

BOARDS AND COMMISSIONS
Board of Medical Imaging and Radiation Therapy
(Amendment)

201 KAR 46:060. Continuing education requirements.

RELATES TO: KRS 311B.050, 311B.110

STATUTORY AUTHORITY: KRS 311B.050(2), (4), 311B.110(6)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311B.050(2) requires the Board of Medical Imaging and Radiation Therapy to promulgate administrative regulations to administer and enforce KRS Chapter 311B. KRS 311B.050(4) and 311B.110(6) require the board to determine and enforce continuing education requirements and establish guidelines for the approval of continuing education. KRS 311B.110(3) authorizes the board to require that all licensees obtain continuing education for ongoing knowledge of current practices in radiation safety and clinical procedures prior to licensure renewal. This administrative regulation delineates the requirements for continuing education and prescribes methods and standards for the approval of continuing education courses.

Section 1. Mandatory Continuing Education Units.

- (1) Medical imaging technologists, advanced imaging professionals, radiographers, nuclear medicine technologists, and radiation therapists shall obtain a minimum of twenty-four (24) continuing education units per biennium.
- (2) Limited X-Ray machine operators shall obtain a minimum of twelve (12) continuing education units per biennium.
- (3) A continuing education unit shall be earned by participating in fifty (50) contact minutes in an approved continuing education program.

Section 2. Methods of Acquiring Continuing Education.

- (1) Continuing education units applicable to the renewal of a license shall be directly relevant to the professional growth and development of the medical imaging technologist, radiation therapist, advanced imaging professional, radiographer, nuclear medicine technologist, or limited x-ray machine operator.
- (2) Continuing education units may be earned by completing any of the following educational activities:
 - (a) Academic courses relevant to the radiologic sciences or patient care and is offered by a post-secondary educational institution accredited by a mechanism recognized by the American Registry of Radiologic Technologists (ARRT) or the Nuclear Medicine Technologist Certification Board (NMTCB). Relevant courses in the biologic sciences, physical sciences, medical imaging, interventional procedures, radiation therapy, health and medical sciences, social sciences, verbal communication (oral and written), mathematics, computer use related to medical imaging or radiation therapy, management, cultural competency and ethics related to medical professionals, or post-secondary adult education methodology shall be considered for acceptance. Some subject areas that shall not be applicable include formal education clinical hours or credits, independent study, courses in archeology, astronomy, fine arts, geology, geography, history, music, philosophy, and religion;
 - (b) Continuing education units approved by a professional organization recognized by the board or designated as a Recognized Continuing Education Evaluation Mechanism (RCEEM); or
 - (c) Continuing education units offered by other individuals, organizations, or institutions that have been approved by the board.
- (3) Academic course credit equivalency for continuing education units shall be based on one (1) academic quarter credit hour is equal to twelve (12) continuing education units or

one (1) academic semester credit hour is equal to sixteen (16) continuing education units.

Section 3. Procedure for Preapproval of Continuing Education Programs.

- (1) A continuing education program may be approved by two (2) mechanisms:
 - (a) By applying and receiving approval from a RCEEM; or
 - (b) By applying and receiving approval from the board.
- (2) For board approval of continuing education programs, a person, agency, or company, "CE Sponsor", shall:
 - (a) Submit KBMIRT Form 9, Continuing Education Program Approval Request Form at least twenty (20) business days in advance of the date of the offering;
 - (b) Submit the continuing education approval fee as established by 201 KAR 46:020, Section 12;
 - (c) Provide program participants with documentation of participation such as a certificate of completion;
 - (d) Participate in the audit of approved continuing education programs including presentation evaluations, attendance, and continuing education participation documentation, as requested by the board; and
 - (e) Comply with policies set forth by the board, the ARRT, and NMTCB regarding continuing education programs.
- (3) A continuing education activity shall be approved if the board determines that the activity is appropriate. The criteria as established in paragraphs (a) through (d) of this subsection shall be used by the board to determine the preapproval of a continuing education program.
 - (a) The activity shall enhance knowledge and skills associated with professional performance.
 - (b) It shall pertain to services provided to patients, the public, or medical profession by an advanced imaging professional, a medical imaging technologist, a radiographer, a radiation therapist, a nuclear medicine technologist, or a limited x-ray machine operator.
 - (c) The presenter shall submit a curriculum vitae, an abstract, the objectives, and an outline of the presentation.
 - (d) The objectives shall be obtainable for the time frame, outline, and scope of the presentation.

Section 4. Responsibilities and Reporting Requirements of Licensee. A licensee shall be responsible for obtaining required continuing education units and submit documents only if requested by the board. Each licensee shall maintain all documentation verifying successful completion of continuing education units for the current and prior biennium. Documentation shall include:

- (1) Official transcripts for completed academic courses; or
- (2) ~~[A copy of the program showing an individual as a presenter of an approved continuing education program; or]~~
- ~~[(3)]~~ Completion certificates or cards for continuing education programs.

Section 5. Audit Procedures.

- (1) The board shall audit a random selection of twenty-five (25) percent of limited x-ray machine operator licensees and ten (10) percent of all other licensees per year and notify the randomly-selected licensees.
- (2) Each licensee selected for audit shall furnish documentation of completed continuing education units on KBMIRT Form 8, Licensee Continuing Education Documentation Form, for the identified time frame, and provide the board with a copy of the certificates or records of completion.

(3) Failure to comply with an audit may result in non-renewal, suspension or revocation of license.

Section 6. Temporary Licensees. Continuing education requirements shall not apply to the holders of a temporary license.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) KBMIRT Form 9, "Continuing Education Program Approval Request Form", October 2023; and

(b) KBMIRT Form 8, "Licensee Continuing Education Documentation Form", October 2023.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Medical Imaging and Radiation Therapy, 2365 Harrodsburg Road, Suite A220, Lexington, Kentucky, 40504, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at <https://kbmirt.ky.gov>.

(41 Ky.R. 2452; 42 Ky.R. 1496; eff. 11-18-2015; 43 Ky.R. 1651; eff. 7-17-2017; TAm eff. 11-30-2017; 46 Ky.R. 3003; eff. 10-28-2020; 48 Ky.R. 2509, 2966; eff. 7-20-2022; TAm eff. 9-28-2023; 51 Ky.R. 744; eff. 2-5-2025.)

KERI LEAMY, Board Chair

APPROVED BY AGENCY: August 13, 2024

FILED WITH LRC: September 5, 2024 at 10:45 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024 at 10:00 a.m. at 2365 Harrodsburg Rd, Suite A220, Lexington Kentucky 40504. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Elizabeth Morgan, Executive Director, 2365 Harrodsburg Rd, Suite A220, Lexington Kentucky 40504, phone 502-782-5687, fax 502-782-6495, email elizabeth.morgan@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Elizabeth Morgan

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes guidelines for the approval of continuing education, delineates the requirements for continuing education, and prescribes methods and standards for the approval of continuing education courses.

(b) The necessity of this administrative regulation:

The Board of Medical Imaging and Radiation Therapy is authorized by KRS 311B.010 to 311B.190 to regulate licensees other than licensed practitioners of the healing arts, including but not limited to: the classification and licensure of medical imaging technologists, radiation therapists, radiologist assistants and limited x-ray machine operators; examinations; standards of education, experience, and continuing education; curricula standards for institutions teaching persons to perform medical imaging and radiation therapy procedures; issuance, renewal, and revocation of licenses; the establishment of a reasonable schedule of fees and charges to be paid by individuals for examinations, licenses and renewal licenses; and to set other standards as may be appropriate for the protection of health and safety.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

The regulation is in conformity as the authorizing statute giving the board the ability to promulgate regulations to carry out and enforce the provisions of KRS 311B.050(4) and KRS 311B.110(6) require the Board to determine and enforce continuing education requirements and establish guidelines for the approval of continuing education. KRS 311B.110(3) requires that all licensees obtain continuing education for ongoing knowledge of current practices in radiation safety and clinical procedures prior to licensure renewals.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation establishes guidelines for the approval of continuing education, delineates the requirements for continuing education, and prescribes methods and standards for the approval of continuing education courses.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment eliminates continuing education credit for the preparation and presentation of a continuing education program which is in line with the national certifying body.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to eliminate the option of continuing education credit for the preparation and presentation of a continuing education program which is in line with the national certifying body.

(c) How the amendment conforms to the content of the authorizing statutes:

The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding continuing education.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment will ensure clear understanding of requirements for continuing education by bringing the items credit in line with national certifying body.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Approximately 300 state health care organizations and approximately 8,000 licensees.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

No action is required. The amendment merely clarifies the continuing education requirements by eliminating credit for preparation and presentation of a continuing education program which is in line with the national certifying body.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no additional costs for complying with the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

Applicants and licensees benefit by having the continuing education requirements clarified.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No new costs will be incurred by the changes.

(b) On a continuing basis:

No continuing costs will be incurred by the changes.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

The board's operations are funded by fees paid by licensees and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No increase in fees or funding is necessary to implement this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This amendment does not establish any fees or directly or indirectly increase fees.

(9) TIERING: Is tiering applied?

Tiering is not applied because the continuing education requirements apply equally to licensees.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 311B.050, 311B.110

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

Kentucky Board of Medical Imaging and Radiation Therapy.

(a) Estimate the following for the first year:

Expenditures:n/a

Revenues:n/a

Cost Savings:n/a

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There is no cost associated with administering this regulation.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

Local entities should not be affected.

(a) Estimate the following for the first year:

Expenditures:n/a

Revenues:n/a

Cost Savings:n/a

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There is no cost associated with administering this regulation.

(4) Identify additional regulated entities not listed in questions (2) or (3):

None.

(a) Estimate the following for the first year:

Expenditures:n/a

Revenues:n/a

Cost Savings:n/a

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There is no cost associated with administering this regulation.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

There is no cost associated with administering this regulation.

(b) Methodology and resources used to determine the fiscal impact:

There is no cost associated with administering this regulation.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

There is no cost associated with administering this regulation.

(b) The methodology and resources used to reach this conclusion:

There is no cost associated with administering this regulation.