

26:2D-24 to 26:2D-36

LEGISLATIVE HISTORY CHECKLIST

NJSA 26:2D-24 to 26:2D-36; 45:1-2.2 ("Radiologic Technologist Act")

LAWS 1981 CHAPTER 295

Bill No. A967

Sponsor(s) Stewart and Herman

Date Introduced Feb. 21, 1980

Committee: Assembly Agriculture and Environment

Senate Energy and Environment

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 26, 1980

Senate Jan. 26, 1981

Date of approval Oct. 9, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~ Also attached: Senate amendments, adopted 1-22-81 (with statement)

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto Message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Report, referred to in Assembly statement:

974.90 New Jersey. Commission of Investigation.
E55 Final report and recommendations on
1974 the investigation of the Workman's
Compensation System, January, 1974.
Trenton, 1974.
(See pp. 223-231, 238)

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ASSEMBLY, No. 967

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblymen STEWART and HERMAN

Referred to Committee on Agriculture and Environment

AN ACT providing for the regulation and *certification* *licensing* of radiologic technologists, establishing a radiologic technology board in the Department of Environmental Protection, amending P. L. 1971, c. 60 (C. 45:1-2.2), repealing P. L. 1968, c. 291 (C. 45:25-1 et seq.), and supplementing the "Radiation Protection Act," approved July 8, 1958 (P. L. 1958, c. 116, C. 26:2D-1 et seq.).

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. The Legislature hereby finds and declares that the citizens
2 of the State of New Jersey are entitled to the maximum protection
3 *possible* *practicable* from the harmful effects of excessive
4 and improper exposure to ionizing radiation; that the protection
5 can be increased by requiring appropriate training and experience
6 of persons operating medical equipment emitting ionizing radiation
7 and requiring them to operate the equipment under the specific
8 direction of a licensed practitioner; and that it is therefor necessary
9 to establish standards of education, training and experience for
10 these operators and to provide for the appropriate examination and
11 certification thereof.

1 2. (New section) This act shall be known and may be cited as the
2 "Radiologic Technologist Act."

1 3. (New section) As used in this act:

2 a. "Board" means the Radiologic Technology Board of Exam-
3 iners created pursuant to section 5 of this act.

4 b. *Certificate* means a license granted and issued by the board
5 under this act.* *License* means a certificate issued by the board
5A authorizing the licensee to use equipment emitting ionizing radia-

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

5B tion on human beings for diagnostic or therapeutic purposes in
5C accordance with the provisions of this act.*

6 c. "Chest x-ray technologist" means a person, other than a
7 licensed practitioner, whose practice of radiologic technology is
8 limited to the chest area for diagnostic purposes only.

9 d. "Commissioner" means the Commissioner of Environmental
10 Protection.

11 e. "Dental x-ray technologist" means a person, other than a
12 licensed practitioner, whose practice of radiologic technology is
13 limited to intraoral radiography for diagnostic purposes only.

14 f. "Health physicist" means a person who is certified by the
15 American Board of Health Physics or the American Board of
16 Radiology in radiation physics.

17 g. "Licensed practitioner" means a person licensed or otherwise
18 authorized by law to practice medicine, dentistry, dental hygiene,
19 podiatry, chiropody, osteopathy or chiropractic.

20 h. "Radiation therapy technologist" means a person, other than
21 a licensed practitioner, whose application of radiation on human
22 beings is for therapeutic purposes ***[only]***.

23 i. "Diagnostic x-ray technologist" means a person, other than
24 a licensed practitioner, whose application of radiation on human
25 beings is for diagnostic purposes ***[only]***.

26 j. "Radiologic technologist" means any person who is ***[a certified**
27 **diagnostic x-ray technologist or a certified therapy technologist]***
27A **licensed pursuant to this act**.

28 k. "Radiologic technology" means the use of equipment emitting
29 ionizing radiation on human beings for diagnostic or therapeutic
30 purposes under the supervision of a licensed practitioner.

1 4. (New section) a. Except as hereinafter provided, no person
2 other than a licensed practitioner or the holder of a ***[certificate]***
3 **license** as provided in this act shall use x-rays on a human being.

4 b. A person holding a ***[certificate]*** **license** as a diagnostic
5 x-ray technologist may use the title ***[“certified x-ray technolo-**
6 **gist”]*** **“licensed radiologic technologist”** or the letters
7 ***[(CXT)]*** **(LRT) (R)** after his name. No other person shall
8 be entitled to use the title or letters, or any other title or letters
9 after his name that indicate or imply that he is a ***[certified]***
10 **licensed diagnostic** x-ray technologist; nor may any person hold
11 himself out in any way, whether orally or in writing, expressly or
11A by implication, as a ***[certified x-ray technologist]*** **licensed diag-*
11B *nostic technologist**.

12 c. A person holding a limited ***[certificate]*** **license** as a chest
13 x-ray technologist may use the title “***[certified]*** **licensed** chest

14 x-ray technologist” or the letters ***[(CXT(C))]*** ***(LRT(C))***
 15 after his name. No other person shall be entitled to use the title or
 16 letters, or any other title or letters after his name that indicate
 17 or imply that he is a ***[certified]*** **licensed** chest x-ray techno-
 18 logist; nor may any person hold himself out in any way, whether
 19 orally or in writing, expressly or by implication, as a ***[certified]***
 19A **licensed** chest x-ray technologist.

20 d. A person holding a limited ***[certificate]*** **license** as a dental
 21 x-ray technologist may use the title “***[certified]*** **licensed** dental
 22 x-ray technologist” or the letters ***[(CXT(D))]*** ***(LRT)(D)***
 23 after his name. No other person shall be entitled to use the title or
 24 letters, or any other title or letters after his name that indicate or
 25 imply that he is a ***[certified]*** **licensed** dental x-ray technolo-
 26 gist; nor may any person hold himself out in any way, whether
 27 orally or in writing, expressly or by implication, as a ***[certified]***
 27A **licensed** dental x-ray technologist.

28 e. A person holding a ***[certificate]*** **license** as a radiation
 29 therapy technologist may use the title “***[certified]*** **licensed**
 30 therapy technologist” or ***[(CTT)]*** ***LRT(T)*** after his name.
 31 No other person shall be entitled to use the title or letters, or any
 32 other title or letters after his name that indicate or imply that he is
 33 a ***[certified]*** **licensed** therapy technologist; nor may any person
 34 hold himself out in any way, whether orally or in writing, expressly
 35 or by implication, as a ***[certified]*** **licensed** therapy technologist.

36 f. A person holding a ***[certificate as a diagnostic x-ray techno-**
 37 **logist or radiation therapy technologist]*** **a license as provided by*
 38 *this act** shall use medical equipment emitting ionizing radiation
 39 on human beings only for diagnostic or therapeutic purposes on a
 40 case by case basis at the specific direction of a licensed practitioner,
 41 and only if the application of the equipment is limited in a manner
 41A hereinafter specified.

42 g. Nothing in the provisions of this act relating to radiologic
 43 technologists shall be construed to limit, enlarge or affect, in any
 44 respect, the practice of their respective professions by duly licensed
 45 practitioners.

46 h. The requirement of a ***[certificate]*** **license** shall not apply
 47 to a hospital resident specializing in radiology who is not a licensed
 48 practitioner in the State of New Jersey, or a student enrolled in and
 49 attending a school or college of medicine, osteopathy, chiropody,
 50 podiatry, dentistry, dental hygiene, dental assistance, chiropractic
 51 or radiologic technology who applies radiation to a human being
 52 while under the direct supervision of a licensed practitioner.

53 **i. A person holding a license as a diagnostic x-ray technologist*
 54 *and a license as a radiation therapy technologist may use the letters*
 55 *LRT(R)(T) after his name.**

1 5. (New section) a. There is created a Radiologic Technology
 2 Board of Examiners which shall be an agency of the Commission
 3 on Radiation Protection in the Department of Environmental Pro-
 4 tection and which shall report to the commission. The board shall
 5 consist of two commission members appointed annually to the
 6 membership of the board by the chairman of the commission, and
 7 11 additional members appointed by the Governor with the advice
 8 and consent of the Senate. Of the members appointed by the
 9 Governor, two shall be radiologists who have practiced not less
 10 than 5 years; one shall be a licensed physician who has actively en-
 11 gaged in the practice of medicine not less than 5 years; one shall
 12 be a licensed dentist who has actively engaged in the practice of
 13 dentistry for not less than 5 years; one shall be an administrator
 14 of a general hospital with at least 5 years experience; one shall be
 15 a health physicist who has practiced not less than 5 years; two
 16 shall be practicing radiologic technologists with at least 5 years of
 17 experience in the practice of radiologic technology and holders of
 18 current certificates issued pursuant to this act; two shall be
 19 members of the general public; and one shall be a representative of
 20 the department designated by the Governor pursuant to subsection
 21 c. of section 2 of P. L. 1971, c. 60 (C. 45:1-2.2); provided, however,
 22 that for the remainder of their prescribed terms the members of
 23 the x-ray technicians board created by P. L. 1968, c. 291 (C.
 24 45:25-4) shall constitute the membership of the board created by
 25 this section.

26 b. The terms of office of the members appointed by the Governor
 27 shall be 3 years. Vacancies shall be filled for an unexpired term
 28 only in the manner provided for the original appointment.

29 c. Members of the board shall serve without compensation but
 30 shall be reimbursed for their reasonable and necessary traveling
 31 and other expenses incurred in the performance of their official
 32 duties.

33 d. The commissioner shall designate an officer or employee of
 34 the department to act as secretary of the board who shall not be
 35 a member of the board.

36 e. The board, for the purpose of transacting its business, shall
 37 meet at least once every ***[6]* *4*** months at times and places fixed
 38 by the board. At its first meeting each year it shall organize and
 39 elect from its members a chairman. Special meetings also may be
 40 held at times as the board may fix, or at the call of the chairman or

41 the commissioner. A written and timely notice of the time, place and
 42 purpose of any special meeting shall be mailed by the secretary
 43 to all members of the board.

44 f. A majority of the members of the board shall constitute a
 45 quorum for the transaction of business at any meeting.

1 6. (New section) a. The board shall admit to examination for
 2 ***[certification]*** **licensing** any applicant who shall pay to the
 3 department a nonrefundable fee established by rule of the com-
 4 mission and submit satisfactory evidence, verified by oath or affir-
 5 mation, that the applicant:

6 (1) At the time of application is at least 18 years of age;

7 (2) Is of good moral character;

8 (3) Has successfully completed a 4-year course of study in a
 9 secondary school approved by the State Board of Education, or
 10 passed an approved equivalency test.

11 b. In addition to the requirements of subsection a. hereof, any
 12 person seeking to obtain a ***[certificate]*** **license** in a specific area
 13 of radiologic technology must comply with the following require-
 13A ments:

14 (1) Each applicant for a ***[certificate]*** **license** as a diagnostic
 15 x-ray technologist ***[(CXT)]*** **LRT(R)** shall have satisfactorily
 16 completed a 24-month course of study in radiologic technology
 17 approved by the board or its equivalent as determined by the board.

18 (2) Each applicant for a ***[certificate]*** **license** as a therapy
 19 technologist ***[(CTT)]*** **LRT(T)** shall have satisfactorily
 20 completed a ***[12-month]*** **24-month** course in radiation
 21 therapy technology ***[*]**, *in addition to a 24-month diagnostic*
 21A *program,** approved by the board or the equivalent of such as
 21B determined by the board.

22 (3) Each applicant for a ***[certificate]*** **license** as a chest x-ray
 23 technologist ***[(CXT(C))]*** **LRT(C)** shall have satisfactorily
 24 completed the basic curriculum for chest radiography as approved
 25 by the board or its equivalent as determined by the board.

26 (4) Each applicant for a ***[certificate]*** **license** as a dental
 27 x-ray technologist ***[(CXT(D))]*** **LRT(D)** shall have satis-
 28 factorily completed the curriculum for dental radiography as
 29 approved by the board or its equivalent as determined by the board.

30 c. The board shall establish criteria and standards for programs
 31 of diagnostic or radiation therapy and approve these programs
 32 upon a finding that the standards and criteria have been met.

1 7. (New section) a. The program of diagnostic x-ray technology
 2 shall be at least a 24-month course or its equivalent as determined
 3 by the board. The curriculum for this course may follow the Com-

9 has not been revoked or suspended, and who has temporarily ceased
 10 his activities as a radiologic technologist for not more than ***[3]***
 11 ***5*** years, may apply for the reissuance of a ***[certificate]***
 12 ***license*** upon compliance with the application provisions of this
 13 act, including payment of any outstanding fee.

14 **c. Any person who, as of the effective date of this act, holds an*
 15 *unlimited certificate as a certified x-ray technologist (CXT) issued*
 16 *pursuant to P. L. 1968, c. 291 shall be licensed as both a diagnostic*
 17 *x-ray and radiation therapy technologist until the expiration date*
 18 *of that certificate. **Any person who, as of the effective date of*
 18A *this act, holds a limited certificate in chest x-ray, dental x-ray or*
 18B *radiation therapy pursuant to P. L. 1968, c. 291 shall be licensed*
 18C *in that category until the expiration date of that certificate.***

19 *d. All CXT certification shall be renewed by the board by the*
 20 *issuance of a license as a diagnostic x-ray technologist. **All*
 20A *limited certificates shall be renewed only by the issuance of a*
 20B *license in the same limited category.***

21 *e. Within ***[2]*** ****E**** years of the effective date of this act,*
 22 *the board may issue a license as a radiation therapy technologist to*
 23 *anyone upon the expiration of his CXT certificate upon the submis-*
 24 *sion of a separate application accompanied by such information as*
 25 *required by the board and a fee as established by regulation.**

1 11. (New section) a. The ***[certificate]*** ***license*** of a radiologic
 2 technologist may be suspended for a fixed period, or may be revoked,
 3 or the technologist may be censured, reprimanded or otherwise dis-
 4 ciplined, in accordance with the provisions and procedures defined
 5 in this act, if after due hearing it is determined that he :

6 (1) Is guilty of any fraud or deceit in his activities as a radio-
 7 logic technologist or has been guilty of any fraud or deceit in
 8 procuring his ***[certificate]*** ***license***;

9 (2) Has been convicted in a court of competent jurisdiction,
 10 either within or without this State, of a crime involving moral
 11 turpitude, except that if the conviction has been reversed and the
 12 holder of the ***[certificate]*** ***license*** discharged or acquitted, or
 13 if he has been pardoned or his civil rights restored, the ***[certifi-**
 14 **cate]*** ***license*** may be restored to him;

15 (3) Is or has been afflicted with any medical problem, disability,
 16 or addiction which, in the opinion of the board, would impair his
 17 professional competence;

18 (4) Has aided and abetted a person who is not a ***[certified]***
 19 ***licensed*** radiologic technologist or otherwise authorized pur-
 20 suant to section 4 of this act in engaging in the activities of a radio-
 20A logic technologist;

21 (5) Has undertaken or engaged in any practice beyond the scope
 22 of the authorized activities of a radiologic technologist pursuant
 23 to this act;

24 (6) Has falsely impersonated a duly ***[certified]*** **licensed**
 25 or former duly ***[certified]*** **licensed** radiologic technologist or is
 26 engaging in the activities of a radiologic technologist under an
 26A assumed name;

27 (7) Has been guilty of unethical conduct as defined by rules
 28 promulgated by the commission;

29 (8) Has continued to practice without obtaining a ***[certificate]***
 30 **license** renewal as required by this act;

31 (9) Has applied ionizing radiation to a human being without
 32 the specific direction of a duly licensed practitioner as defined
 33 herein; or to any person or part of the human body outside the
 34 scope of his specific authorization;

35 (10) Has acted or is acting as an owner, co-owner, or employer
 36 in any enterprise engaged in the application of ionizing radiation
 37 to human beings for the purpose of diagnostic interpretation,
 38 chiropractic analysis, or the treatment of disease;

39 (11) Has expressed to a member of the public an interpretation
 40 of a diagnostic x-ray film or fluorescent image;

41 (12) Has used or is using the prefix "Dr."*, *unless entitled to do*
 42 *so pursuant to a degree granted**, the word "doctor" or any suffix or
 43 affix to indicate or imply that the radiologic technologist is a duly
 44 licensed practitioner as defined herein when not so licensed;

45 (13) Is or has been guilty of incompetence or negligence in his
 46 activities as a radiologic technologist.

47 b. Proceedings against any radiologic technologist under this
 48 section shall be instituted by filing with the board a written charge
 49 or charges under oath against the radiologic technologist ***[or**
 50 **therapy technologist]***. The charges may be preferred by any per-
 51 son, corporation, association or public officer, or by the board in the
 52 first instance. A copy thereof, together with a report of the in-
 53 vestigation as the board shall deem proper, shall be referred to
 54 the commission for its recommendation to the commissioner. If
 55 the commissioner *****[decides that the charges should be heard]*****
 56 *****determines the matter to be a contested case*****, he shall
 57 *****either***** designate three or more members of the board as a
 58 committee to hear and report on the charges and shall set a time
 59 and place for the hearing *****or shall refer the matter to the Office**
 60 **of Administrative Law for hearing before an administrative law**
 61 **judge, pursuant to the "Administrative Procedure Act," P. L. 1968,**
 62 **c. 410 (C. 52:14B-1 et seq.)*****. *****[A copy of the charges, together**

63 with a notice of the time and place of hearing shall be served upon
 64 the person charged either personally or by registered mail at least
 65 15 days before the date fixed for the hearing, and he shall have an
 66 opportunity to appear and answer the charges either personally or
 67 by counsel, to cross-examine witnesses against him and to produce
 68 evidence and witnesses in his defense.*** For the purpose of this
 69 section, the board ***[or]*** ***,*** its committee ***or the ad-
 70 ministrative law judge*** shall have power to issue subpoenas for
 71 the appearance of witnesses, and to take testimony under oath.
 72 Upon ***[the conclusion of the hearing the committee shall make
 73 a written report of its findings and recommendations to the com-
 73A missioner]*** ***review of the record of the hearing, the commis-
 73B sioner may affirm, modify or reject the written report and recom-
 73C mendation of the committee or the administrative law judge***.
 73D If the commissioner finds that the charges have not been proved,
 73E he shall order them dismissed. If the charges are found to be true,
 73F the commissioner may, in his discretion, issue an order suspending
 73G or revoking the *[certification]* *license* of the accused, or other-
 73H wise disciplining him.

74 c. When the *[certificate]* *license* of any person has been
 75 revoked or annulled, as herein provided, the board may, after the
 76 expiration of 2 years, accept an application for restoration of the
 77 *[certificate]* *license*.

1 12. (New section) No person shall knowingly or negligently
 2 employ as a radiologic technologist any person who requires and
 3 does not possess a valid *[certificate]* *license* to engage in the
 4 activities of a radiologic technologist.

1 13. (New section) Any person who violates any provision of
 2 this act *or any rule, regulation or order promulgated or issued
 3 pursuant to the act to which this act is supplementary* shall be
 4 subject to the sanctions contained in P. L. 1958, c. 116 (C. 26:2D-1
 5 et seq.) as amended and supplemented.

1 14. Section 2 of P. L. 1971, c. 60 (C. 45:1-2.2) is amended to
 2 read as follows:

3 2. a. All members of the several professional boards and com-
 4 missions shall be appointed by the Governor in the manner pre-
 5 scribed by law; except in appointing members other than those
 6 appointed pursuant to subsection b. or subsection c., the Governor
 7 shall give due consideration to, but shall not be bound by, recom-
 8 mendations submitted by the appropriate professional organiza-
 9 tions of this State.

10 b. In addition to the membership otherwise prescribed by law,
 11 the Governor shall appoint in the same manner as presently pre-

12 scribed by law for the appointment of members two additional
13 members to represent the interests of the public, to be known as
14 public members, to each of the following boards and commissions:
15 The New Jersey State Board of Certified Public Accountants, the
16 New Jersey State Board of Architects, the State Board of Barber
17 Examiners, the New Jersey State Board of Dentistry, the State
18 Board of Mortuary Science of New Jersey, the State Board of
19 Professional Engineers and Land Surveyors, the State Board of
20 Medical Examiners, the New Jersey Board of Nursing, the New
21 Jersey State Board of Optometrists, the State Board of Examiners
22 of Ophthalmic Dispensers and Ophthalmic Technicians, the Board
23 of Pharmacy, the State Board of Professional Planners, The State
24 Board of Psychological Examiners, the New Jersey Real Estate
25 Commission, the State Board of Shorthand Reporting, *and* the
26 State Board of Veterinary Medical Examiners, [and the X-ray
27 Technician Board of Examiners] and one additional public member
28 to each of the following boards: the Board of Beauty Culture
29 Control, the Board of Examiners of Electrical Contractors, the
30 State Board of Marriage Counselor Examiners and the State
31 Board of Examiners of Master Plumbers. Each public member
32 shall be appointed for the term prescribed for the other members
33 of the board or commission and until the appointment of his
34 successor. Vacancies shall be filled for the unexpired term only.
35 The Governor may remove any such public member after hearing,
36 for misconduct, incompetency, neglect of duty or for any other
37 sufficient cause.

38 No public member appointed pursuant to this section shall have
39 any association or relationship with the profession or a member
40 thereof regulated by the board of which he is a member, where such
41 association or relationship would prevent such public member
42 from representing the interest of the public. Such a relationship
43 includes a relationship with members of one's immediate family;
44 and such association includes membership in the profession regu-
45 lated by the board. To receive services rendered in a customary
46 client relationship will not preclude a prospective public member
47 from appointment. This paragraph shall not apply to individuals
48 who are public members of boards on the effective date of this act.

49 It shall be the responsibility of the Attorney General to insure
49A that no person with the aforementioned association or relationship
49B or any other questionable or potential conflict of interest shall be
49C appointed to serve as a public member of any board regulated by
49D this section.

49E Where a board is required to examine the academic and profes-
49F sional credentials of an applicant for licensure or to test such
49G applicant orally, no public member appointed pursuant to this
49H section shall participate in such examination process, provided
49I however, that public members shall be given notice of and may be
49J present at all such examination processes and deliberations concern-
50 ing the results thereof, and, provided further, that public members
51 may participate in the development and establishment of the
52 procedures and criteria for such examination processes.

53 c. The Governor shall designate a department in the Executive
54 Branch of the State Government which is closely related to the
55 profession or occupation regulated by each of the boards or com-
56 missions designated in section 1 and shall appoint the head of such
57 department, or the holder of a designated office or position in such
58 department, to serve without compensation at the pleasure of the
59 Governor as a member of such board or commission.

60 d. A majority of the voting members of such boards or commis-
61 sions shall constitute a quorum thereof and no action of any such
62 board or commission shall be taken except upon the affirmative vote
63 of a majority of the members of the entire board or commission.

1 15. P. L. 1968, c. 291 (C. 45:25-1 et seq.) is repealed.

1 16. This act shall take effect immediately.

ASSEMBLY, No. 967

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblymen STEWART and HERMAN

Referred to Committee on Agriculture and Environment

AN ACT providing for the regulation and certification of radiologic technologists, establishing a radiologic technology board in the Department of Environmental Protection, amending P. L. 1971, c. 60 (C. 45:1-2.2), repealing P. L. 1968, c. 291 (C. 45:25-1 et seq.), and supplementing the "Radiation Protection Act," approved July 8, 1958 (P. L. 1958, c. 116, C. 26:2D-1 et seq.).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Legislature hereby finds and declares that the citizens
2 of the State of New Jersey are entitled to the maximum protection
3 possible from the harmful effects of excessive and improper ex-
4 posure to ionizing radiation; that the protection can be increased
5 by requiring appropriate training and experience of persons
6 operating medical equipment emitting ionizing radiation and re-
7 quiring them to operate the equipment under the specific direction
8 of a licensed practitioner; and that it is therefore necessary to
9 establish standards of education, training and experience for these
10 operators and to provide for the appropriate examination and
11 certification thereof.

1 2. (New section) This act shall be known and may be cited as the
2 "Radiologic Technologist Act."

1 3. (New section) As used in this act:

2 a. "Board" means the Radiologic Technology Board of Exam-
3 iners created pursuant to section 5 of this act.

4 b. "Certificate" means a license granted and issued by the board
5 under this act.

6 c. "Chest x-ray technologist" means a person, other than a
7 licensed practitioner, whose practice of radiologic technology is
8 limited to the chest area for diagnostic purposes only.

9 d. "Commissioner" means the Commissioner of Environmental
10 Protection.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

11 e. "Dental x-ray technologist" means a person, other than a
12 licensed practitioner, whose practice of radiologic technology is
13 limited to intraoral radiography for diagnostic purposes only.

14 f. "Health physicist" means a person who is certified by the
15 American Board of Health Physics or the American Board of
16 Radiology in radiation physics.

17 g. "Licensed practitioner" means a person licensed or otherwise
18 authorized by law to practice medicine, dentistry, dental hygiene,
19 podiatry, chiropody, osteopathy or chiropractic.

20 h. "Radiation therapy technologist" means a person, other than
21 a licensed practitioner, whose application of radiation on human
22 beings is for therapeutic purposes only.

23 i. "Diagnostic x-ray technologist" means a person, other than
24 a licensed practitioner, whose application of radiation on human
25 beings is for diagnostic purposes only.

26 j. "Radiologic technologist" means any person who is a certified
27 diagnostic x-ray technologist or a certified therapy technologist.

28 k. "Radiologic technology" means the use of equipment emitting
29 ionizing radiation on human beings for diagnostic or therapeutic
30 purposes under the supervision of a licensed practitioner.

1 4. (New section) a. Except as hereinafter provided, no person
2 other than a licensed practitioner or the holder of a certificate as
3 provided in this act shall use x-rays on a human being.

4 b. A person holding a certificate as a diagnostic x-ray technologist
5 may use the title "certified x-ray technologist" or the letters
6 (CXT) after his name. No other person shall be entitled to use
7 the title or letters, or any other title or letters after his name
8 that indicate or imply that he is a certified x-ray technologist; nor
9 may any person hold himself out in any way, whether orally or
10 in writing, expressly or by implication, as a certified x-ray tech-
11 nologist.

12 c. A person holding a limited certificate as a chest x-ray tech-
13 nologist may use the title "certified chest x-ray technologist" or
14 the letters (CXT(C)) after his name. No other person shall be
15 entitled to use the title or letters, or any other title or letters
16 after his name that indicate or imply that he is a certified chest
17 x-ray technologist; nor may any person hold himself out in any
18 way, whether orally or in writing, expressly or by implication, as
19 a certified chest x-ray technologist.

20 d. A person holding a limited certificate as a dental x-ray tech-
21 nologist may use the title "certified dental x-ray technologist" or
22 the letters (CXT(D)) after his name. No other person shall be
23 entitled to use the title or letters, or any other title or letters after

24 his name that indicate or imply that he is a certified dental x-ray
25 technologist; nor may any person hold himself out in any way,
26 whether orally or in writing, expressly or by implication, as a
27 certified dental x-ray technologist.

28 e. A person holding a certificate as a radiation therapy tech-
29 nologist may use the title "certified therapy technologist" or
30 (CTT) after his name. No other person shall be entitled to use
31 the title or letters, or any other title or letters after his name
32 that indicate or imply that he is a certified therapy technologist;
33 nor may any person hold himself out in any way, whether orally
34 or in writing, expressly or by implication, as a certified therapy
35 technologist.

36 f. A person holding a certificate as a diagnostic x-ray technologist
37 or radiation therapy technologist shall use medical equipment
38 emitting ionizing radiation on human beings only for diagnostic or
39 therapeutic purposes on a case by case basis at the specific direction
40 of a licensed practitioner, and only if the application of the equip-
41 ment is limited in a manner hereinafter specified.

42 g. Nothing in the provisions of this act relating to radiologic
43 technologists shall be construed to limit, enlarge or affect, in any
44 respect, the practice of their respective professions by duly licensed
45 practitioners.

46 h. The requirement of a certificate shall not apply to a hospital
47 resident specializing in radiology who is not a licensed practitioner
48 in the State of New Jersey, or a student enrolled in and attending
49 a school or college of medicine, osteopathy, chiropody, podiatry,
50 dentistry, dental hygiene, dental assistance, chiropractic or radio-
51 logic technology who applies radiation to a human being while
52 under the direct supervision of a licensed practitioner.

1 5. (New section) a. There is created a Radiologic Technology
2 Board of Examiners which shall be an agency of the Commission
3 on Radiation Protection in the Department of Environmental Pro-
4 tection and which shall report to the commission. The board shall
5 consist of two commission members appointed annually to the
6 membership of the board by the chairman of the commission, and
7 11 additional members appointed by the Governor with the advice
8 and consent of the Senate. Of the members appointed by the
9 Governor, two shall be radiologists who have practiced not less
10 than 5 years; one shall be a licensed physician who has actively en-
11 gaged in the practice of medicine not less than 5 years; one shall
12 be a licensed dentist who has actively engaged in the practice of
13 dentistry for not less than 5 years; one shall be an administrator
14 of a general hospital with at least 5 years experience; one shall be

15 a health physicist who has practiced not less than 5 years; two
16 shall be practicing radiologic technologists with at least 5 years of
17 experience in the practice of radiologic technology and holders of
18 current certificates issued pursuant to this act; two shall be
19 members of the general public; and one shall be a representative of
20 the department designated by the Governor pursuant to subsection
21 c. of section 2 of P. L. 1971, c. 60 (C. 45:1-2.2); provided, however,
22 that for the remainder of their prescribed terms the members of
23 the x-ray technicians board created by P. L. 1968, c. 291 (C.
24 45:25-4) shall constitute the membership of the board created by
25 this section.

26 b. The terms of office of the members appointed by the Governor
27 shall be 3 years. Vacancies shall be filled for an unexpired term
28 only in the manner provided for the original appointment.

29 c. Members of the board shall serve without compensation but
30 shall be reimbursed for their reasonable and necessary traveling
31 and other expenses incurred in the performance of their official
32 duties.

33 d. The commissioner shall designate an officer or employee of
34 the department to act as secretary of the board who shall not be
35 a member of the board.

36 e. The board, for the purpose of transacting its business, shall
37 meet at least once every 6 months at times and places fixed by the
38 board. At its first meeting each year it shall organize and elect
39 from its members a chairman. Special meetings also may be held
40 at times as the board may fix, or at the call of the chairman or the
41 commissioner. A written and timely notice of the time, place and
42 purpose of any special meeting shall be mailed by the secretary
43 to all members of the board.

44 f. A majority of the members of the board shall constitute a
45 quorum for the transaction of business at any meeting.

1 6. (New section) a. The board shall admit to examination for
2 certification any applicant who shall pay to the department a non-
3 refundable fee established by rule of the commission and submit
4 satisfactory evidence, verified by oath or affirmation, that the ap-
5 plicant:

- 6 (1) At the time of application is at least 18 years of age;
- 7 (2) Is of good moral character;
- 8 (3) Has successfully completed a 4-year course of study in a
9 secondary school approved by the State Board of Education, or
10 passed an approved equivalency test.

11 b. In addition to the requirements of subsection a. hereof, any
12 person seeking to obtain a certificate in a specific area of radiologic
13 technology must comply with the following requirements:

14 (1) Each applicant for a certificate as a diagnostic x-ray technolo-
15 gist (CXT) shall have satisfactorily completed a 24-month course
16 of study in radiologic technology approved by the board or its
17 equivalent as determined by the board.

18 (2) Each applicant for a certificate as a therapy technologist
19 (CTT) shall have satisfactorily completed a 12-month course in
20 radiation therapy technology approved by the board or the
21 equivalent of such as determined by the board.

22 (3) Each applicant for a certificate as a chest x-ray technologist
23 (CXT(C)) shall have satisfactorily completed the basic curriculum
24 for chest radiography as approved by the board or its equivalent
25 as determined by the board.

26 (4) Each applicant for a certificate as a dental x-ray technolo-
27 gist (CXT(D)) shall have satisfactorily completed the curriculum
28 for dental radiography as approved by the board or its equivalent
29 as determined by the board.

30 c. The board shall establish criteria and standards for programs
31 of diagnostic or radiation therapy and approve these programs
32 upon a finding that the standards and criteria have been met.

1 7. (New section) a. The program of diagnostic x-ray technology
2 shall be at least a 24-month course or its equivalent as determined
3 by the board. The curriculum for this course may follow the Com-
4 mittee on Allied Health Education and Accreditation (CAHEA)
5 standards provided that the standards are not in conflict with
6 board policies.

7 b. The program of radiation therapy technology shall be at least
8 a 12-month course of study or its equivalent as determined by the
9 board. The curriculum for the course may follow the Committee
10 on Allied Health Education and Accreditation (CAHEA) standards
11 provided that the standards are not in conflict with board policies.

12 c. The board shall establish criteria and standards for programs
13 of chest radiography and dental radiography and approve the
14 programs upon a finding that the standards and criteria have been
15 met.

16 d. An approved program of radiologic technology may be offered
17 by a medical or educational institution or other public or private
18 agency or institution, and, for the purpose of providing the requi-
19 site clinical experience, shall be affiliated with one or more hospitals
20 that, in the opinion of the board, are likely to provide the experience.

1 8. (New section) a. Each applicant shall be required to pass a
2 certifying examination designated and approved by the board for
3 his specialty.

4 b. The board shall hold an examination at least once every 6
5 months at times and places as the board may determine.

6 c. An applicant who fails to pass the examination may reapply
7 for the examination provided the applicant complies with the con-
8 ditions established by the board.

9 d. The board may accept, in lieu of its own examination, a cur-
10 rent certificate of the American Registry of Radiologic Technolo-
11 gists issued on the basis of a registry examination satisfactory to
12 the board, provided that the standards of that agency are at least
13 as stringent as those established by the board.

14 e. The board may accept, in lieu of its own examination, a cur-
15 rent certificate, registration or license as a radiologic technologist
16 issued by another state, provided that the standards in the other
17 state are at least as stringent as those established by the board.

18 f. The board may accept, in lieu of its own examination, a cur-
19 rent certificate of the New Jersey Board of Dentistry issued on
20 the basis of satisfactory completion of the certification examina-
21 tion given by the Certifying Board of the American Dental Assist-
22 ants' Association and any education requirements as may be pre-
23 scribed by the New Jersey Board of Dentistry, provided that the
24 standards of that association are at least as stringent as those
25 established by the board.

1 9. (New section) a. The board shall issue a certificate to each
2 candidate who has either successfully passed the examination, or
3 who has paid the prescribed fee and has qualified under subsection
4 d., e. or f. of section 8 of this act.

5 b. The board may, in its discretion, issue a limited certificate to
6 any applicant who does not qualify by reason of a restricted area
7 or duration of training and experience for the issuance of a cer-
8 tificate under the provisions of sections 7 or 9 of this act, but who
9 has demonstrated to the satisfaction of the board by examination
10 that he is capable of performing the functions of a radiologic
11 technologist in chest x-ray technology or of acting as a dental x-ray
12 technologist. A limited certificate shall specify the activities that
13 its holder may engage in, and shall be issued only if the board
14 finds that its issuance will not violate the purposes of this act or
15 tend to endanger the public health and safety.

16 c. The board may, in its discretion, issue a temporary certificate
17 to any person whose certification or recertification may be pending
18 and in whose case the issuance of a temporary certificate may be

19 justified by reason of special circumstances. A temporary certifi-
20 cate shall be issued only if the board finds that its issuance will
21 not violate the purposes of this act or tend to endanger the public
22 health and safety. A temporary certificate shall expire 90 days
23 after the date of the next examination if the applicant is required
24 to take the same, or, if the applicant does not take the examination,
25 then on the date of the examination. In all other cases, a tempo-
26 rary certificate shall expire when the determination is made either
27 to issue or deny the applicant a regular certificate, and in no event
28 shall a temporary certificate be issued for a period longer than 180
29 days.

30 d. Every radiologic technologist shall carry his current certifi-
31 cate on his person at work. The certificate shall be displayed on
32 request.

1 10. (New section) a. All certificates are renewable on December
2 31 of every even numbered year following the year of its issuance.
3 A certificate shall be renewed by the board for a period of 2 years
4 upon payment of a renewal fee in an amount to be determined by
5 rule of the commission and submission of written evidence of
6 continuing education in a manner established by the board.

7 b. A radiologic technologist who has been heretofore duly certi-
8 fied in this State and whose certificate has not been revoked or
9 suspended, and who has temporarily ceased his activities as a
10 radiologic technologist for not more than 3 years, may apply for
11 the reissuance of a certificate upon compliance with the application
12 provisions of this act, including payment of any outstanding fee.

1 11. (New section) a. The certificate of a radiologic technologist
2 may be suspended for a fixed period, or may be revoked, or the
3 technologist may be censured, reprimanded or otherwise dis-
4 ciplined, in accordance with the provisions and procedures defined
5 in this act, if after due hearing it is determined that he:

6 (1) Is guilty of any fraud or deceit in his activities as a radio-
7 logic technologist or has been guilty of any fraud or deceit in
8 procuring his certificate;

9 (2) Has been convicted in a court of competent jurisdiction,
10 either within or without this State, of a crime involving moral
11 turpitude, except that if the conviction has been reversed and the
12 holder of the certificate discharged or acquitted, or if he has been
13 pardoned or his civil rights restored, the certificate may be restored
14 to him;

15 (3) Is or has been afflicted with any medical problem, disability,
16 or addiction which, in the opinion of the board, would impair his
17 professional competence;

18 (4) Has aided and abetted a person who is not a certified radio-
19 logic technologist or otherwise authorized pursuant to section 4
20 of this act in engaging in the activities of a radiologic technologist;

21 (5) Has undertaken or engaged in any practice beyond the scope
22 of the authorized activities of a radiologic technologist pursuant
23 to this act;

24 (6) Has falsely impersonated a duly certified or former duly
25 certified radiologic technologist or is engaging in the activities of
26 a radiologic technologist under an assumed name;

27 (7) Has been guilty of unethical conduct as defined by rules
28 promulgated by the commission;

29 (8) Has continued to practice without obtaining a certificate
30 renewal as required by this act;

31 (9) Has applied ionizing radiation to a human being without
32 the specific direction of a duly licensed practitioner as defined
33 herein; or to any person or part of the human body outside the
34 scope of his specific authorization;

35 (10) Has acted or is acting as an owner, co-owner, or employer
36 in any enterprise engaged in the application of ionizing radiation
37 to human beings for the purpose of diagnostic interpretation,
38 chiropractic analysis, or the treatment of disease;

39 (11) Has expressed to a member of the public an interpretation
40 of a diagnostic x-ray film or fluorescent image;

41 (12) Has used or is using the prefix "Dr.", the word "doctor"
42 or any suffix or affix to indicate or imply that the radiologic tech-
43 nologist is a duly licensed practitioner as defined herein when not
44 so licensed;

45 (13) Is or has been guilty of incompetence or negligence in his
46 activities as a radiologic technologist.

47 b. Proceedings against any radiologic technologist under this
48 section shall be instituted by filing with the board a written charge
49 or charges under oath against the radiologic technologist or
50 therapy technologist. The charges may be preferred by any person,
51 corporation, association or public officer, or by the board in the
52 first instance. A copy thereof, together with a report of the in-
53 vestigation as the board shall deem proper, shall be referred to
54 the commission for its recommendation to the commissioner. If
55 the commissioner decides that the charges should be heard, he
56 shall designate three or more members of the board as a committee
57 to hear and report on the charges and shall set a time and place
58 for the hearing. A copy of the charges, together with a notice of
59 the time and place of hearing shall be served upon the person
60 charged either personally or by registered mail at least 15 days

61 before the date fixed for the hearing, and he shall have an oppor-
62 tunity to appear and answer the charges either personally or by
63 counsel, to cross-examine witnesses against him and to produce
64 evidence and witnesses in his defense. For the purpose of this
65 section, the board or its committee shall have power to issue sub-
66 penas for the appearance of witnesses, and to take testimony under
67 oath. Upon the conclusion of the hearing the committee shall make
68 a written report of its findings and recommendations to the com-
69 missioner. If the commissioner finds that the charges have not
70 been proved, he shall order them dismissed. If the charges are
71 found to be true, the commissioner may, in his discretion, issue
72 an order suspending or revoking the certification of the accused,
73 or otherwise disciplining him.

74 c. When the certificate of any person has been revoked or an-
75 nulled, as herein provided, the board may, after the expiration of
76 2 years, accept an application for restoration of the certificate.

1 12. (New section) No person shall knowingly or negligently
2 employ as a radiologic technologist any person who requires and
3 does not possess a valid certificate to engage in the activities of a
4 radiologic technologist.

1 13. (New section) Any person who violates any provision of
2 this act shall be subject to the sanctions contained in P. L. 1958, c.
3 116 (C. 26:2D-1 et seq.) as amended and supplemented.

1 14. Section 2 of P. L. 1971, c. 60 (C. 45:1-2.2) is amended to
2 read as follows:

3 2. a. All members of the several professional boards and com-
4 missions shall be appointed by the Governor in the manner pre-
5 scribed by law; except in appointing members other than those
6 appointed pursuant to subsection b. or subsection c., the Governor
7 shall give due consideration to, but shall not be bound by, recom-
8 mendations submitted by the appropriate professional organiza-
9 tions of this State.

10 b. In addition to the membership otherwise prescribed by law,
11 the Governor shall appoint in the same manner as presently pre-
12 scribed by law for the appointment of members two additional
13 members to represent the interests of the public, to be known as
14 public members, to each of the following boards and commissions:
15 The New Jersey State Board of Certified Public Accountants, the
16 New Jersey State Board of Architects, the State Board of Barber
17 Examiners, the New Jersey State Board of Dentistry, the State
18 Board of Mortuary Science of New Jersey, the State Board of
19 Professional Engineers and Land Surveyors, the State Board of
20 Medical Examiners, the New Jersey Board of Nursing, the New

21 Jersey State Board of Optometrists, the State Board of Examiners
22 of Ophthalmic Dispensers and Ophthalmic Technicians, the Board
23 of Pharmacy, the State Board of Professional Planners, The State
24 Board of Psychological Examiners, the New Jersey Real Estate
25 Commission, the State Board of Shorthand Reporting, *and* the
26 State Board of Veterinary Medical Examiners, [and the X-ray
27 Technician Board of Examiners] and one additional public member
28 to each of the following boards: the Board of Beauty Culture
29 Control, the Board of Examiners of Electrical Contractors, the
30 State Board of Marriage Counselor Examiners and the State
31 Board of Examiners of Master Plumbers. Each public member
32 shall be appointed for the term prescribed for the other members
33 of the board or commission and until the appointment of his
34 successor. Vacancies shall be filled for the unexpired term only.
35 The Governor may remove any such public member after hearing,
36 for misconduct, incompetency, neglect of duty or for any other
37 sufficient cause.

38 No public member appointed pursuant to this section shall have
39 any association or relationship with the profession or a member
40 thereof regulated by the board of which he is a member, where such
41 association or relationship would prevent such public member
42 from representing the interest of the public. Such a relationship
43 includes a relationship with members of one's immediate family;
44 and such association includes membership in the profession regu-
45 lated by the board. To receive services rendered in a customary
46 client relationship will not preclude a prospective public member
47 from appointment. This paragraph shall not apply to individuals
48 who are public members of boards on the effective date of this act.

49 It shall be the responsibility of the Attorney General to insure
49A that no person with the aforementioned association or relationship
49B or any other questionable or potential conflict of interest shall be
49C appointed to serve as a public member of any board regulated by
49D this section.

49E Where a board is required to examine the academic and profes-
49F sional credentials of an applicant for licensure or to test such
49G applicant orally, no public member appointed pursuant to this
49H section shall participate in such examination process, provided
49I however, that public members shall be given notice of and may be
49J present at all such examination processes and deliberations concern-
50 ing the results thereof, and, provided further, that public members
51 may participate in the development and establishment of the
52 procedures and criteria for such examination processes.

53 c. The Governor shall designate a department in the Executive
 54 Branch of the State Government which is closely related to the
 55 profession or occupation regulated by each of the boards or com-
 56 missions designated in section 1 and shall appoint the head of such
 57 department, or the holder of a designated office or position in such
 58 department, to serve without compensation at the pleasure of the
 59 Governor as a member of such board or commission.

60 d. A majority of the voting members of such boards or commis-
 61 sions shall constitute a quorum thereof and no action of any such
 62 board or commission shall be taken except upon the affirmative vote
 63 of a majority of the members of the entire board or commission.

1 15. P. L. 1968, c. 291 (C. 45:25-1 et seq.) is repealed.

1 16. This act shall take effect immediately.

STATEMENT

This bill transfers the x-ray technicians statute from Title 45 to Title 26 and makes the penalties for that act identical with those contained in the "Radiation Protection Act," P. L. 1958, c. 116 (C. 26:2D-1 et seq.) as amended and supplemented.

The bill clarifies and updates terminology. The bill also reflects national trends by clarifying educational requirements for each category of radiologic technologist and recognizes the separate category of radiation therapy technologist.

It makes it a violation for any person to either knowingly or negligently employ a radiologic technologist who requires and does not possess a valid certificate thereby giving a potential employer the responsibility to assure that only qualified personnel are hired. This amendment was recommended by the State Commission of Investigation in its Report on the Investigation of the Workmen's Compensation System (January, 1974).

The bill further requires radiologic technologists to participate in continuing education programs prescribed or approved by the board prior to renewal of certification.

11967 (1951)

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 967

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 1980

This bill transfers the x-ray technicians statute from Title 45 to Title 26 and makes the penalties for that act identical with those contained in the "Radiation Protection Act," P. L. 1958, c. 116 (C. 26:2D-1 et seq.) as amended and supplemented.

The bill clarifies and updates terminology. The bill also reflects national trends by clarifying education requirements for each category of radiologic technologist and recognizes the separate category of radiation therapy technologist.

It makes it a violation for any person to either knowingly or negligently employ a radiologic technologist who requires and does not possess a valid license thereby giving a potential employer the responsibility to assure that only qualified personnel are hired. This provision was recommended by the State Commission of Investigation in its Report on the Investigation of the Workmen's Compensation System (January, 1974).

The bill makes a number of other technical changes.

SENATE ENERGY AND ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 967

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1980

The Assembly Agriculture and Environment Committee Statement to this bill adequately explains its purposes and provisions as referred to the Senate Energy and Environment Committee. In reporting the bill, however, the Senate committee adopted amendments which (1) revise the new training requirements for radiation therapy technologists; (2) confirm the continued validity of limited certificates currently possessed by X-ray technicians, dental X-ray technicians and radiation therapists; and (3) provide that all existing limited certificates will be renewed only for the same limited category.

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SENATE AMENDMENTS TO
ASSEMBLY, No. 967

[SENATE REPRINT]

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STATE OF NEW JERSEY

ADOPTED JANUARY 22, 1981

Amend page 9, section 11, line 55, omit "decides that the charges should be heard", insert "determines the matter to be a contested case".

Amend page 9, section 11, line 56, after "shall", insert "either".

Amend page 9, section 11, line 58, after "hearing", insert "or shall refer the matter to the Office of Administrative Law for hearing before an administrative law judge, pursuant to the "Administrative Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.)".

Amend page 9, section 11, line 58, omit "A copy of the charges, together with a notice of".

Amend page 9, section 11, lines 59-62, omit entirely.

Amend page 10, section 11, line 63, omit entirely.

Amend page 10, section 11, line 64, omit "evidence and witnesses in his defense."

Amend page 10, section 11, line 65, omit "or", insert ","; after "committee", insert "or the administrative law judge".

Amend page 10, section 11, line 67, omit "the conclusion of the hearing the committee shall make".

Amend page 10, section 11, line 68, omit entirely.

Amend page 10, section 11, line 69, omit "missioner", insert "review of the record of the hearing, the commissioner may affirm, modify or reject the written report and recommendation of the committee or the administrative law judge".

STATEMENT

The purpose of these amendments is to clarify that the hearings provided for in this bill are to be conducted in accordance with the "Administrative Procedure Act," P. L. 1968, c. 410 (52:14B-1 et seq.) as amended by P. L. 1978, c. 67 (52:14F-1 et seq.).

The "Administrative Procedure Act" currently governs all other contested cases involving licenses. This amendment would retain for these cases the existing uniform system of conducting administrative

hearings. The Administrative Procedure Act has two main effects in these cases: (1) it gives the commissioner the option of referring the cases to Administrative Law Judges for hearings and initial recommendations; and (2) it applies the Uniform Administrative Procedure Rules of Practice to the cases, so that they will be handled in the same manner as other comparable licensing cases.

FISCAL NOTE TO
ASSEMBLY, No. 967

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 1981

The Senate Reprint of Assembly Bill No. 967 of 1980 provides for the regulation and licensing of radiologic technologists.

The Department of Environmental Protection estimates that enactment of this legislation would increase State revenue by \$1,500.00 in fiscal year 1980-81, \$1,000.00 in fiscal year 1981-82 and \$500.00 in fiscal year 1982-83.

The Department further states that the operating cost for this bill will be absorbed by the Bureau's existing program.

The increase of \$500.00 for fiscal year 1981-82 and 1982-83 is projected because of the educational programs offering radiation therapy courses need to be evaluated.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1980, c. 67.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

OCTOBER 13, 1981

KATHRYN FORSYTH

Governor Brendan Byrne signed the following bills before leaving the State on Saturday:

A-3548, sponsored by Assemblyman Alan Karcher (D-Middlesex), which provides that the 1980 federal census will become effective on January 1, 1982, or on the date on which the Governor files a copy of the Bulletin issued by the Director of the National Census with the Secretary of State.

The statute authorizes, but does not require, the Governor to file the Bulletin with the Secretary of State.

Enactment of this bill gives the Legislature the time it needs to deal with county reclassifications and the various statutes they affect. Two counties' classifications must be modified for the coming decade: Hudson will become a second class county rather than a first and Somerset will move from a third class county to a second.

A-1991, sponsored by Assemblyman Robert Littell (R-Sussex), which permits the Borough of Ogdensburg, in Sussex County, to permanently appoint one Joseph Kistle to its police department, notwithstanding that Kistle is 43 years old and does not meet the 35-year old age requirement set down in New Jersey statutes.

Kistle has been a provisional police officer, paid with CETA funds, since 1978. He will still have to meet all other Civil Service requirements for the job, including the competitive examination.

A-967, sponsored by Assemblyman H. Donald Stewart (D-Gloucester), which supplements the "Radiation Protection Act" of 1958 by transferring the statutory authority for licensing radiologic technicians from Title 45 to Title 26 and establishing the Radiologic Technology Advisory Board of Examiners as an agency of the Commission on Radiation Protection in the Department of Environmental Protection.

This body currently exists as the X-Ray Technician Board of Examiners, and the bill specifies that its members shall serve in a holdover capacity for the remainder of their terms.

In addition, the bill modernizes the language of the statutes and updates the educational requirements for radiologic technologists. It also provides for the continued validity of limited certificates currently possessed by X-Ray technicians and radiation therapists and the renewal of such certificates for the same limited purposes.

A-968, also sponsored by Assemblyman Stewart, which strengthens enforcement of the "Radiation Protection Act."

It expands the definition of "unnecessary radiation", broadens the Department of Environmental Protection's power to inspect sources of radiation, establishes a civil penalty for violations of the Act of not more than \$2,500 and increases the criminal sanction from a misdemeanor to a crime of the fourth degree.

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