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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **645**

February 5, 2007

Authored by Otremba, Haws, Hosch, Poppe, Peppin and others  
The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act  
1.2 relating to occupations and professions; modifying provisions for individuals  
1.3 operating x-ray equipment; amending Minnesota Statutes 2006, section 144.121,  
1.4 subdivision 5, by adding subdivisions.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2006, section 144.121, subdivision 5, is amended to read:

1.7 Subd. 5. **Examination for individual operating x-ray equipment.** After January  
1.8 ~~1, 1997, an individual in a facility with x-ray equipment for use on humans that is~~  
1.9 ~~registered under subdivision 1 may not operate, nor may the facility allow the individual~~  
1.10 ~~to operate, x-ray equipment unless the individual has passed an examination approved~~  
1.11 ~~by the commissioner of health, or an examination determined to the satisfaction of the~~  
1.12 ~~commissioner of health to be an equivalent national, state, or regional examination,~~  
1.13 ~~that demonstrates the individual's knowledge of basic radiation safety, proper use of~~  
1.14 ~~x-ray equipment, darkroom and film processing, and quality assurance procedures. The~~  
1.15 ~~commissioner shall establish by rule criteria for the approval of examinations required~~  
1.16 ~~for an individual operating an x-ray machine in Minnesota~~ After January 1, 2008, an  
1.17 individual in a facility with x-ray equipment for use on humans that is registered under  
1.18 subdivision 1 may not operate, nor may the facility allow the individual to operate,  
1.19 x-ray equipment unless the individual has passed a national examination determined  
1.20 to the satisfaction of the commissioner of health. The commissioner shall establish by  
1.21 rule criteria for the approval of examinations based on national standards, such as the  
1.22 examination in radiography from the American Registry of Radiologic Technologists, the  
1.23 examination for limited scope of practice in radiography from the American Registry  
1.24 of Radiologic Technologists for limited x-ray machine operators, and the American

2.1 Registry of Chiropractic Radiography Technologists for limited radiography in spines and  
 2.2 extremities; or equivalent examinations approved by other states. Equivalent examinations  
 2.3 are to be determined by the commissioner, and must be consistent with the standards  
 2.4 for educational and psychological testing as recommended by the American Education  
 2.5 Research Association, the American Psychological Association, the National Council  
 2.6 on Measurement in Education, or the National Commission for Certifying Agencies.  
 2.7 Any costs incurred in determining the extent to which examinations meet the examining  
 2.8 standards of this subdivision shall be paid by the individual or organization proposing the  
 2.9 use of such examination.

2.10 Sec. 2. Minnesota Statutes 2006, section 144.121, is amended by adding a subdivision  
 2.11 to read:

2.12 Subd. 5a. **Limited x-ray machine operator examination.** The examination for  
 2.13 limited x-ray machine operators shall include, but not be limited to:

2.14 (1) Radiation protection, equipment maintenance and operation, image production  
 2.15 and evaluation, patient care and management; and

2.16 (2) At least one of the following regions of the human anatomy: chest, extremities,  
 2.17 skull and sinus, spine, or ankle and foot. These examinations would include the anatomy  
 2.18 of, and position for, the specific regions.

2.19 Sec. 3. Minnesota Statutes 2006, section 144.121, is amended by adding a subdivision  
 2.20 to read:

2.21 Subd. 5b. **Limited x-ray machine operator practice.** A limited x-ray operator  
 2.22 may practice medical radiography on limited regions of the human anatomy for which  
 2.23 they have successfully passed an examination outlined in subdivision 5a. They may  
 2.24 practice using only routine radiographic procedures, for the interpretation by and under the  
 2.25 direction of a licensed practitioner, excluding computed tomography, the use of contrast  
 2.26 media, and the use of fluoroscopic or mammographic equipment.

2.27 Sec. 4. Minnesota Statutes 2006, section 144.121, is amended by adding a subdivision  
 2.28 to read:

2.29 Subd. 5c. **Exemptions.** X-ray machine operators who have met current regulations  
 2.30 promulgated by the commissioner prior to January 1, 2008, or a state of Minnesota license  
 2.31 to practice medicine, osteopathy, chiropractic, podiatry, dentistry, and dental hygiene.

3.1 Sec. 5. Minnesota Statutes 2006, section 144.121, is amended by adding a subdivision  
3.2 to read:

3.3 Subd. 5d. **Procedures.** The commissioner shall promulgate by rule procedures  
3.4 to be followed for examinations.

3.5 Sec. 6. Minnesota Statutes 2006, section 144.121, is amended by adding a subdivision  
3.6 to read:

3.7 Subd. 5e. **Variance of scope of practice.** The commissioner may grant a variance  
3.8 according to Minnesota Rules, parts 4717.7000 to 4717.7050, of the scope of practice of  
3.9 an x-ray operator in cases where the scope of practice would impose an extreme hardship  
3.10 on the registrant. The request for a variance must be in writing, state the circumstances  
3.11 that constitute extreme hardship, state the period of time the registrant wishes to have the  
3.12 variance for the scope of practice in place, and state the alternative measures that will be  
3.13 taken if the variance is granted. The commissioner shall set forth in writing, the reasons  
3.14 for granting or denying the variance. Variances granted by the commissioner specify in  
3.15 writing, the time limitation and required alternative measures to be taken by the registrant.  
3.16 A request for the variance shall be denied if the commissioner finds the circumstances  
3.17 stated by the registrant do not support a claim of extreme hardship, the requested time  
3.18 period for the variance is unreasonable, the alternative measures proposed by the registrant  
3.19 are not equivalent to the scope of practice, or the request for the variance is not submitted  
3.20 to the commissioner in a timely manner.

3.21 Sec. 7. **EFFECTIVE DATE.**

3.22 Sections 1 to 6 are effective January 1, 2008.