

Legislative Auditor

OVERVIEW

SUNSET EVALUATION REPORT: REGULATION OF RADIOLOGIC TECHNOLOGY

Honolulu, Hawaii

January 1990

Summary

Radiographers and radiation therapy technologists are the two radiologic technology practitioners regulated under Chapter 466J, *Hawaii Revised Statutes*. Radiographers apply x-rays to people for diagnostic purposes; radiation therapy technologists apply x-rays and other forms of radiation to people for therapeutic purposes.

It is unlawful to practice these professions in Hawaii without a license. The Board of Radiologic Technology, which regulates the practice, is served by staff of the Noise and Radiation Branch of the Department of Health. The board issues licenses for the practice of diagnostic radiologic

technology and special temporary permits for unlicensed technologists in shortage areas. The board also issues temporary permits to regulate radiation therapy technologists.

Under the Sunset Law, the auditor evaluates the licensing programs and recommends whether regulation should continue and under what conditions. This report found that regulation should be continued with changes made in the roles of the department and the board, and that other changes are necessary in the statutes and rules.

FINDINGS

There is sufficient potential for public harm from the practice of radiology to warrant continued regulation of radiologic technologists. The statute should be clarified.

There is as yet no formal licensing program for radiation therapy technologists, who currently are improperly regulated under special temporary permits. The licensing program for radiographers is faulty in its use of special temporary permits and temporary licenses and also in its examination.

The proposed rules contain several restrictive and unnecessary provisions; the program should instead provide for reciprocity.

The program should remain with the Department of Health, but a board is not necessary.

RECOMMENDATIONS

1. Chapter 466J should be reenacted to continue regulation. The Legislature should amend the law to make the board an advisory body, assign licensing authority to the Department of Health, use clearer terminology for these practitioners, provide for reciprocity for qualified applicants from other states, and limit the use of temporary licenses.

2. The department should discontinue the use of special temporary permits to license radiation therapy technologists. It should cease issuing temporary licenses, replace the current licensing examination, and determine which states have comparable licensing requirements.

3. The department should expedite adoption of the proposed rules. It should also amend the rules in several areas, including limiting "grandfather" provisions, defining shortage areas, establishing minimum competency standards and quality assurance procedures for special

temporary permits, and making certification by the American Registry of Radiologic Technologists acceptable in lieu of State examination.

RESPONSE

The Board of Radiologic Technologists does not agree with assigning full licensing authority to the Department of Health and making the board an advisory body. It says terminating temporary licenses will limit the supply of technologists. It deleted from its proposed rules the use of temporary permits for therapeutic purposes and the conditions for acceptance of national certification. It will consider changing its examination and adopting standards for special temporary permits.

The department concurred with the findings and recommendations of the report. It also questioned immediate termination of temporary licenses.