

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 590
Committee Substitute Favorable 4/30/25
Committee Substitute #2 Favorable 6/25/25

Short Title: Patient Safety/Med. Imaging/Radiation Therapy.

(Public)

Sponsors:

Referred to:

April 1, 2025

A BILL TO BE ENTITLED
AN ACT PROVIDING FOR AND ENHANCING PATIENT SAFETY IN MEDICAL
IMAGING BY ENSURING EDUCATIONALLY PREPARED AND CLINICALLY
COMPETENT PERSONS PERFORM AND ADMINISTER MEDICAL IMAGING AND
RADIATION THERAPY PROCEDURES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 90 of the General Statutes is amended by adding a new Article
to read:

"Article 44.

"Radiologic Technologists, Radiation Therapists, Sonographers.

"§ 90-750. Short title; findings.

(a) This Article may be cited as the "Patient Safety in Medical Imaging Act."

(b) The General Assembly finds and declares that citizens in this State are entitled to the highest quality of care and maximum protection practicable from the harmful effects of improperly performed medical imaging and radiation therapy procedures and that protection and quality can be increased by requiring appropriate education and licensure of persons operating equipment used for medical imaging and radiation therapy procedures. Therefore, it is essential to establish standards of education for these professionals and to provide for appropriate examination and licensure.

"§ 90-751. Definitions.

The following definitions apply in this Article:

- (1) Board. – The Medical Imaging and Radiation Therapy Board of Examiners.
- (2) Bone densitometry. – The determination of bone mass by means of the radiation absorption by a skeleton or part of a skeleton.
- (3) Cardiac electrophysiology specialist. – A person who is registered to perform, under the supervision of a qualified physician, radiographic procedures and studies using external ionizing radiation to produce fluoroscopic images.
- (4) Cardiovascular invasive specialist. – A person who is registered to perform, under the supervision of a qualified physician, radiographic procedures using external ionizing radiation to produce fluoroscopic images.
- (5) Certification organization. – A national certification organization that specializes in the certification and registration of medical imaging or radiation therapy technical personnel and is accredited by the National Commission for Certifying Agencies, the American National Standards Institute, or other accreditation organization recognized by the Board.



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- (6) Computed tomography. – The process of producing sectional and three-dimensional images using external ionizing radiation for diagnostic or therapeutic purposes.
- (7) Diagnostic medical sonographer. – A person who is licensed under this Article to perform diagnostic medical sonography procedures using high-frequency sound waves with specialized equipment to direct the sound waves into an area of the human body to generate an image for diagnostic purposes or for the purpose of providing guidance during medical interventions.
- (8) Diagnostic medical sonography. – The use of high-frequency sound waves (ultrasound) with specialized equipment to direct the sound waves into an area of the human body to generate an image for diagnostic or therapeutic purposes.
- (9) Fluoroscopy. – The continuous exposure of a patient to X rays in real-time imaging of structures inside of the body during real-time procedures.
- (10) Hybrid imaging. – The combination of imaging technologies that allows information from different modalities to be presented as a single set of images.
- (11) Ionizing radiation. – As defined by G.S. 104E-5(9).
- (12) Licensed practitioner. – A person licensed to practice medicine, dentistry, podiatry, nursing, or chiropractic medicine in this State.
- (13) Limited practice radiographer. – A person who is licensed under this Article to perform, under the supervision of a radiographer or licensed practitioner, radiography or bone densitometry procedures resulting in diagnostic radiographic images of selected specific parts of human anatomy or bone density measurements.
- (14) Magnetic resonance. – The use of radiofrequencies within a magnetic field for diagnostic, therapeutic, or research purposes.
- (15) Medical imaging. – Any procedure or article intended for use in the diagnosis or visualization of disease or other medical conditions in human beings, including radiography, nuclear medicine, fluoroscopy, magnetic resonance, sonography, and other procedures using ionizing radiation or nonionizing radiation.
- (16) Medical imaging professional. – An individual other than a licensed practitioner who has undergone appropriate training and testing by a Board-approved certification organization to be licensed in the individual's practicing modality.
- (17) Mobile imaging. – Any arrangement in which medical imaging services are transported to various sites. This term does not include movement within a hospital or movement to a site where the equipment will be located permanently.
- (18) Modality. – Technologies used in the diagnosis or treatment of disease or other medical conditions in human beings, including all of the following:
a. Diagnostic medical sonography and its specializations.
b. Magnetic resonance.
c. Nuclear medicine and its specializations.
d. Radiation therapy and its specializations.
e. Radiography and its specializations.
- (19) Nonionizing radiation. – As defined in G.S. 104E-5.
- (20) Nuclear medicine technologist. – A person who is licensed under this Article to perform nuclear medicine and molecular imaging procedures using sealed and unsealed radiation sources, ionizing and nonionizing radiation, adjunctive medicines, and therapeutic procedures using unsealed radioactive sources.

- (21) Public member. – A resident of North Carolina who is not a licensed practitioner, does not perform medical imaging or radiation therapy procedures under this Article, and is not affiliated with any group or profession that provides or regulates health care or that may, in any way, hinder the public member in representing the interest of the public.
- (22) Radiation therapist. – A person who is licensed under this Article to perform procedures involving the administration of external source ionizing radiation to human beings for therapeutic purposes.
- (23) Radiographer. – A person who is licensed under this Article to perform a comprehensive set of diagnostic radiographic procedures using external ionizing radiation to produce radiographic, fluoroscopic, or digital images.
- (24) Radiologist. – A physician licensed under Article 1 of this Chapter who is Board-eligible for certification or who is certified by the American Board of Radiology, the American Osteopathic Board of Radiology, the British Royal College of Radiology, or the Royal College of Physicians and Surgeons of Canada.
- (25) Radiologist assistant. – A licensed radiographer who is additionally licensed under this Article to perform a variety of activities under the supervision of a radiologist in the areas of patient care, patient management, and medical imaging procedures.

"§ 90-753. Scope of practice; limitations.

(a) The Board shall establish licensure standards for the following radiologic imaging and radiation therapy modalities:

- (1) Computed tomography.
- (2) Cardiac invasive specialist.
- (3) Cardiac electrophysiology specialist.
- (4) Diagnostic medical sonography.
- (5) Limited practice radiographer.
- (6) Magnetic resonance.
- (7) Nuclear medicine technologist.
- (8) Radiation therapist.
- (9) Radiographer.
- (10) Radiologist assistant.

(b) A person licensed in medical imaging or radiation therapy under this Article may use radioactive substances, equipment emitting ionizing radiation or nonionizing radiation for medical imaging, or radiation therapy procedures only by prescription of an individual authorized by the State to prescribe medical imaging or radiation therapy procedures and under the supervision of a licensed practitioner.

(c) Individuals licensed as limited practice radiographers shall perform tasks only within the scope of the specific permit issued to them as provided in G.S. 90-756(c)(1) under the supervision of a licensed practitioner or radiographer and shall not perform computed tomography, diagnostic medical sonography, fluoroscopy, mammography, magnetic resonance imaging, radiation therapy, mobile imaging procedures, or imaging procedures using contrast media.

(d) Individuals licensed as cardiovascular invasive specialists shall be registered and licensed to perform, under the supervision of a qualified physician, radiographic procedures using external ionizing radiation to produce fluoroscopic images. To qualify for a license under this subsection, an applicant shall meet all of the following requirements:

- (1) Possess a high school diploma or equivalent.
- (2) Possess a current certification in advanced cardiac life support.
- (3) Complete an accredited cardiovascular technology program.

(4) Possess current credentials as a registered cardiovascular invasive specialist offered by Cardiovascular Credentialing International, Cardiac Interventional Radiography, or Cardiovascular Interventional Radiography, as offered by the American Registry Radiologic Technologists or other certification organization as approved by the Board.

(e) Individuals licensed as cardiovascular electrophysiology specialists shall be registered and licensed to perform, under the supervision of a qualified physician, radiographic procedures using external ionizing radiation to produce fluoroscopic images. To qualify for a license under this subsection, an applicant shall meet all of the following requirements:

(1) Possess a high school diploma or equivalent.

(2) Possess a certificate or degree in health science or possess two years of full-time work experience in diagnostic and interventional cardiac electrophysiology.

(3) Graduate from an accredited program in electrophysiology.

(4) Possess current credentials as a registered cardiovascular electrophysiology specialist offered by Cardiovascular Credentialing International or other certification organization as approved by the Board.

(f) Effective January 1, 2026, all individuals licensed to perform medical imaging and radiation therapy who perform computed tomography for diagnostic purposes must be certified in computed tomography by the American Registry of Radiologic Technologists, the Nuclear Medicine Technology Certification Board, or another certification organization recognized by the Board.

(g) A person licensed to perform nuclear medicine technology may perform computed tomography for attenuation correction and localization on hybrid imaging equipment.

(h) A person licensed to perform radiation therapy may perform computed tomography or other modalities for treatment planning purposes.

(i) A person licensed to perform radiography may perform fluoroscopy and bone densitometry.

(j) A person licensed as a radiologist assistant shall not interpret images, make diagnoses, or prescribe medications or therapies.

"§ 90-754. Medical Imaging and Radiation Therapy Board of Examiners.

(a) Composition of Board. – The North Carolina Medical Imaging and Radiation Therapy Board of Examiners is hereby created. The Board shall consist of a maximum of nine members appointed by the Governor and shall serve at the pleasure of the Governor. The initial Board shall be appointed within 90 days following the effective date of this section. The members of the Board shall include:

(1) One licensed nuclear medicine technologist.

(2) One licensed practitioner who is a radiologist and supervises medical imaging or radiation therapy professionals.

(3) One certified radiological or therapeutic physicist.

(4) One licensed radiation therapist.

(5) One licensed computed tomography technologist or radiographer.

(6) One licensed magnetic resonance imaging technologist or licensed sonographer.

(7) One radiologist assistant.

(8) One retired medical imaging professional as public member.

(9) One licensed radiography educator.

(b) Board Member Qualifications for Appointment. – In addition to the requirements of subsection (a) of this section, Board members shall meet the following qualifications:

(1) Each Board member shall be a resident of the State of North Carolina.

(2) The public member shall be at least 21 years of age.

(3) Except for the public member and the licensed practitioners, each Board member shall have at least two years of experience performing medical imaging or radiation therapy in the modality for which the Board member is appointed.

(c) Terms of Office. – The terms of office shall be three years, except that the terms of the members appointed to the initial Board shall be as follows: three members shall be appointed for a term of one year, three members for a term of two years, and three members for a term of three years. Vacancies shall be filled for an unexpired term only in the manner provided by the original appointment. No member shall be eligible for appointment to serve more than two consecutive terms.

(d) Temporary Board Exemption to License Requirements. – A person who performs medical imaging or radiation therapy procedures and is appointed to the initial Board shall not be required to hold a valid license issued by the Board until 12 months after the first issuance of a license by the Board.

(e) Compensation and Expenses. – Each member of the Board shall receive per diem and reimbursement for travel and subsistence as provided in G.S. 93B-5.

(f) Officers. – The officers of the Board shall be a chair and a vice-chair, and other officers deemed necessary by the Board to carry out the purposes of this Article. All officers shall be elected annually by the Board for one-year terms and shall serve until their successors are elected and qualified.

(g) Meetings. – The Board shall hold four meetings each year, once per quarter, to conduct business and to review the standards and rules for improving the administration of medical imaging or radiation therapy procedures. The Board shall establish the procedures for calling, holding, and conducting regular and special meetings. A majority of Board members constitutes a quorum.

(h) Meeting Attendance. – A member of the Board who fails to attend three meetings in an 18-month period shall forfeit the member's seat unless the chair, upon written request from the member, finds that the member should be excused from a meeting because of illness or death of a family member.

(i) Quorum. – A majority of the voting members of the Board shall constitute a quorum. No action may be taken by the Board except by affirmative vote of the majority of those present and voting.

"§ 90-755. Powers of the Board.

The Board shall have the following powers and duties:

(1) Administer this Article.

(2) Issue interpretations of this Article.

(3) Adopt rules as may be necessary to carry out the provisions of this Article.

(4) Establish the scope of practice for each license or permit type issued by the Board.

(5) Employ and fix the compensation of personnel that the Board determines is necessary to carry into effect the provisions of this Article and incur other expenses necessary to effectuate this Article.

(6) Examine and determine the qualifications and fitness of applicants for licensure, renewal of licensure, and reciprocal licensure. The Board may, in its discretion, revise the licensing requirements of this Article for areas of North Carolina that the Board deems too remote to contain enough qualified licensees to perform medical imaging or radiation therapy procedures on humans for diagnostic or therapeutic purposes.

(7) Set requirements for continuing education as a requirement for license renewal. The Board may review and accept the continuing education and recertification or continuing competency requirements established by a

1 medical imaging or radiation therapy certification organization for license
2 renewal.

3 (8) Issue, renew, deny, suspend, or revoke licenses and carry out any disciplinary
4 actions authorized by this Article.

5 (9) Set fees for licensure, license renewal, and other services deemed necessary
6 to carry out the purposes of this Article.

7 (10) Conduct investigations for the purpose of determining whether violations of
8 this Article or grounds for disciplining licensees exist.

9 (11) Conduct administrative hearings in accordance with Article 3A of Chapter
10 150B of the General Statutes.

11 (12) Maintain a record of all proceedings and make available to licensees and other
12 concerned parties an annual report of all Board action.

13 (13) Develop standards and adopt rules for the improvement of the administration
14 of medical imaging or radiation therapy procedures in this State.

15 (14) Adopt a seal containing the name of the Board for use on all licenses and
16 official reports issued by the Board.

17 (15) Establish criteria and standards for educational programs offered in the State
18 on medical imaging and radiation therapy.

19 (16) Approve medical imaging and radiation therapy educational programs that the
20 Board determines meet the criteria and standards established by the Board.

21 **"§ 90-756. Requirements for licensure.**

22 (a) A person seeking to obtain a license for a radiologic imaging or radiation therapy
23 modality shall comply with each of the following requirements:

24 (1) At least 18 years of age at the time of application.

25 (2) Has a high school diploma or has passed an approved equivalency test.

26 (b) Limited Practice Radiographer. – In addition to the requirements of subsection (a) of
27 this section, a person seeking to obtain a license as a limited radiologist assistant shall comply
28 with each of the following requirements:

29 (1) Successfully complete a course of study in limited X-ray machine operation
30 approved by the Board.

31 (2) Pass an examination in limited X-ray machine operation approved by the
32 Board from the following examinations:

33 a. The American Registry of Radiologic Technologists limited X-ray
34 machine operator examination for limited bone density, chest,
35 extremities, spine, skull/sinus, and podiatric radiography.

36 b. The International Society for Clinical Densitometry examination in
37 clinical bone densitometry.

38 c. A certification organization recognized by the Board.

39 (c) Magnetic Resonance Technologist License. – In addition to the requirements of
40 subsection (a) of this section, a person seeking to obtain a license as a magnetic resonance
41 technologist shall comply with each of the following requirements:

42 (1) Successfully complete a course of study in magnetic resonance imaging or a
43 course in radiography and additional educational requirements in magnetic
44 resonance technology approved by the Board.

45 (2) Possess current certification and registration in radiography from the
46 American Registry of Radiologic Technologists or current certification and
47 registration in magnetic resonance from the American Registry of Radiologic
48 Technologists or a certification organization approved by the Board.

49 (3) By January 1, 2026, all applicants for a license under this subsection shall be
50 certified in magnetic resonance under subdivision (2) of this subsection.

1 (d) Nuclear Medicine Technologist License. – In addition to the requirements of
2 subsection (a) of this section, a person seeking to obtain a license as a nuclear medicine
3 technologist shall comply with each of the following requirements:

4 (1) Successfully complete a course of study in nuclear medicine technology
5 approved by the Board.

6 (2) Possess current certification and registration in nuclear medicine technology
7 from the American Registry of Radiologic Technologists, the Nuclear
8 Medicine Technology Certification Board, or a certification organization
9 approved by the Board.

10 (e) Radiation Therapist License. – In addition to the requirements of subsection (a) of
11 this section, a person seeking to obtain a license as a radiation therapist shall comply with each
12 of the following requirements:

13 (1) Successfully complete a course of study in radiation therapy approved by the
14 Board.

15 (2) Possess current certification and registration in radiation therapy from the
16 American Registry of Radiologic Technologists or a certification organization
17 recognized by the Board.

18 (f) Radiographer License. – In addition to the requirements of subsection (a) of this
19 section, a person seeking to obtain a license as a radiographer shall comply with each of the
20 following requirements:

21 (1) Successfully complete a course of study in radiography approved by the
22 Board.

23 (2) Possess current certification and registration in radiography from the
24 American Registry of Radiologic Technologists or a certification organization
25 approved by the Board.

26 (g) Radiologist Assistant License. – A person seeking to obtain a license as a radiologist
27 assistant shall comply with each of the following requirements:

28 (1) Hold a current license as a radiographer and be currently certified and
29 registered as a radiographer by the American Registry of Radiologic
30 Technologists under subsection (f) of this section.

31 (2) Hold current certification and registration as a radiologist assistant or as a
32 radiology practitioner assistant by the American Registry of Radiologic
33 Technologists, the Certification Board of Radiology Practitioner Assistants,
34 or a certification organization approved by the Board.

35 (3) Submit to the Board clinical protocols signed by the supervising radiologist
36 specifying procedures that are performed by the radiologist assistant, levels of
37 radiologist supervision, and locations of practice designated by the
38 supervising radiologist. Updated protocols shall be submitted biannually,
39 consistent with license renewal. The radiologist assistant scope of practice
40 shall be consistent with the most recent version of the Radiologist Assistant
41 Practice Standards published by the American Society of Radiologic
42 Technologists.

43 (h) Sonographer License. – In addition to the requirements of subsection (a) of this
44 section, a person seeking to obtain a license as a sonographer shall comply with each of the
45 following requirements:

46 (1) Successfully complete a course of study in sonography approved by the
47 Board.

48 (2) Possess current certification and registration in sonography from the
49 American Registry of Radiologic Technologists, the American Registry of
50 Diagnostic Medical Sonography, Cardiovascular Credentialing International,
51 or a certification organization approved by the Board.

1 (i) Cardiac Electrophysiology Specialist License. – In addition to the requirements of
2 subsection (a) of this section, a person seeking to obtain a license as a cardiac electrophysiology
3 specialist shall comply with each of the following requirements:

4 (1) Successfully complete a course of study in cardiac electrophysiology
5 approved by the Board.

6 (2) Possess current certification in cardiac electrophysiology from Cardiovascular
7 Credentialing International or a certification organization approved by the
8 Board.

9 (j) Cardiac Invasive Specialist License. – In addition to the requirements of subsection
10 (a) of this section, a person seeking to obtain a license as a cardiac invasive specialist shall
11 comply with each of the following requirements:

12 (1) Successfully complete a course of study in cardiac invasive procedures
13 approved by the Board.

14 (2) Possess current certification as a registered cardiovascular invasive specialist
15 offered by Cardiovascular Credentialing International, Cardiac Interventional
16 Radiography, Cardiovascular Interventional Radiography as offered by the
17 American Registry of Radiologic Technologists, or other certification
18 organizations approved by the Board.

19 (k) Computed Tomography License. – In addition to the requirements of subsection (a)
20 of this section, a person seeking to obtain a license in computed tomography shall comply with
21 each of the following requirements:

22 (1) Successfully complete a course of study in computed tomography approved
23 by the Board.

24 (2) Possess current certification and registration in computed tomography from
25 the American Registry of Radiologic Technologists, the Nuclear Medicine
26 Technology Certification Board, or a certification organization approved by
27 the Board.

28 (l) Current Professionals at Time of Act. – The Board shall issue a license under this
29 Article, within two years of the effective date of this Article, to a person practicing as a medical
30 imaging professional, radiation therapist, or radiologist assistant if the person holds a current
31 license or certification in one of those respective modalities or fields issued by a medical imaging
32 certification organization approved by the Board.

33 (m) Change of Name or Address. – A person holding a license or permit issued under this
34 Article shall notify the Board in writing within 90 days of any name or address change.

35 (n) Failure to Maintain Required Certification and Registration. – Within 30 days, a
36 licensee shall submit written notification to the Board if the licensee meets any of the following
37 criteria:

38 (1) Fails to maintain a required certification and registration by a certification
39 organization.

40 (2) Is subject to any legal or disciplinary action other than minor traffic infractions
41 or is subject to proceedings for acts or conduct substantially the same as acts
42 or conduct that would constitute grounds for refusal to issue, refusal to renew,
43 suspension, revocation, or other discipline of an applicant or a person holding
44 license or permit under this Article by any of the following:

45 a. Licensing jurisdiction, whether in the United States or foreign.

46 b. Health care institution.

47 c. Professional society or association.

48 d. Certification organization.

49 e. Government agency.

50 f. Law enforcement agency.

51 g. Court.

"§ 90-757. Examinations.

(a) Evidence of Examination. – To meet the requirement of examination under this Article for nuclear medicine technology, radiation therapy, radiography, radiologist assistant, or sonography, the Board shall accept current certification and registration by a certification organization recognized by the Board in the applicant's or licensee's modality.

(b) Limited Practice Radiographer Examination. – The Board shall use a limited practice radiographer examination administered by the American Registry of Radiologic Technologists for persons applying for a limited practice radiographer license and permit in chest, extremity, spine, skull/sinus, or podiatric radiography or bone densitometry testing. The Board shall determine by regulation the examination score that constitutes successful completion.

(c) Acceptance of Chiropractic Radiologic Technologist Certification. – The Board may accept certification and registration from a certification organization approved by the Board to meet the requirement of this subsection for successful completion of an examination for a person applying for a limited practice radiographer license and permit in spine radiography who works under the supervision of a chiropractor.

"§ 90-758. Issuance of license; temporary license; display of license.

(a) Issuance of License. – The Board shall issue a license to an applicant who meets the requirements for licensure specified in this Article and the regulations adopted by the Board, verified by oath or affirmation, upon payment of a fee as provided in G.S. 90-761.

(b) The Board may issue a license with authorization to perform more than one medical imaging or radiation therapy modality if the person is qualified in each modality.

(c) Temporary License. – The Board may issue a temporary license to any person whose license or license renewal may be pending or when issuance is for providing medical imaging or radiation therapy services to medically underserved areas as determined by the Board.

(d) New graduates awaiting national certification may be issued a provisional license for employment purposes for a period not to exceed one year.

(e) Temporary License for Cross-Training. – A person licensed under this Article may apply to the Board for a temporary license in an additional medical imaging or radiation therapy modality to complete clinical experience requirements for an applicable training pathway established by a certification organization recognized by the Board. Temporary licenses issued for training purposes shall expire three years after issuance.

(f) Display of License; License to Be Available Upon Request. – The copy of the current license of all license holders must be maintained at their places of employment.

"§ 90-759. Educational programs approved by the Board.

(a) In order to obtain approval by the Board, educational programs in medical imaging or radiation therapy shall (i) be offered by a medical facility or educational institution and (ii) be affiliated with one or more hospitals or clinics to provide the requisite clinical education.

(b) The curriculum for each course of study in medical imaging or radiation therapy shall be no less stringent than the standards approved by the Joint Review Committee on Education in Radiologic Technology, the Joint Review Committee on Education in Nuclear Medicine Technology, the Commission on Accreditation of Allied Health Education Programs, or other educational accreditation agency approved by the Board.

"§ 90-760. License renewal; reciprocity.

(a) Every license issued under this Article shall expire on the last day of the licensee's month of birth in the second year following the year of issuance. A licensee who fails to renew a license prior to the expiration date shall submit an application for reinstatement to obtain licensure. The license shall be renewed upon the payment of a renewal fee, as provided in G.S. 90-761, if, at the time of application for renewal, the applicant is not in violation of this Article and has complied with any continuing education requirements pursuant to rules adopted by the Board.

(b) The Board shall notify a licensee at least 60 days in advance of the expiration of his or her license. The licensee shall inform the Board of any change of the licensee's address. Each licensee is responsible for renewing his or her license before the expiration date. Licenses that are not renewed automatically lapse.

(c) The Board may provide for the late renewal of an automatically lapsed license upon the payment of a reinstatement fee. The licensee shall maintain certification in his or her licensed specialty throughout the licensure period established by the credentialing body.

(d) The Board may, upon application and payment of proper fees, issue a license to a person who has been licensed, registered, or certified to perform medical imaging or radiation therapy procedures in another jurisdiction if that jurisdiction's standards are substantially equivalent to those provided in this Article and the regulations adopted by the Board.

"§ 90-761. Fees.

(a) The Board is authorized to charge and collect fees not to exceed the following:

(1) Initial, provisional, or temporary license application fee, one hundred dollars (\$100.00).

(2) Biennial license fee, one hundred fifty dollars (\$150.00).

(3) Temporary license fee, one hundred dollars (\$100.00).

(4) Duplicate license, twenty-five dollars (\$25.00).

(5) License renewal late fee, seventy-five dollars (\$75.00).

(b) All fees shall be set by the Board pursuant to rules adopted under this Article. All fees payable to the Board shall be deposited in the name of the Board in financial institutions designated by the Board as official depositories and shall be used to pay all expenses incurred in carrying out the purposes of this Article.

(c) All salaries, compensation, and expenses incurred to carry out the purposes of this Article shall be paid by the Board exclusively out of the fees received by the Board as authorized by this Article or out of funds received from other sources.

"§ 90-762. Disciplinary authority.

(a) The Board may deny, suspend, revoke, or refuse to renew a license or impose probationary conditions on a license if the licensee or applicant for licensure has engaged in any of the following conduct:

(1) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.

(2) Engaging in unprofessional conduct pursuant to rules adopted by the Board.

(3) Having been convicted of or pleaded guilty or nolo contendere to a crime involving moral turpitude or any crime that indicates that the licensee or applicant is unfit or incompetent to administer medical imaging or radiation therapy procedures or that the licensee or applicant has deceived or defrauded the public.

(4) Engaging in any act or practice in violation of any of the provisions of this Article or any rule adopted by the Board or aiding, abetting, or assisting any person in a violation.

(5) Committing an act or acts of malpractice, gross negligence, or incompetence in administering medical imaging or radiation therapy procedures.

(6) Practicing as a person licensed to administer medical imaging or radiation therapy procedures without a current license.

(7) Engaging in conduct that could result in harm or injury to the public.

(8) Being unfit or incompetent to administer medical imaging or radiation therapy services by reason of deliberate or negligent acts or omissions, regardless of whether actual injury to a patient is established.

(b) The denial, refusal to renew, suspension, revocation, or imposition of probationary conditions upon a license may be ordered by the Board after a hearing held in accordance with

Chapter 150B of the General Statutes and rules adopted by the Board. An application may be made to the Board for reinstatement of a revoked license if the revocation has been in effect for at least two years after the date of the Board's order revoking the license."

SECTION 2. Article 44 of Chapter 90 of the General Statutes, as enacted by Section 1 of this act, is amended by adding new sections to read:

"§ 90-752. License required; exemptions.

(a) License Required. – Except as provided in this section, only a person currently licensed under this Article may perform or offer to perform radiologic imaging or radiation therapy procedures on humans for diagnostic or therapeutic purposes or otherwise indicate or imply that the person is licensed to perform radiologic imaging or radiation therapy procedures.

(b) License Required for Employment. – No person or business entity shall knowingly employ a person who does not hold a license, or is not exempt under this Article, to perform radiologic imaging or radiation therapy procedures on humans for diagnostic or therapeutic purposes.

(c) No Limitation or Enlargement of Practice. – Nothing in this Article shall limit or enlarge the practice of a licensed practitioner.

(d) Exemptions. – The provisions of this Article shall not apply to the following:

(1) A licensed practitioner performing medical imaging procedures or administering radiation therapy.

(2) A registered dental hygienist (RDH).

(3) A dental assistant I or II who has satisfactorily completed one of the following:

a. The North Carolina radiography equivalency examination.

b. Dental assisting school through an American Dental Association-accredited program.

c. The Dental Assisting National Board examination.

d. Classification as a dental assistant II in this State under the laws regulating the practice of dentistry.

(4) A resident physician licensed under Article 1 of this Chapter.

(5) A student enrolled in and attending a school or college of medicine or medical imaging or radiation therapy who performs medical imaging or radiation therapy procedures on humans while under the supervision of a licensed practitioner, or an individual holding a license under this Article.

(6) A person administering radiologic imaging or radiation procedures as an employee of the United States government.

(7) A person performing radiologic procedures or therapy on cadavers.

(8) A person licensed to perform radiologic imaging or radiation therapy who is performing supervised clinical procedures in preparation for certification in an additional radiologic imaging or radiation therapy modality who has registered with the Board. The Board may grant this exemption for a period not to exceed three years, and this exemption may be renewed by the Board.

(9) Chiropractic students as described in G.S. 90-142.1 and diagnostic imaging technicians as described in G.S. 90-143.2.

(10) A licensed veterinarian performing medical imaging procedures or administering radiation therapy, or to an individual employed by, or engaged as an independent contractor by, a licensed veterinarian that performs a medical imaging procedure or administers radiation therapy in the ordinary course of their employment or engagement.

(11) An individual employed by, or engaged as an independent contractor by, a podiatrist that performs medical imaging procedures in the ordinary course of their employment or engagement.

(12) A certified registered nurse anesthetist performing fluoroscopy.

(13) A nurse practitioner or physician assistant performing fluoroscopy.

"§ 90-763. Violation a misdemeanor; injunctive relief.

(a) Any person who violates any provision of this Article shall be guilty of a Class 1 misdemeanor. Each act of such unlawful practice shall constitute a distinct and separate offense.

(b) The Board may make application to any appropriate court for an order enjoining violations of this Article, and upon a showing by the Board that any person has violated or is about to violate this Article, the court may grant an injunction or restraining order or take other appropriate action."

SECTION 3. Notwithstanding the requirements of G.S. 90-754, as enacted by Section 1 of this act, the initial appointees to the Medical Imaging and Radiation Therapy Board of Examiners filling the membership positions for licensed radiologist, licensed nuclear medicine technologist, licensed radiation therapist, and licensed sonographer do not have to meet the licensure requirements established in Section 1 of this act, provided that these initial appointees shall apply for and obtain a license from the Board within 90 days after the Board begins issuing licenses.

SECTION 4. Persons other than radiologist assistants who have been engaged in the practice of medical imaging and radiation therapy and who do not hold a current registration from a voluntary professional certification organization approved by the Medical Imaging and Radiation Therapy Board of Examiners may continue to practice in the modality of medical imaging or radiation therapy in which they are currently employed provided that they (i) register with the Board on or before October 1, 2026, (ii) do not change the scope of their current employment practice, (iii) complete all continuing education requirements for their area of practice annually as prescribed by the Board, and (iv) practice only under the supervision of a radiologist.

SECTION 5. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provisions or application and, to this end, the provisions of this act are severable.

SECTION 6. No later than January 1, 2026, The Medical Imaging and Radiation Therapy Board of Examiners shall adopt rules to implement the provisions of this act.

SECTION 7. Section 1 of this act becomes effective July 1, 2025. Section 2 of this act becomes effective January 1, 2026. The remainder of this act is effective when it becomes law.