



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2256

Introduced 5/15/2019, by Sen. Don Harmon

#### SYNOPSIS AS INTRODUCED:

420 ILCS 40/5  
420 ILCS 40/6

from Ch. 111 1/2, par. 210-5  
from Ch. 111 1/2, par. 210-6

Amends the Radiation Protection Act of 1990. Provides that a person licensed as a certified registered nurse anesthetist under the Nurse Practice Act is among specified licensed persons who may intentionally administer radiation to a human being if accredited by the Illinois Emergency Management Agency, or under whose supervision specified persons may intentionally administer radiation, apply ionizing radiation to human beings as required by their course of study, or perform diagnostic radiography procedures listed on the persons' registration. Provides that a certified registered nurse anesthetist licensed under the Nurse Practice Act is among those under whose supervision specified persons are exempt from accreditation when the services are performed on employees of a business at a medical facility owned and operated by the business. Effective immediately.

LRB101 12409 CPF 60485 b

1 AN ACT concerning nuclear safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Radiation Protection Act of 1990 is amended  
5 by changing Sections 5 and 6 as follows:

6 (420 ILCS 40/5) (from Ch. 111 1/2, par. 210-5)

7 (Section scheduled to be repealed on January 1, 2021)

8 Sec. 5. Limitations on application of radiation to human  
9 beings and requirements for radiation installation operators  
10 providing mammography services.

11 (a) No person shall intentionally administer radiation to a  
12 human being unless such person is licensed to practice a  
13 treatment of human ailments by virtue of the Illinois Medical,  
14 Dental or Podiatric Medical Practice Acts or licensed as a  
15 certified registered nurse anesthetist under the Nurse  
16 Practice Act, or, as physician assistant, advanced practice  
17 registered nurse, technician, nurse, or other assistant, is  
18 acting under the supervision, prescription or direction of such  
19 licensed person. However, no such physician assistant,  
20 advanced practice registered nurse, technician, nurse, or  
21 other assistant acting under the supervision of a person  
22 licensed under the Medical Practice Act of 1987 or licensed as  
23 a certified registered nurse anesthetist under the Nurse

1 Practice Act, shall administer radiation to human beings unless  
2 accredited by the Agency, except that persons enrolled in a  
3 course of education approved by the Agency may apply ionizing  
4 radiation to human beings as required by their course of study  
5 when under the direct supervision of a person licensed under  
6 the Medical Practice Act of 1987 or licensed as a certified  
7 registered nurse anesthetist under the Nurse Practice Act. No  
8 person authorized by this Section to apply ionizing radiation  
9 shall apply such radiation except to those parts of the human  
10 body specified in the Act under which such person or his  
11 supervisor is licensed. No person may operate a radiation  
12 installation where ionizing radiation is administered to human  
13 beings unless all persons who administer ionizing radiation in  
14 that radiation installation are licensed, accredited, or  
15 exempted in accordance with this Section. Nothing in this  
16 Section shall be deemed to relieve a person from complying with  
17 the provisions of Section 10.

18 (b) In addition, no person shall provide mammography  
19 services unless all of the following requirements are met:

20 (1) the mammography procedures are performed using a  
21 radiation machine that is specifically designed for  
22 mammography;

23 (2) the mammography procedures are performed using a  
24 radiation machine that is used solely for performing  
25 mammography procedures;

26 (3) the mammography procedures are performed using

1 equipment that has been subjected to a quality assurance  
2 program that satisfies quality assurance requirements  
3 which the Agency shall establish by rule;

4 (4) beginning one year after the effective date of this  
5 amendatory Act of 1991, if the mammography procedure is  
6 performed by a radiologic technologist, that technologist,  
7 in addition to being accredited by the Agency to perform  
8 radiography, has satisfied training requirements specific  
9 to mammography, which the Agency shall establish by rule.

10 (c) Every operator of a radiation installation at which  
11 mammography services are provided shall ensure and have  
12 confirmed by each mammography patient that the patient is  
13 provided with a pamphlet which is orally reviewed with the  
14 patient and which contains the following:

15 (1) how to perform breast self-examination;

16 (2) that early detection of breast cancer is maximized  
17 through a combined approach, using monthly breast  
18 self-examination, a thorough physical examination  
19 performed by a physician, and mammography performed at  
20 recommended intervals;

21 (3) that mammography is the most accurate method for  
22 making an early detection of breast cancer, however, no  
23 diagnostic tool is 100% effective;

24 (4) that if the patient is self-referred and does not  
25 have a primary care physician, or if the patient is  
26 unfamiliar with the breast examination procedures, that

1 the patient has received information regarding public  
2 health services where she can obtain a breast examination  
3 and instructions.

4 (Source: P.A. 100-513, eff. 1-1-18.)

5 (420 ILCS 40/6) (from Ch. 111 1/2, par. 210-6)

6 (Section scheduled to be repealed on January 1, 2021)

7 Sec. 6. Accreditation of administrators of radiation;  
8 Limited scope accreditation; Rules and regulations; Education.

9 (a) The Agency shall promulgate such rules and regulations  
10 as are necessary to establish accreditation standards and  
11 procedures, including a minimum course of education and  
12 continuing education requirements in the administration of  
13 radiation to human beings, which are appropriate to the  
14 classification of accreditation and which are to be met by all  
15 physician assistants, advanced practice registered nurses,  
16 nurses, technicians, or other assistants who administer  
17 radiation to human beings under the supervision of a person  
18 licensed under the Medical Practice Act of 1987 or a certified  
19 registered nurse anesthetist licensed under the Nurse Practice  
20 Act. Such rules and regulations may provide for different  
21 classes of accreditation based on evidence of national  
22 certification, clinical experience or community hardship as  
23 conditions of initial and continuing accreditation. The rules  
24 and regulations of the Agency shall be consistent with national  
25 standards in regard to the protection of the health and safety

1 of the general public.

2 (b) The rules and regulations shall also provide that  
3 persons who have been accredited by the Agency, in accordance  
4 with the Radiation Protection Act, without passing an  
5 examination, will remain accredited as provided in Section 43  
6 of this Act and that those persons may be accredited, without  
7 passing an examination, to use other equipment, procedures, or  
8 supervision within the original category of accreditation if  
9 the Agency receives written assurances from a person licensed  
10 under the Medical Practice Act of 1987, that the person  
11 accredited has the necessary skill and qualifications for such  
12 additional equipment procedures or supervision. The Agency  
13 shall, in accordance with subsection (c) of this Section,  
14 provide for the accreditation of nurses, technicians, or other  
15 assistants, unless exempted elsewhere in this Act, to perform a  
16 limited scope of diagnostic radiography procedures of the  
17 chest, the extremities, skull and sinuses, or the spine, while  
18 under the supervision of a person licensed under the Medical  
19 Practice Act of 1987.

20 (c) The rules or regulations promulgated by the Agency  
21 pursuant to subsection (a) shall establish standards and  
22 procedures for accrediting persons to perform a limited scope  
23 of diagnostic radiography procedures. The rules or regulations  
24 shall require persons seeking limited scope accreditation to  
25 register with the Agency as a "student-in-training," and  
26 declare those procedures in which the student will be receiving

1 training. The student-in-training registration shall be valid  
2 for a period of 16 months, during which ~~the~~ time the student  
3 may, under the supervision of a person licensed under the  
4 Medical Practice Act of 1987 or a certified registered nurse  
5 anesthetist licensed under the Nurse Practice Act, perform the  
6 diagnostic radiography procedures listed on the student's  
7 registration. The student-in-training registration shall be  
8 nonrenewable.

9 Upon expiration of the 16 month training period, the  
10 student shall be prohibited from performing diagnostic  
11 radiography procedures unless accredited by the Agency to  
12 perform such procedures. In order to be accredited to perform a  
13 limited scope of diagnostic radiography procedures, an  
14 individual must pass an examination offered by the Agency. The  
15 examination shall be consistent with national standards in  
16 regard to protection of public health and safety. The  
17 examination shall consist of a standardized component covering  
18 general principles applicable to diagnostic radiography  
19 procedures and a clinical component specific to the types of  
20 procedures for which accreditation is being sought. The Agency  
21 may assess a reasonable fee for such examinations to cover the  
22 costs incurred by the Agency in conjunction with offering the  
23 examinations.

24 (d) The Agency shall by rule or regulation exempt from  
25 accreditation physician assistants, advanced practice  
26 registered nurses, nurses, technicians, or other assistants

1 who administer radiation to human beings under supervision of a  
2 person licensed to practice under the Medical Practice Act of  
3 1987 or a certified registered nurse anesthetist licensed under  
4 the Nurse Practice Act when the services are performed on  
5 employees of a business at a medical facility owned and  
6 operated by the business. Such exemption shall only apply to  
7 the equipment, procedures and supervision specific to the  
8 medical facility owned and operated by the business.

9 (Source: P.A. 100-513, eff. 1-1-18.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.