

## **26:2D-25. Short title**

This act shall be known and may be cited as the "Radiologic Technologist Act."

L.1981, c. 295, s. 2, eff. Oct. 9, 1981.

## **26:2D-26. Definitions**

As used in this act:

- a. "Board" means the Radiologic Technology Board of Examiners created pursuant to section 5 of this act.
- b. "License" means a certificate issued by the board authorizing the licensee to use equipment emitting ionizing radiation on human beings for diagnostic or therapeutic purposes in accordance with the provisions of this act.
- c. "Chest x-ray technologist" means a person, other than a licensed practitioner, whose practice of radiologic technology is limited to the chest area for diagnostic purposes only.
- d. "Commissioner" means the Commissioner of Environmental Protection.
- e. "Dental x-ray technologist" means a person, other than a licensed practitioner, whose practice of radiologic technology is limited to intraoral radiography for diagnostic purposes only.
- f. "Health physicist" means a person who is certified by the American Board of Health Physics or the American Board of Radiology in radiation physics.
- g. "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, dental hygiene, podiatry, chiropody, osteopathy or chiropractic.
- h. "Radiation therapy technologist" means a person, other than a licensed practitioner, whose application of radiation on human beings is for therapeutic purposes.
- i. "Diagnostic x-ray technologist" means a person, other than a licensed practitioner, whose application of radiation on human beings is for diagnostic purposes.
- j. "Radiologic technologist" means any person who is licensed pursuant to this act.
- k. "Radiologic technology" means the use of equipment emitting ionizing radiation on human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner.
- l. "Podiatric x-ray technologist" means a person, other than a licensed practitioner, whose practice of radiologic technology is limited to the operation of x-ray machines as used by

podiatrists on the lower leg and foot area for diagnostic purposes only.

- m. "Orthopedic x-ray technologist" means a person, other than a licensed practitioner, whose practice of radiologic technology is limited to the spine and extremities for diagnostic purposes only
- n. "Urologic x-ray technologist" means a person, other than a licensed practitioner, whose practice of radiologic technology is limited to the abdomen and pelvic area for diagnostic purposes only
- o. "Radiologist" means a licensed practitioner specializing in radiology certified by the American Board of Radiology, the American Osteopathic Board of Radiology or other national radiologic certifying body approved by the board.
- p. "Radiologist assistant" means a person, other than a licensed practitioner, who is a licensed radiologic technologist, is certified and registered with a national radiologic certifying body approved by the board, and is credentialed to provide primary advanced-level radiology health care under the supervision of a licensed radiologist.

L.1981,c.295,s.3; amended 1984, c.242, s.1; 1985, c.540, s.1; 2005, c.259, s.31.

#### **26:2D-27. X-ray technologist licenses**

- a. Except as hereinafter provided, no person other than a licensed practitioner or the holder of a license as provided in this act shall use x-rays on a human being.
- b. A person holding a license as a diagnostic x-ray technologist may use the title "licensed radiologic technologist" or the letters (LRT) (R) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed diagnostic x-ray technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed diagnostic technologist.
- c. A person holding a limited license as a chest x-ray technologist may use the title "licensed chest x-ray technologist" or the letters (LRT)(C) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed chest x-ray technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed chest x-ray technologist.
- d. A person holding a limited license as a dental x-ray technologist may use the title "licensed dental x-ray technologist" or the letters (LRT)(D) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed dental x-ray technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed dental x-

ray technologist.

- e. A person holding a license as a radiation therapy technologist may use the title "licensed therapy technologist" or (LRT)(T) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed therapy technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed therapy technologist.
- f. A person holding a license as provided by this act shall use medical equipment emitting ionizing radiation on human beings only for diagnostic or therapeutic purposes on a case by case basis at the specific direction of a licensed practitioner, and only if the application of the equipment is limited in a manner hereinafter specified.
- g. Nothing in the provisions of this act relating to radiologic technologists shall be construed to limit, enlarge or affect, in any respect, the practice of their respective professions by duly licensed practitioners.
- h. The requirement of a license shall not apply to a hospital resident specializing in radiology, who is not a licensed practitioner in the State of New Jersey, or a student enrolled in and attending a school or college of medicine, osteopathy, podiatric medicine, dentistry, dental hygiene, dental assistance, chiropractic or radiologic technology, who applies radiation to a human being while under the direct supervision of a licensed practitioner.
- i. A person holding a license as a diagnostic x-ray technologist and a license as a radiation therapy technologist may use the letters (LRT)(R)(T) after his name.
- j. A person holding a limited license as a podiatric x-ray technologist may use the title "licensed podiatric x-ray technologist" or the letters (LRT)(P) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed podiatric x-ray technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed podiatric x-ray technologist.
- k. A person holding a limited license as an orthopedic x-ray technologist may use the title "licensed orthopedic x-ray technologist" or the letters (LRT)(O) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed orthopedic x-ray technologist; nor may any person hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed orthopedic x-ray technologist.
- l. A person holding a limited license as a urologic x-ray technologist may use the title "licensed urologic x-ray technologist" or the letters (LRT)(U) after his name. No other person shall be entitled to use the title or letters, or any other title or letters after his name that indicate or imply that he is a licensed urologic x-ray technologist; nor may any person

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hold himself out in any way, whether orally or in writing, expressly or by implication, as a licensed urologic x-ray technologist

- m. A person holding a limited license as a radiologist assistant may use the title "licensed radiologist assistant" or the letters (RA) after the person's name. No other person shall be entitled to use the title or letters, or any other title or letters after the person's name that indicate or imply that the person is a licensed radiologist assistant; nor may any person represent in any way, whether orally or in writing, expressly or by implication, that such person is a licensed radiologist assistant.

Amended by L. 2017, c. 281, s. 2, eff. 7/7/2018

Amended by L. 2005, c. 259, s. 32, eff. 1/4/2006

L.1981, c.295, s.4, eff. Oct 9, 1981; amended by L. 1984, c.242, s.2, eff. Dec 28, 1984; L. 1985, c.540, s.2, eff. Jan 21, 1986.

#### **26:2D-27.1. Additional license required to operate hybrid fusion imaging technology; terms defined**

Notwithstanding any other provision of P.L. 1981, c.295 (C.26:2D-24 et seq.) to the contrary, a licensed nuclear medicine technologist, upon obtaining an additional license pursuant to this section, may operate hybrid fusion imaging technology. A license shall be issued pursuant to this section to a nuclear medicine technologist upon obtaining appropriate additional education or training and demonstrating competency, as determined by the board, by regulation. The board shall establish the title of the license, the scope of practice of the license subject to subsection f. of section 4 of P.L. 1981, c.295 (C.26:2D-27), and the letters that may be used after the licensee's name to denote the title and qualifications.

For the purposes of this section:

"Hybrid fusion imaging technology" means equipment capable of performing two or more medical imaging examinations simultaneously, merging the data to form a composite image. Hybrid fusion imaging equipment shall include, but not be limited to, PET/CT (Positron Emission Tomography/Computed Tomography) equipment, SPECT/CT (Single-Photon Emission Computed Tomography/Computed Tomography) equipment, and attenuation correction. Hybrid fusion imaging equipment shall not include ultrasound equipment.

"Licensed nuclear medicine technologist" means a person who possesses a valid license issued by the Department of Environmental Protection to engage in the practice of nuclear medicine technology.

Added by L. , c119, s.1, eff. 8/9/2014

#### **26:2D-27.2. Rules, Regulations**

Within one year of the date of enactment of P.L. 2013, c. 119(C.26:2D-27.1 et seq.), the Commission on Radiation Protection shall establish rules and regulations pursuant to the "Administrative Procedure Act" P.L. 1968, c.140 (C.52:14B-1 et seq.), for the licensing of nuclear medicine

technologists to operate hybrid fusion imaging technology pursuant to section 1 of this act.

Added by L. , c. 119,s. 2, eff. 8/9/2014

**26:2D-28. Radiologic Technology Board of Examiners**

- a. There is created a Radiologic Technology Board of Examiners which shall be an agency of the Commission on Radiation Protection in the Department of Environmental Protection and which shall report to the commission. The board shall consist of two commission members appointed annually to the membership of the board by the chairman of the commission, and 13 additional members appointed by the Governor with the advice and consent of the Senate. Of the members appointed by the Governor, two shall be radiologists who have practiced not less than five years; one shall be a licensed physician who has actively engaged in the practice of medicine not less than five years; one shall be a licensed dentist who has actively engaged in the practice of dentistry for not less than five years; one shall be a licensed podiatrist who has actively engaged in the practice of podiatric medicine for not less than five years; one shall be an administrator of a general hospital with at least five years' experience; one shall be a health physicist who has practiced not less than five years; three shall be practicing radiologic technologists with at least five years of experience in the practice of radiologic technology and holders of current certificates issued pursuant to this act; two shall be members of the general public; and one shall be a representative of the department designated by the Governor pursuant to subsection c. of section 2 of P.L.1971, c.60 (C.45:1-2.2).
- b. The terms of office of the members appointed by the Governor shall be three years. Vacancies shall be filled for an unexpired term only in the manner provided for the original appointment.
- c. Members of the board shall serve without compensation but shall be reimbursed for their reasonable and necessary traveling and other expenses incurred in the performance of their official duties.
- d. The commissioner shall designate an officer or employee of the department to act as secretary of the board who shall not be a member of the board.
- e. The board, for the purpose of transacting its business, shall meet at least once every four months at times and places fixed by the board. At its first meeting each year it shall organize and elect from its members a chairman. Special meetings also may be held at times as the board may fix, or at the call of the chairman or the commissioner. A written and timely notice of the time, place and purpose of any special meeting shall be mailed by the secretary to all members of the board.
- f. A majority of the members of the board shall constitute a quorum for the transaction of business at any meeting.

Amended by L. 2005, c. 259, s. 33, eff. 1/4/2006.

L.1981,c.295,s.5; amended 1984, c.242, s.3; 1985, c.540, s.3; 1987, c.121.

## **26:2D-29. Qualifications**

- a. The board shall admit to examination for licensing any applicant who shall pay to the department a nonrefundable fee established by rule of the commission and submit satisfactory evidence, verified by oath or affirmation, that the applicant:
  - 1) At the time of application is at least 18 years of age;
  - 2) Is of good moral character;
  - 3) Has successfully completed a four-year course of study in a secondary school approved by the State Board of Education, or passed an approved equivalency test.
- b. In addition to the requirements of subsection a. hereof, any person seeking to obtain a license in a specific area of radiologic technology must comply with the following requirements:
  - 1) Each applicant for a license as a diagnostic x-ray technologist (LRT)(R) shall have satisfactorily completed a 24-month course of study in radiologic technology approved by the board or its equivalent, as determined by the board.
  - 2) Each applicant for a license as a radiation therapy technologist (LRT(T)) shall have satisfactorily completed a 24-month course in radiation therapy technology approved by the board or the equivalent of such, as determined by the board.
  - 3) Each applicant for a license as a chest x-ray technologist (LRT(C)) shall have satisfactorily completed the basic curriculum for chest radiography as approved by the board or its equivalent, as determined by the board.
  - 4) Each applicant for a license as a dental x-ray technologist (LRT(D)) shall have satisfactorily completed the curriculum for dental radiography as approved by the board or its equivalent, as determined by the board.
  - 5) Each applicant for a license as a podiatric x-ray technologist (LRT(P)) shall have satisfactorily completed the basic curriculum for podiatric radiography as approved by the board or its equivalent, as determined by the board.
  - 6) Each applicant for a license as an orthopedic x-ray technologist (LRT(O)) shall have satisfactorily completed the basic curriculum for orthopedic radiography as approved by the board or its equivalent, as determined by the board.
  - 7) Each applicant for a license as an urologic x-ray technologist (LRT(U)) shall have satisfactorily completed the basic curriculum for urologic radiography as approved by the board or its equivalent, as determined by the board.

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8) Each applicant for a license as a radiologist assistant (RA) shall have satisfactorily completed the basic curriculum for urologic radiography as approved by the board or its equivalent, as determined by the board.

c. The board shall establish criteria and standards for programs of diagnostic or radiation therapy and approve these programs upon a finding that the standards and criteria have been met.

Amended by L. 2017, c. 281, s. 3, eff. 7/7/2018.

L. 1981, c. 295, s. 6, eff. Oct. 9, 1981. Amended by L. 1984, c. 242, s. 4, eff. Dec. 28, 1984; L. 1985, c. 540, s. 4, eff. Jan. 21, 1986.

#### **26:2D-30. Training programs**

a. The program of diagnostic x-ray technology shall be at least a 24-month course or its equivalent, as determined by the board. The curriculum for this course may follow the Commission on Accreditation of Allied Health Education Programs (CAAHEP) standards; provided that the standards are not in conflict with board policies.

b. The program of radiation therapy technology shall be at least a 24-month course of study or its equivalent, as determined by the board. The curriculum for the course may follow the Commission on Accreditation of Allied Health Education Programs (CAAHEP) standards; provided that the standards are not in conflict with board policies.

c. The board shall establish criteria and standards for programs of chest radiography, podiatric radiography, orthopedic radiography, urologic radiography, dental radiography, and radiologist assistants and approve the programs upon a finding that the standards and criteria have been met.

d. An approved program of radiologic technology may be offered by a medical or educational institution or other public or private agency or institution, and, for the purpose of providing the requisite clinical experience, shall be affiliated with one or more hospitals that, in the opinion of the board, are likely to provide the experience.

Amended by L. 2017, c. 281, s. 4, eff. 7/7/2018.

L. 1981, c. 295, s. 7, eff. Oct. 9, 1981. Amended by L. 1984, c. 242, s. 5, eff. Dec. 28, 1984; L. 1985, c. 540, s. 5, eff. Jan. 21, 1986.

#### **26:2D-31. License examination; in lieu certificate, registration or license**

a. Each applicant shall be required to pass a license examination designated and approved by the board for his specialty.

b. The board shall hold an examination at least once every 6 months at times and places as the board may determine.

c. An applicant who fails to pass the examination may reapply for the examination; provided the

applicant complies with the conditions established by the board.

- d. The board may accept, in lieu of its own examination, a current certificate of the American Registry of Radiologic Technologists issued on the basis of a registry examination satisfactory to the board, provided that the standards of that agency are at least as stringent as those established by the board.
- e. The board may accept, in lieu of its own examination, a current certificate, registration or license as a radiologic technologist issued by another state, provided that the standards in the other state are at least as stringent as those established by the board.
- f. The board may accept, in lieu of its own examination, a current certificate of the New Jersey Board of Dentistry issued on the basis of satisfactory completion of the certification examination given by the Certifying Board of the American Dental Assistants' Association and any educational requirements as may be prescribed by the New Jersey Board of Dentistry, provided that the standards of that association are at least as stringent as those established by the board.

L.1981, c. 295, s. 8, eff. Oct. 9, 1981.

#### **26:2D-32. Issuance of licenses**

- a. The board shall issue a license to each candidate who has either successfully passed the examination, or who has paid the prescribed fee and has qualified under subsection d., e. or f. of section 8 of this act.
- b. The board may, in its discretion, issue a limited license to any applicant who does not qualify, by reason of a restricted area or duration of training and experience, for the issuance of a license under the provisions of section 7 or 9 of this act, but who has demonstrated to the satisfaction of the board by examination that he is capable of performing the functions of a radiologic technologist in chest x-ray technology or of acting as a dental x-ray technologist, orthopedic x-ray technologist, urologic x-ray technologist or podiatric x-ray technologist. A limited license shall specify the activities that its holder may engage in, and shall be issued only if the board finds that its issuance will not violate the purposes of this act or tend to endanger the public health and safety.
- c. The board may, in its discretion, issue a temporary license to any person whose license or relicensure may be pending and in whose case the issuance of a temporary license may be justified by reason of special circumstances. A temporary license shall be issued only if the board finds that its issuance will not violate the purposes of this act or tend to endanger the public health and safety. A temporary license shall expire 90 days after the date of the next examination, if the applicant is required to take the same, or, if the applicant does not take the examination, then on the date of the examination. In all other cases, a temporary license shall expire when the determination is made either to issue or deny the applicant a regular license and in no event shall a temporary license be issued for a period longer than 180 days.
- d. Every radiologic technologist shall carry his current license on his person at work. The license shall be displayed on request.

L. 1981, c. 295, s. 9, eff. Oct. 9, 1981. Amended by L. 1984, c. 242, s. 6, eff. Dec. 28, 1984; L. 1985, c.



540, s. 6, eff. Jan. 21, 1986.

**26:2D-33. Licenses; renewal; duration; fee; radiologic technologist; renewal within 5 years; existing certificates; CXT certification; limited certificate**

- a. All licenses are renewable on December 31 of every even numbered year following the year of its issuance. A license shall be renewed by the board for a period of 2 years upon payment of a renewal fee in an amount to be determined by rule of the commission.
- b. A radiologic technologist who has been heretofore duly licensed in this State and whose license has not been revoked or suspended, and who has temporarily ceased his activities as a radiologic technologist for not more than 5 years, may apply for the reissuance of a license upon compliance with the application provisions of this act, including payment of any outstanding fee.
- c. Any person who, as of the effective date of this act, holds an unlimited certificate as a certified x-ray technologist (CXT) issued pursuant to P.L. 1968, c. 291 shall be licensed as both a diagnostic x-ray and radiation therapy technologist until the expiration date of that certificate. Any person who, as of the effective date of this act, holds a limited certificate in chest x-ray, dental x-ray or radiation therapy pursuant to P.L. 1968, c. 291 shall be licensed in that category until the expiration date of that certificate.
- d. All CXT certifications shall be renewed by the board by the issuance of a license as a diagnostic x-ray technologist. All limited certificates shall be renewed only by the issuance of a license in the same limited category.
- e. Within 5 years of the effective date of this act, the board may issue a license as a radiation therapy technologist to anyone upon the expiration of his CXT certificate upon the submission of a separate application accompanied by such information as required by the board and a fee as established by regulation.

L.1981, c. 295, s. 10, eff. Oct. 9, 1981.

**26:2D-34. Suspension, revocation, censure or other discipline**

- a. The license of a radiologic technologist may be suspended for a fixed period, or may be revoked, or the technologist may be censured, reprimanded, or otherwise disciplined, in accordance with the provisions and procedures defined in P.L. 1981, c.295 (C.26:2D-25 et seq.), if after due hearing it is determined that the technologist:
  - 1) Is guilty of any fraud or deceit in the person's activities as a radiologic technologist or has been guilty of any fraud or deceit in procuring a license;
  - 2) Has been convicted in a court of competent jurisdiction, either within or without this State, of a crime involving moral turpitude, except that if the conviction has been reversed

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- and the holder of the license discharged or acquitted, or if the person has been pardoned or the person's civil rights restored, the license may be restored;
- 3) Has or had any medical problem, disability, or substance use disorder which, in the opinion of the board, would impair the person's professional competence;
  - 4) Has aided and abetted a person who is not a licensed radiologic technologist or otherwise authorized pursuant to section 4 of P.L. 1981, c.295 (C.26:2D-27) in engaging in the activities of a radiologic technologist;
  - 5) Has undertaken or engaged in any practice beyond the scope of the authorized activities of a radiologic technologist pursuant to P.L. 1981, c.295 (C.26:2D-24 et seq.);
  - 6) Has falsely impersonated a duly licensed or former duly licensed radiologic technologist or is engaging in the activities of a radiologic technologist under an assumed name;
  - 7) Has been guilty of unethical conduct as defined by rules promulgated by the commission;
  - 8) Has continued to practice without obtaining a license renewal as required by P.L. 1981, c.295 (C.26:2D-24 et seq.);
  - 9) Has applied ionizing radiation to a human being without the specific direction of a duly licensed practitioner as defined herein; or to any person or part of the human body outside the scope of the specific authorization;
  - 10) Has acted or is acting as an owner, co-owner, or employer in any enterprise engaged in the application of ionizing radiation to human beings for the purpose of diagnostic interpretation, chiropractic analysis, or the treatment of disease;
  - 11) Has expressed to a member of the public an interpretation of a diagnostic x-ray film or fluorescent image;
  - 12) Has used or is using the prefix "Dr.," unless entitled to do so pursuant to a degree granted, the word "doctor" or any suffix or affix to indicate or imply that the radiologic technologist is a duly licensed practitioner as defined herein when not so licensed; or
  - 13) Is or has been guilty of incompetence or negligence in the person's activities as a radiologic technologist.
- b. Proceedings against any radiologic technologist under this section shall be instituted by filing with the board a written charge or charges under oath against the radiologic technologist. The charges may be preferred by any person, corporation, association or public officer, or by the board in the first instance. A copy thereof, together with a report of the investigation as the board shall deem proper, shall be referred to the commission for its recommendation to the

commissioner. If the commissioner determines the matter to be a contested case, the commissioner shall either designate three or more members of the board as a committee to hear and report on the charges and shall set a time and place for the hearing or shall refer the matter to the Office of Administrative Law for hearing before an administrative law judge, pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.). For the purpose of this section, the board, its committee, or the administrative law judge shall have power to issue subpoenas for the appearance of witnesses, and to take testimony under oath. Upon review of the record of the hearing, the commissioner may affirm, modify, or reject the written report and recommendation of the committee or the administrative law judge. If the commissioner finds that the charges have not been proved, the commissioner shall order them dismissed. If the charges are found to be true, the commissioner may, in the commissioner's discretion, issue an order suspending or revoking the license of the accused, or otherwise disciplining the accused.

- c. When the license of any person has been revoked or annulled, as herein provided, the board may, after the expiration of two years, accept an application for restoration of the license.

Amended by L. 2017, c. 131, s. 84, eff. 7/21/2017.

L.1981, c. 295, s. 11, eff. Oct. 9, 1981.

#### **26:2D-35. Employment of unlicensed radiologic technologist**

- a. No person shall knowingly or negligently employ as a radiologic technologist any person who requires and does not possess a valid license to engage in the activities of a radiologic technologist.
- b. No person shall knowingly or negligently employ as a radiologist assistant any person who requires and does not possess a valid license to engage in the activities of a radiologist assistant.

Amended by L. 2017, c. 281, s. 5, eff. 7/7/2018.

L.1981, c. 295, s. 12, eff. Oct. 9, 1981.

#### **26:2D-36. Violations; sanctions**

Any person who violates any provision of this act or any rule, regulation or order promulgated or issued pursuant to the act to which this act is supplementary shall be subject to the sanctions contained in P.L.1958, c. 116 (C. 26:2D-1 et seq.) as amended and supplemented.

L.1981, c. 295, s. 13, eff. Oct. 9, 1981.