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RCP INFORMATION NOTICE 2015-03:

**TITLE: CLARIFICATION OF
MAINTAINING MASSACHUSETTS RT
LICENSE REQUIREMENTS**

ADDRESSEES: MASSACHUSETTS RT LICENSEES

INTENT

This notice communicates regulatory requirements contained in 105 CMR 120.125.

During the past year, the Massachusetts Department of Public Health, Radiation Control Program (RCP) has identified several incidents involving radiological technologists (RT) that had either been practicing with an expired Massachusetts RT License or practicing without any Massachusetts RT License.

This is considered a serious violation of law and regulations with the potential for adverse health impacts. Under Massachusetts law, the only people who may apply radiation to human beings for the purpose of medical diagnosis or treatment are physicians or dentists, or appropriately trained medical providers they have delegated to (such as dental hygienists and physician assistants), or radiologic technologists licensed by the RCP.

Massachusetts RT Licensing

105 CMR 125.000 establishes requirements to obtain a license to practice as a radiologic technologist in the Commonwealth of Massachusetts. The purpose of 105 CMR 125.000 is to establish minimum standards necessary for an individual to become licensed as a radiologic technologist.

Under the RT Licensing Program, individuals who have graduated from a two year accredited program in Radiologic Technology, and have passed either the American Registry of Radiologic Technologist (ARRT) or Nuclear Medicine Technologists Certification Board (NMTCB) exams, are eligible to be licensed to practice Radiologic Technology in Massachusetts. Students who have graduated from a two-year program and are eligible to take one of the exams, but have not yet taken or passed such an exam, may be issued a one-year temporary license to practice Radiologic Technology in Massachusetts.

Initial full licenses and renewal licenses are issued for a two-year period, with the expiration date occurring on the last day of the applicant's birth month. During these two years, continuing

education credits (CEUs) must be earned, and licensees invoiced for renewal may be audited by RCP for compliance with the CEU requirements.

Requirements for Facilities that have X-ray Registrations and Employ Radiologic Technologists

105 CMR 120.403(A)(1) states that:

“The registrant shall be responsible for directing the operation of the x-ray system(s) under his administrative control. The registrant or the registrant’s agent shall assure that the requirements of 105 CMR 120.403(A)(1) are met in the operation of the x-ray system(s).

...

(b) Individuals who shall be operating the x-ray systems shall meet the requirements of 105 CMR 125.000: *Licensing of Radiologic Technologists.*”

Enforcement Actions

The RCP may issue enforcement actions to BOTH the individual without a current MA RT License AND the facility with an x-ray registration that allowed the individual to practice radiologic technology in MA without an RCP license.

The RCP may deny, modify, limit, revoke, or refuse to renew a license to practice Radiologic Technology pursuant to 105 CMR 125.021. In addition, pursuant to 105 CMR 120.016(C), the RCP may take similar action against the facility that has registered the x-ray equipment for allowing an individual who is not licensed as RTs in MA to operate x-ray equipment. The RCP may also issue civil penalties of up to \$100,000 per violation against such facilities under 105 CMR 120.016(G).

While the burden to maintain a valid RT license rests with the individual radiologic technologist, facilities must also put systems in place to ensure that staff performing radiologic technologist activities at their facility have a current, valid MA RT license and should not allow such an individual to work at the facility if the license expires and has not yet been renewed. Please be aware that ARRT certification is not the same as a MA RT license issued by the RCP. The Radiation Control Program is available to assist individuals with questions about the licensing process. Useful information and forms are available on the RCP website at www.mass.gov/dph/rcp. If you have any questions concerning this notice or regulations pertaining to the Healing Arts, please contact Karen Farris at 617-242-3035 ext. 2011.

Regards,

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