



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 106
[2009 Senate Bill 184]

Practice of Radiography

2009 Wisconsin Act 106 creates a law relating to the regulation of the practice of radiography. Act 106 contains the following provisions:

- Defines the “practice of radiography” as the imaging of anatomical structures, produced by the combined application of X-rays to the human body and the application of knowledge in the fields of anatomy, radiographic positioning, and radiographic technique, and knowledge of principles of radiation protection, for the purpose of medical diagnosis except that “practice of radiography” does not include bone densitometry.
- Creates a Radiography Examining Board in the Department of Regulation and Licensing, consisting of the following seven members appointed for staggered, four-year terms:
 - Three licensed, practicing radiographers.
 - One physician who is a certified radiologist.
 - One radiologic physicist.
 - Two public members.
- Provides that no person may use the title radiographer or practice radiography without a license issued by the board.
- Provides for issuance of a permit to limited x-ray machine operators to perform the following limited types of radiography:
 - The thorax, lungs, and ribs.
 - The upper and lower extremities, including the pectoral girdle but excluding the hip and pelvis.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

- The foot, ankle, and lower leg below the knee.
- The cervical, thoracic, and lumbar spine
- Permits the following to practice radiography without a license:
 - A physician.
 - A student enrolled in a radiography program approved by the board; must be directly supervised by a physician or licensed radiographer.
 - A chiropractor or person under direct supervision of a chiropractor, if the person has completed at least a 48 hours of approved instruction related to x-ray examinations.
 - A dentist, dental hygienist, or person under direct supervision of a dentist.
 - A physician assistant.
 - A podiatrist or person under direct supervision of a podiatrist, if the person has completed at least a course of approved instruction related to x-ray examinations.
- Requires the board to grant a license to practice radiography to a person who meets the minimum requirements, passes a board-administered examination, and completes a board-approved course of study in radiography.
- Requires the board to grant a limited X-ray machine operator permit to perform radiography to a person who passes board-administered examination and completes an appropriate course of study, as determined by the board.
- Requires license and permit applicants to meet the following minimum requirements:
 - The person is at least 18 years of age.
 - The person holds a high school diploma or its equivalent, as determined by the board.
 - The person pays the initial credential fee determined by the department under s. 440.03 (9) (a).
 - The person submits an application on a form provided by the department.
 - Subject to ss. 111.321, 111.322, and 111.335, the person does not have an arrest or conviction record.
- Provides that a person who holds a license or limited X-ray machine operator permit may not use diagnostic X-ray equipment on humans for diagnostic purposes unless authorized to do so by prescription or order of a physician, dentist, podiatrist, chiropractor, advanced practice nurse, or physician assistant.
- Requires the board to promulgate rules on the following:
 - Standards for courses of study in radiography.
 - Standards for required examinations for radiographers and limited x-ray machine operators.
 - Continuing education requirements for license and permit renewals.

- Allows the board to promulgate rules that establish a code of ethics for license and permit holders.
- Allows the board to investigate alleged violations of the statutes or rules on radiography.
- Allows the board to reprimand a person or deny, limit, suspend, or revoke the person's license or permit if the person does any of the following:
 - Makes a material misstatement in an application for a license or permit, or an application for renewal of a license or permit.
 - Violates any law of this state or federal law that substantially relates to the practice of radiography, violates this chapter, or violates a rule promulgated under this chapter, including a provision of a code of ethics promulgated by the board.
 - Materially assists a person who does not hold a license or permit to engage in the practice of radiography.
 - Advertises, practices, or attempts to practice under another person's name.
 - Engages in unprofessional conduct, as defined by the board by rule.
 - Subject to ss. 111.321, 111.322, and 111.335, is arrested for or convicted of an offense, the circumstances of which substantially relate to the practice of radiology.
- Provides for transitional licenses and permits to be granted, for the first two years after the effective date of the Act, to persons who satisfy the minimum requirements outlined above, present evidence to the board of having practiced radiography for at least three of the five years preceding the date of application for licensure, and pass a board-administered examination.

Effective date: The restrictions on practicing radiography without a license or permit and using the title "radiographer" without a license take effect on March 1, 2012. All other parts of the Act take effect on February 19, 2010.

Prepared by: Laura Rose, Deputy Director

March 9, 2010

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