</i> Fine	<del>[Minimum]</del> <i>Maximum</i> Fine
(1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant, licensed individual, or for another	<del>[Revocation]</del> <i>Reprimand with probation for 2 years</i>	<del>[Reprimand with probation for 2 years]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000
(2) Fraudulently or deceptively uses a license	<del>[Revocation]</del> <i>Probation</i>	<del>[Probation]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000
(3) Is guilty of: (a) <del>[unprofessional or]</del> Immoral conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance; or (b) <i>Unprofessional conduct in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance.</i>	<del>[Revocation]</del> <i>Reprimand</i>	<del>[Reprimand with probation for 2 years]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000
(4) <i>Incompetence.</i>				

<p><del>[(4) Incompetence:]</del>  (a) Is professionally incompetent</p>	<p><del>[Revocation]</del>  Suspension until professional incompetence is addressed to Board's satisfaction</p>	<p><del>[Suspension until professional incompetence is addressed to Board's satisfaction]</del>  Revocation</p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$1,000]</del> \$5,000</p>
<p>(b) Is physically <del>[or mentally]</del> incompetent</p>	<p><del>[Revocation]</del>  Suspension until physical incompetence is addressed to Board's satisfaction</p>	<p><del>[Suspension until physical or mental incompetence is addressed to Board's satisfaction]</del>  Revocation</p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$0]</del> \$5,000</p>
<p>(c) Is mentally incompetent</p>	<p>Suspension until mental incompetence is addressed to Board's satisfaction</p>	<p>Revocation</p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$0]</del> \$5,000</p>
<p>(5) Abandons a patient</p>	<p><del>[Revocation]</del>  Reprimand</p>	<p><del>[Reprimand]</del>  Revocation</p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$1,000]</del> \$5,000</p>
<p>(6) Is habitually intoxicated</p>	<p><del>[Revocation]</del>  Suspension until the radiation therapist, nuclear medicine technologist, radiographer, or radiologist assistant is in</p>	<p>Suspension until licensee is in treatment and has been abstinent for 6 months  Revocation</p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$0]</del> \$5,000</p>

	<i>treatment and has been abstinent for 6 months</i>			
(7) Is addicted to or habitually abuses any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland	<b>[Revocation]</b> <i>Suspension until radiation therapist, nuclear medicine technologist, radiographer, or radiologist assistant is in treatment and has been abstinent for 6 months</i>	<b>[Suspension until licensee is in treatment and has been abstinent for 6 months]</b> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$0]</del> \$5,000
(8) Provides professional services while: (a) Under the influence of alcohol; or (b) Using any narcotic or controlled dangerous substance as defined in Criminal Law Article, §5-101, Annotated Code of Maryland, or any other drug that is in excess of therapeutic amounts or without valid medical indication	<b>[Revocation]</b> <i>Suspension until radiation therapist, nuclear medicine technologist, radiographer, or radiologist assistant is in treatment and has been abstinent for 6 months</i>	<b>[Suspension until licensee is in treatment and has been abstinent for 6 months]</b> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$500]</del> \$5,000
(9) Promotes the sale of services, drugs, devices, appliances, or goods to a patient so as to exploit the patient for financial gain	<b>[Suspension for 5 years]</b> <i>Reprimand</i>	<b>[Reprimand]</b> <i>Suspension for 5 years</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000
(10) Willfully makes or files a false report or record in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance	<b>[Revocation]</b> <i>Reprimand</i>	<b>[Reprimand]</b> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000

(11) Willfully fails to file or record any report as required under law, willfully impedes or obstructs the filing or recording of a report, or induces another to fail to file or record a report	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$1,000] \$5,000
(12) Breaches patient confidentiality	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$1,000] \$5,000
(13) Pays or agrees to pay any sum or provide any form of remuneration or material benefit to any person for bringing or referring a patient or accepts or agrees to accept any sum or any form of remuneration or material benefit from an individual for bringing or referring a patient	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$500] \$5,000
(14) [Knowingly] Willfully makes a misrepresentation while practicing radiation therapy, radiography, nuclear medicine technology, or radiology assistance	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$1,000] \$5,000
(15) [Knowingly] Willfully practices radiation therapy, radiography, nuclear medicine technology, or radiology assistance with an unauthorized individual or aids an unauthorized individual in the practice of radiation therapy, radiography, nuclear medicine technology, or radiology assistance	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$1,000] \$5,000
(16) Offers, undertakes, or agrees to cure or treat disease by a secret method, treatment, or medicine	[Revocation] <i>Reprimand</i>	[Reprimand] <i>Revocation</i>	[\$5,000] \$0	[\$1,000] \$5,000
(17) Is disciplined by a licensing or disciplinary authority or is convicted or disciplined by a court of any state or country or is disciplined by any	[Penalty comparable to what the Board imposes under	[Penalty equivalent to that imposed by	[Fine comparable to what the Board	[Fine equivalent to that imposed by the

<p>branch of the United States uniformed services or the U.S. Department of Veterans Affairs for an act that would be grounds for disciplinary action under the Board's disciplinary statutes</p>	<p><del>equivalent State ground for discipline]</del> <i>Penalty equivalent to that imposed by original licensing authority if this is less than the Board sanction would be</i></p>	<p><del>original licensing authority if this is less than the Board sanction would be]</del> <i>Penalty comparable to what the Board imposes under equivalent State ground for discipline</i></p>	<p><del>imposes under equivalent State ground for discipline]</del> <i>Fine equivalent to that imposed by the original licensing authority if this is lesser than the Board sanction would be</i></p>	<p><del>original licensing authority if this is lesser than the Board sanction would be]</del> <i>Fine comparable to what the Board imposes under equivalent State ground for discipline</i></p>
<p>(18) Fails to meet appropriate standards for the delivery of quality radiation therapy, radiography, nuclear medicine technology, or radiology assistance care performed in any outpatient surgical facility, office, hospital or related institution, or any other location in this State</p>	<p><del>[Revocation]</del> <i>Reprimand</i></p>	<p><del>[Reprimand]</del> <i>Revocation</i></p>	<p><del>[\$5,000] \$0</del></p>	<p><del>[\$500] \$5,000</del></p>
<p>(19) <del>[Knowingly]</del> <i>Willfully</i> submits false statements to collect fees for which services are not provided</p>	<p><del>[Revocation]</del> <i>Reprimand</i></p>	<p><del>[Reprimand]</del> <i>Revocation</i></p>	<p><del>[\$5,000] \$0</del></p>	<p><del>[\$1,000] \$5,000</del></p>
<p>(20) Has been subject to investigation or disciplinary action by a licensing or disciplinary authority or by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes and the licensed individual: (a) Surrendered the license issued by the state or country; or</p>	<p><del>[Penalty eomparable to what the Board imposes under equivalent State ground for discipline]</del> <i>Penalty equivalent to that imposed by</i></p>	<p><del>[Penalty equivalent to that imposed by original licensing authority if this is less than the Board</del></p>	<p><del>[Fine eomparable to what the Board imposes under equivalent Maryland</del></p>	<p><del>[Fine equivalent to that imposed by the original licensing authority if this is lesser than the Board</del></p>

<p>(b) Allowed the license issued by the state or country to expire or lapse</p>	<p><i>original licensing authority if this is less than the Board sanction would be</i></p>	<p><del>sanction would be]</del>  <i>Penalty comparable to what the Board imposes under equivalent State ground for discipline</i></p>	<p><del>ground for discipline]</del>  <i>Fine equivalent to that imposed by the original licensing authority if this is lesser than the Board sanction would be</i></p>	<p><del>sanction would be]</del>  <i>Fine comparable to what the Board imposes under equivalent Maryland ground for discipline</i></p>
<p>(21) <del>[Knowingly]</del> <i>Willfully</i> fails to report suspected child abuse in violation of Family Law Article, §5-704, Annotated Code of Maryland</p>	<p><del>[Revocation]</del>  <i>Reprimand</i></p>	<p><del>[Reprimand]</del>  <i>Revocation</i></p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$500]</del> \$5,000</p>
<p>(22) Sells, prescribes, gives away, or administers drugs for illegal or illegitimate medical purposes</p>	<p><del>[Revocation]</del> <i>Reprimand, probation for 3 years with practice oversight</i></p>	<p><del>[Reprimand, probation for 3 years with practice oversight]</del> <i>Revocation</i></p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$500]</del> \$5,000</p>
<p>(23) Practices or attempts to practice beyond the authorized scope of practice</p>	<p><del>[Revocation]</del> <i>Suspension for 3 months</i></p>	<p><del>[Suspension for 3 months]</del>  <i>Revocation</i></p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$2,500]</del> \$5,000</p>
<p>(24) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive</p>	<p><del>[Suspension for 1 year]</del>  <i>Reprimand</i></p>	<p><del>[Reprimand]</del>  <i>Suspension for 1 year</i></p>	<p><del>[\$5,000]</del> \$0</p>	<p><del>[\$500]</del> \$5,000</p>

(25) Practices or attempts to practice a radiation therapy, radiography, nuclear medicine technology, or radiology assistance procedure or uses radiation therapy, radiography, nuclear medicine technology, or radiology assistance equipment if the applicant or licensee has not received education, internship, training, or experience in the performance of the procedure or the use of the equipment	<del>[Revocation]</del> <i>Suspension for 3 months</i>	<del>[Suspension for 3 months]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$2,500]</del> \$5,000
(26) Fails to cooperate with a lawful investigation conducted by the Board	<del>[Revocation]</del> <i>Reprimand</i>	<del>[Reprimand]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$1,000]</del> \$5,000
(27) Fails to practice under the supervision of a physician or violates a supervisory order of a supervising physician	<del>[Revocation]</del> <i>Suspension for 3 months</i>	<del>[Suspension for 3 months]</del> <i>Revocation</i>	<del>[\$5,000]</del> \$0	<del>[\$2,500]</del> \$5,000
<i>(28) Fails to complete a criminal history records check under Health Occupations, 14-308.1, Annotated Code of Maryland</i>	<i>Reprimand</i>	<i>Revocation</i>	\$0	\$5,000
<i>(29) Violating any provision of this title or any rule or regulation pertaining to radiation therapy, radiography, nuclear medicine technology, or radiology assistance that is adopted by the Board, the State, or the federal government.</i>	<i>Reprimand</i>	<i>Revocation</i>	\$0	\$5,000