

1 H.473

2 Introduced by Committee on Health Care

3 Date:

4 Subject: Health; health care professionals; radiologist assistants

5 Statement of purpose of bill as introduced: This bill proposes to authorize  
6 radiologist assistants to provide services without having a radiologist  
7 physically present, provided a radiologist is available remotely for consultation  
8 and intervention and a physician is physically present in case of a medical  
9 emergency. The bill would also allow radiologist assistants to communicate  
10 with patients regarding the radiologist assistants' preliminary observations  
11 about the technical performance of a procedure or examination and about the  
12 findings from a radiologist's report.

13 An act relating to radiologist assistants

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 ~~Sec. 1, 26 V.S.A., § 2851 is amended to read:~~

16 § 2851. DEFINITIONS

17 As used in this chapter:

18 ~~§ 2851. DEFINITIONS~~

1 ~~(8)(A) “Supervision” means the direction and review by a supervising~~  
2 radiologist, as determined to be appropriate by the Board, of the medical  
3 services provided by the radiologist assistant. At a minimum, supervision  
4 shall mean that a radiologist is readily available for consultation and  
5 intervention. A radiologist assistant may provide services under the direction  
6 and review of more than one supervising radiologist during the course of ~~his or~~  
7 ~~her~~ the radiologist assistant’s employment, subject to the limitations on ~~his or~~  
8 ~~her~~ the radiologist assistant’s scope of practice as set forth in this chapter and  
9 the protocol filed under subsection 2853(b) of this title.

10 (B) As used in subdivision (A) of this subdivision (8), “readily  
11 available” means that a radiologist is available in person or is available  
12 remotely by telephone or through a live, interactive audio and video  
13 connection.

14 Sec. 2. 26 V.S.A. § 2857 is amended to read:

15 § 2857. SUPERVISION AND SCOPE OF PRACTICE

16 (a)(1) The number of radiologist assistants permitted to practice under the  
17 direction and supervision of a radiologist shall be determined by the Board  
18 after review of the system of care delivery in which the supervising radiologist  
19 and radiologist assistants propose to practice. Scope of practice and levels of  
20 ~~supervision shall be consistent with guidelines adopted by the American~~

1 ~~College of Radiology, the American Society of Radiologic Technologists, and~~  
2 ~~the ARRT.~~

3       (2) The authority of a radiologist assistant to practice shall terminate  
4 immediately upon termination of the radiologist assistant's employment, and  
5 the primary supervising radiologist shall immediately notify the Board and the  
6 Commissioner of the Department of Health of the termination. The radiologist  
7 assistant's authority to practice shall not resume until ~~he or she~~ the radiologist  
8 assistant provides proof of other employment and a protocol as required under  
9 this chapter.

10       (3) If a supervising radiologist is not physically present at the location at  
11 which a radiologist assistant is practicing, the radiologist assistant shall  
12 provide services only when a physician licensed pursuant to chapter 23 or 33  
13 of this title, who need not be a radiologist, is physically present at the location  
14 and would be responsible for providing intervention or assistance in the event  
15 of a medical emergency.

16       (b)(1) Subject to the limitations set forth in subsection (c) of this section,  
17 the radiologist assistant's scope of practice shall be limited to that delegated to  
18 the radiologist assistant by the primary supervising radiologist and for which  
19 the radiologist assistant is qualified by education, training, and experience. At  
20 no time shall the practice of the radiologist assistant exceed the normal scope  
21 ~~of the supervising radiologist's practice.~~

1 ~~(2) A radiologist assistant may shall not interpret images, make~~  
2 ~~diagnoses, or prescribe medications or therapies but may communicate with~~  
3 ~~patients regarding the radiologist assistant's preliminary observations~~  
4 ~~regarding the technical performance of a procedure or examination and~~  
5 ~~regarding the findings from a radiologist's report. Preliminary observations~~  
6 ~~shall not include any communication about the presence or absence of features~~  
7 ~~or characteristics that would be considered in making a diagnosis.~~

8 Sec. 3. EFFECTIVE DATE

9 ~~This act shall take effect on July 1, 2023.~~

~~Sec. 1, 26 V.S. 4, § 2851 is amended to read:~~

~~§ 2851. DEFINITIONS~~

~~As used in this chapter:~~

~~\* \* \*~~

~~(8) "Readily available" means that a supervising radiologist is~~  
~~available in person or is available remotely by telephone or through a live,~~  
~~interactive audio and video connection.~~

~~(9) "Supervision" means the direction and review by a supervising~~  
~~radiologist, as determined to be appropriate by the Board, of the medical~~  
~~services provided by the radiologist assistant. At a minimum, supervision shall~~  
~~mean that a radiologist is readily available for consultation and intervention.~~

~~A radiologist assistant may provide services under the direction and review of~~

~~more than one supervising radiologist during the course of his or her the radiologist assistant's employment, subject to the limitations on his or her the radiologist assistant's scope of practice as set forth in this chapter and the protocol filed under subsection 2853(b) of this title.~~

~~Sec. 2. 26 V.S.A. § 2857 is amended to read:~~

~~§ 2857. SUPERVISION AND SCOPE OF PRACTICE~~

~~(a)(1) The number of radiologist assistants permitted to practice under the direction and supervision of a radiologist shall be determined by the Board after review of the system of care delivery in which the supervising radiologist and radiologist assistants propose to practice. Scope of practice and levels of supervision shall be consistent with guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the ARRT.~~

~~(2) The authority of a radiologist assistant to practice shall terminate immediately upon termination of the radiologist assistant's employment, and the primary supervising radiologist shall immediately notify the Board and the Commissioner of the Department of Health of the termination. The radiologist assistant's authority to practice shall not resume until he or she the radiologist assistant provides proof of other employment and a protocol as required under this Chapter.~~

~~(3) The primary supervising radiologist and radiologist assistant shall be employed by and have as their primary work site the same Vermont health care facility or an affiliate of the facility; provided, however, that the primary supervising radiologist does not need to be physically present at the same location where the radiologist assistant is practicing as long as a supervising radiologist is readily available for consultation and intervention.~~

~~(4) If a supervising radiologist is not physically present at the location at which a radiologist assistant is practicing, the radiologist assistant shall provide services only when a physician licensed pursuant to chapter 23 or 33 of this title, who need not be a radiologist, is physically present at the location and would be responsible for providing intervention or assistance in the event of a medical emergency.~~

~~(b)(1) Subject to the limitations set forth in subsection (a) of this section, the radiologist assistant's scope of practice shall be limited to that delegated to the radiologist assistant by the primary supervising radiologist and for which the radiologist assistant is qualified by education, training, and experience. At no time shall the practice of the radiologist assistant exceed the normal scope of the supervising radiologist's practice.~~

~~(2) A radiologist assistant ~~may~~ shall not interpret images, make diagnoses, or prescribe medications or therapies but may communicate with patients regarding the radiologist assistant's preliminary observations~~

~~regarding the technical performance of a procedure or examination and regarding the findings from a radiologist's report. Preliminary observations shall not include any communication about the presence or absence of features or characteristics that would be considered in making a diagnosis.~~

*Sec. 3. EFFECTIVE DATE*

~~*This act shall take effect on July 1, 2023.*~~

*Sec. 1. 26 V.S.A. § 2851 is amended to read:*

*§ 2851. DEFINITIONS*

*As used in this chapter:*

*\* \* \**

*(6) "Radiologist" means a person who is licensed to practice medicine or osteopathy under chapter 23 or 33 of this title and who meets one or both of the following requirements:*

*(A) The person is certified by or eligible for certification by the American Board of Radiology or the American Osteopathic Board of Radiology or their predecessors or successors ~~or who.~~*

*(B) The person is credentialed by a hospital to practice radiology and engages in the practice of radiology at that hospital full-time.*

*\* \* \**

*(8) “Readily available” means that a supervising radiologist is available in person or is available remotely by telephone or through a live, interactive audio and video connection.*

*(9) “Supervision” means the direction and review by a supervising radiologist, as determined to be appropriate by the Board, of the medical services provided by the radiologist assistant. At a minimum, supervision shall mean that a radiologist is readily available for consultation and intervention. A radiologist assistant may provide services under the direction and review of more than one supervising radiologist during the course of ~~his or her~~ the radiologist assistant’s employment, subject to the limitations on ~~his or her~~ the radiologist assistant’s scope of practice as set forth in this chapter and the protocol filed under subsection 2853(b) of this title.*

*Sec. 2. 26 V.S.A. § 2857 is amended to read:*

*§ 2857. SUPERVISION AND SCOPE OF PRACTICE*

*(a)(1) The number of radiologist assistants permitted to practice under the direction and supervision of a radiologist shall be determined by the Board after review of the system of care delivery in which the supervising radiologist and radiologist assistants propose to practice. Scope of practice and levels of supervision shall be consistent with guidelines adopted by the American College of Radiology, the American Society of Radiologic Technologists, and the ARRT.*



(2) The authority of a radiologist assistant to practice shall terminate immediately upon termination of the radiologist assistant's employment, and the primary supervising radiologist shall immediately notify the Board and the Commissioner of the Department of Health of the termination. The radiologist assistant's authority to practice shall not resume until ~~he or she~~ the radiologist assistant provides proof of other employment and a protocol as required under this chapter.

(3) The primary supervising radiologist and radiologist assistant shall be employed by and have as their primary work site the same health care facility or an affiliate of the facility, provided that:

(A) the radiologist assistant's primary work site shall be located in Vermont; and

(B) the primary supervising radiologist does not need to be physically present at the same location where the radiologist assistant is practicing as long as a supervising radiologist is readily available for consultation and intervention.

(4) If a supervising radiologist is not physically present at the location at which a radiologist assistant is practicing, the radiologist assistant shall provide services only when a physician licensed pursuant to chapter 23 or 33 of this title, who need not be a radiologist, is physically present at the location

and would be responsible for providing intervention or assistance in the event of a medical emergency.

*(b)(1) Subject to the limitations set forth in subsection (a) of this section, the radiologist assistant's scope of practice shall be limited to that delegated to the radiologist assistant by the primary supervising radiologist and for which the radiologist assistant is qualified by education, training, and experience. At no time shall the practice of the radiologist assistant exceed the normal scope of the supervising radiologist's practice.*

*(2) A radiologist assistant ~~may~~ shall not interpret images, make diagnoses, or prescribe medications or therapies but may communicate with patients regarding the radiologist assistant's preliminary observations regarding the technical performance of a procedure or examination and regarding the findings from a radiologist's report. Preliminary observations shall not include any communication about the presence or absence of features or characteristics that would be considered in making a diagnosis.*

*Sec. 3. EFFECTIVE DATE*

*This act shall take effect on July 1, 2023.*