



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

eFILED

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Medical Imaging And Radiation Therapy Technology Board Of Examiners TITLE-SERIES: 18-06

RULE TYPE: Interpretive Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: PRACTICE OF RADIOLOGIC TECHNOLOGY

CITE STATUTORY AUTHORITY: Chapter 30 Article 23

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 01/07/2022 11:59PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Jamie Browning

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PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2021 Increase/Decrease (use "-")	2022 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Jamie S Browning -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

TITLE 18
INTERPRETIVE RULE
WEST VIRGINIA MEDICAL IMAGING AND RADIATION THERAPY TECHNOLOGY
BOARD OF EXAMINERS

SERIES 6
PRACTICE OF RADIOLOGIC TECHNOLOGY

§18-6-1. General.

1.1. Scope. -- The West Virginia Legislature has declared that the public should be protected from excessive and improper exposure to ionizing radiation. The West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners has the responsibility to establish the minimum standards of education, training and experience to ensure that the public is properly protected. Radiologic Technology is defined in W. Va Code §30-23-4 (t) as “the application of ionizing radiation or assisting in the application of medical imaging to human beings for diagnostic or therapeutic purposes as prescribed by a licensed practitioner”.

1.2. Authority. -- W. Va. Code §§30-23 et seq. and 30-1-1 et seq.

1.3. Filing Date. -- ~~July 16, 2021~~

1.4. Effective Date. -- ~~September 1, 2021~~

§18-6-2. Application.

This rule applies to all licensees and permittees under W. Va. Code §30-23-1 et seq.

§18-6-3. Definitions.

The following word as used in this rule has the following meaning, unless the context otherwise requires:

3.1. “Board” means the West Virginia Medical Imaging and Radiation Therapy Technology Board of Examiners.

§18-6-4. Interpretative Ruling

This Interpretative Ruling was approved by the Board at the March 25, 2004 Board meeting and revised at the March 25, 2009 Board meeting. The Board has determined that the procedures for the Practice of Radiologic Technology shall include, but not necessarily be limited to, the following:

- 4.1. Generating or initiating any radiation exposure;
- 4.2. Setting the exposure factors (time, distance, voltage & current);
- 4.3. Positioning the patient for an examination;
- 4.4. Positioning the equipment in order to expose the proper body part. This explicitly applies to intra-operative/intra-procedural manipulation/positioning of the equipment;
- 4.5. Selecting the proper image receptor;

4.6. Select proper safety factors (example - shielding and collimation)

4.7. Verifying that the exposure has produced an adequate image for diagnosis.

4.8. Interpretative fluoroscopic procedures are to be performed only under the direct supervision of a West Virginia licensed interpretive practitioner, with the exception of spotting of the terminal ileum by a properly trained, licensed radiographer. Direct supervision is defined as a West Virginia licensed practitioner being in the room or by live remote audio and video. Licensed practitioner is defined in 30-23-4 as a person licensed in West Virginia to practice medicine, chiropractic, podiatry, osteopathy or dentistry.