

Notice of Proposed Rule

DEPARTMENT OF HEALTH
Division of Environmental Health

RULE NO: RULE TITLE

[64E-3.001](#): Fees[64E-3.003](#): Qualifications for Examination[64E-3.006](#): Certification by Endorsement

PURPOSE AND EFFECT: The proposed rule revises the fees, forms and process for radiologic technology certification.

SUMMARY: The proposed rule modifies the application form, deletes obsolete language, and revises application procedures and requirements to comply with current Florida law, for people seeking radiologic technology certification or renewal. The proposed changes also increase fees to address a revenue shortfall in the radiologic technology certification program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Every year, approximately 10,000 radiologic technology professionals renew their certification, and another approximately 3,000 people apply for radiologic technology certification. The proposed rule will increase the renewal and application fees paid by these professionals and applicants. It is anticipated that this increase will generate approximately \$300,000 in additional revenue annually to recover costs associated with a revenue shortfall in this program.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: [381.0034](#), [468.303](#), [468.3065](#), [469.309 FS](#).LAW IMPLEMENTED: [119.07](#), [381.0034](#), [468.303](#), [468.304](#), [468.306](#), [468.3065](#), [468.309](#), [468.3095 FS](#).

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 7, 2009, 10:00 a.m. – 11:00 a.m.

PLACE: Capital Circle Office Complex, Building 4042, Room 240P, 4042 Bald Cypress Way, Tallahassee, FL
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Janet Cooksey, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266; email Janet_Cooksey@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Futch, Environmental Administrator, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266; email: James_Futch@doh.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-3.001 Fees.

The following fees are prescribed by the department:

(1) The fee for initial application ~~and a study guide~~ for certification by examination as provided in Section 468.304, Florida Statutes, is ~~100 75~~ dollars plus the actual charge by the testing organization for the examination.~~(2) The fee for initial application without a study guide for certification by examination as provided in Section 468.304, Florida Statutes, is 50 dollars plus the actual charge by the testing organization for the examination.~~(2) ~~(3)~~ The fee for initial application for certification by endorsement as provided in Section 468.3065, Florida Statutes, is ~~50 45~~ dollars.(3) ~~(4)~~ The fee for subsequent examinations as provided in Section 468.306(4), Florida Statutes, is ~~75 35~~ dollars plus the actual charge by the testing organization for the examination.(4) ~~(5)~~ The fee for renewal provided in Section 468.309(1), Florida Statutes, is ~~75 55~~ dollars for one certification category and 40 dollars for each additional certification category. ~~The department will prorate the renewal fee for certificates expiring December 31, 1999 and December 31, 2000 to establish certificate expiration dates coinciding~~

~~with the last day of the birth month of the certificate holder.~~

~~(5)(6)~~ The fee for application for change from active to inactive status as provided in Section 468.3095, Florida Statutes, is 40 dollars.

~~(6)(7)~~ The fee for late renewal as provided in Section 468.3095, Florida Statutes, is 100 dollars.

~~(7)(8)~~ The fee for each duplicate certificate is 10 dollars.

~~(9) The fee for listings and mailing labels of radiologic technologists, is \$0.05 for each name and \$55.00 for each setup.~~

~~(10) For a study guide as provided in Section 468.304(4), Florida Statutes, 25 dollars.~~

Rulemaking Specific Authority 468.303, 468.3065, 468.309 FS. Law Implemented 119.07(4)(1)(b), 455.587(6); 468.304, 468.306, 468.3065, 468.309, 468.3095 FS. History—New 10-1-84, Formerly 10D-74.40, Amended 3-21-88, 9-17-92, 11-6-94, Formerly 10D-74.040, Amended 10-28-99,_____.

64E-3.003 Qualifications for Examination.

(1) An applicant for certification as a Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine shall submit an application to the department on Form DH 1006, 10/09, “Application for Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine,” incorporated herein by reference. Applicants for all other types of certification under this Chapter shall submit an application to the department on Form DH 1005, 10/09, “Application for General Radiographer, Nuclear Medicine Technologist, Radiation Therapy Technologist, or Radiologist Assistant,” incorporated herein by reference. An applicant seeking approval to take the certification examination shall submit an application to the department on Form DH 1005, 10/07, “Radiologic Technology Application Form,” incorporated herein by reference. All The applicants must meet the qualifications prescribed by Section 468.304, Florida Statutes.

(a) through (d) No change.

(2) through (4) No change.

(5) The HIV/AIDS course required of all applicants by subsection 381.0034(3), Florida Statutes, shall be at least 4 hours duration and contain instruction on:

(a) The modes of transmission, infection control procedures, clinical management, and prevention of HIV/AIDS; and

(b) Current Florida law on HIV/AIDS and its impact on testing, confidentiality of test results, and treatment of patients.

Rulemaking Specific Authority 381.0034, 468.303 FS. Law Implemented 381.0034, 468.304 FS. History—New 4-10-85, Formerly 10D-74.43, Amended 3-21-88, 9-17-92, Formerly 10D-74.043, Amended 3-4-08,_____.

64E-3.006 Certification by Endorsement.

(1) An applicant seeking certification by endorsement shall submit an application to the department as specified in Rule 64E-3.003, F.A.C. on Form DH 1005, 10/07, “Radiologic Technology Application Form,” and pay the required fee.

(2) The provisions of subsections 64E-3.003(2), (3) and (5), F.A.C., must be satisfied. If the applicant has been denied radiologic technology licensure in another state, territory, or country, he shall submit to the department information pertaining to such action and its final disposition.

(3) No change.

Rulemaking Specific Authority 468.303 FS. Law Implemented 468.303, 468.304, 468.3065 FS. History—New 4-10-85, Formerly 10D-74.47, Amended 3-21-88, 5-7-96, 12-12-96, Formerly 10D-74.047, Amended 3-4-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: James A. Futch, Environmental Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 3, 2008; September 25, 2009