

Radiologic Technology Certification Committee Meeting (RTCC)

March 17, 2010

**Junipero Serra State Building
Carmel Room/Auditorium
320 West Fourth Street
Los Angeles, CA 90013**
Frieda Y. Taylor, M.S., Chairperson

Committee Members Present

Roger S. Eng, M.D.
Diane Garcia, RT, ARRT, CT
John L. Go, M.D.
Johnson B. Lightfoote, M.D.
Neil Mansdorf, D.P.M.

Melissa Martin, M.S.
Todd D. Moldawer, M.D.
Linda L. Ortega, CRT, R, CV, ARRT
Adam Sommerstein, M.D.
Cliff Tao, D.C.

Committee Members Absent

Dale R. Butler, M.D.

Meeting Summary

Chairperson Frieda Y. Taylor, M.S. called the meeting to order at 9:00 a.m.

Ms. Taylor welcomed and introduced the RTCC Members, California Department of Public Health-Radiologic Health Branch staff and the public.

Abbreviations that would be used throughout the meeting were defined: (RTCC) for Radiologic Technology Certification Committee, (CDPH) for California Department of Public Health and (RHB) for Radiologic Health Branch.

First Agenda Item:

Approval of the minutes of the September 23, 2009 meeting.

Motion by Committee Member Moldawer. Second by Committee Member Martin.

Motion Passed.

Chairperson Taylor stated that the approved minutes would be finalized and posted on the RHB website within 30 days from today's meeting.

Second Agenda Item:

Radiologic Technology Schools Update

Sudana Kwok, Senior Health Physicist, RHB Certification Unit

Ms. Kwok presented the history of the RHB Certification Unit (CU) and the Radiologic Technology (RT) schools from 2006 through present.

- Registration and Certification Unit reorganized in 2006 with new staff.
- There were no changes made to the RT Act or California Code of Regulations (CCR), Title 17 on training of RT school technologies, notification requirements, standards and record keeping.
- In January 2006 the CU sent letters to all RT schools requesting updated information.
- CCR, Title 17, section 30437, requires all schools and training programs to issue a certificate or diploma to graduates who successfully complete the curriculum. Subsection (a)(1) describes the minimum information to be included on the document.
- August 2006 the CU sent a letter to all schools requesting a sample of their document. All schools have not responded..
- CCR, Title 17, section 30437, additionally requires:
 - Schools that are closing or discontinuing their program(s) to notify the Department within 30 days.
 - Schools are to retain records for five years.
- CCR, Title 17, section 30435, requires schools to notify the Department within 30 days of changes to the following as specified in subsections (a) through (f):
 - Board of Directors, faculty or curriculum.
 - Names and addresses of students dismissed, suspended or voluntarily withdrawn from clinical education.
 - Names and addresses of students who have graduated.
- Communication Bulletin e-mail sent to all schools in October 2006 and January 2007 regarding CCR, Title 17, section 30435, and section 30437.
- Information associated with CCR, Title 17, section 30435, and section 30437 was presented at the September 2006 and March 2007 RTCC meetings.
- Certification Unit began to look at the schools' curricula and what is filed with the RHB based on current regulations.
- November 2006 visit to the Joint Review Committee on Education in Radiologic Technology (JRCERT) office.

- White Paper was presented with the Department's position statement at the March 2007 RTCC meeting.
- RTCC subcommittees were formed to review and propose any changes to the regulations by January 1, 2011.
- Current JRCERT accreditation is sufficient to meet CCR, Title 17, section 30421, and section 30422, Radiologic Technologist (RT) curriculum requirements.
- 2007 - CCR, Title 17, section 30410.2, was added regarding Instruction in Digital Radiologic Technology. Certification Section worked to implement.
- 2007 through 2008 - Implemented process to update all school applications on file beginning with Fluoroscopy Permit schools.
- Ms. Kwok presented a diagram detailing how a fluoroscopy permit is obtained by a graduate.
- CCR, Title 17, section 30436, enables the Department to revoke, suspend, limit or condition the approval of any school or program that violates the Radiologic Technology Act or regulations implementing that Act.
 - Such proceedings can begin if at any time over a period of the previous five years the school passing rate on Department-approved examinations taken by graduates falls below 75%.
- April 2007 through January 2010 - RHB and ARRT Joint Project: Performance of First Time California School Candidates by Category
 - Exam results dating back to January 1, 2008 made available to RHB from RT Fluoroscopy and Limited Permit Schools.
 - Pass/Fail results are based on the graduates that took the exam for the first time in that year by school and category.
 - Review complied with state and federal privacy laws.
 - Reviewed Fluoroscopy Permit schools for 2008 and 2009
 - 33 schools on list both years.
 - In 2008 - 21 schools had over 75% pass-rate.
 - In 2009 - 27 schools had over 75% pass-rate.
 - Presentation of graphs and comparisons for 2008 and 2009.
 - Reference to a study by Ben Babcock, a psychometrician with the ARRT that compared candidate results from the ARRT exam and the California fluoroscopy exam.
 - Conclusion - it appears that the California fluoroscopy exam and the national radiography exam measure differently, although the exams total and section scores are related.
- Committee Member Eng asked if the RHB was required to wait five years to act if a school has a sub-par exam pass rate.
 - Chairperson Taylor stated that these will be evaluated on a case-by-case basis.
- Committee Member Lightfoote suggested making the information regarding pass rates available to the public.

- Committee Member Moldawer stated that he concluded based on the data that either schools are turning out inadequately trained students or the validating exam is not a true reflection of the quality of the education.
- Committee Member Garcia stated that while the ARRT exam is current, the California fluoroscopy exam is from the 1970s and early 1980s and there is equipment no longer used and standards that are antiquated.

Third Agenda Item:

Limited Permit X-ray Technician Schools Subcommittee Report
Linda Ortega, BS, CRT, ARRT (R) (CV)

- Purpose of the Committee:
 - To evaluate the current Minimum Standard for Limited Permit X-ray Technician Schools established in 1984.
 - Determine or develop a career ladder from X-ray technician (XT) to a CRT program.
 - Evaluate the didactic and clinical education devoted to each of the categories.
- Main areas of proposed changes:
 - Define supervision of the student in the clinical education.
 - Defining application of standards of the category areas (chest, extremity, torso-skeletal, etc).
 - Faculty qualifications and responsibilities.
 - Increase or enhancement of program instruction hours.
 - Recommend changes of the number of procedures for clinical procedure categories to reflect industry.
 - Recommendations to separate the “standards” specific to the leg-podiatric permit.
- At September 2009 RTCC Meeting, questions were posed to the subcommittee in regards to national standards for the Limited Permit X-ray Technician program and if such standards existed.
 - No true national standard.
 - American Society of Radiological Technologist (ASRT) has a printed curriculum document that is intended to establish national educational guidelines for Licensed X-ray Machine Operators (LXMO).
 - 26 states (in addition to California) recognize a limited permit X-ray technician – titles vary by state.
 - Education varies dynamically from state to state.
 - Program hours vary from 24 hours to 110 hours.
- January 2010, all X-ray Technician Schools received notification from RHB providing clarification to an existing law regarding supervision of students in XT clinical components and what a “qualified person” was.
 - February 23, 2010, RHB sent out clarification to the schools regarding a ‘qualified person’:

- The law, which was written in approximately 1971 and enacted later, was written before there were X-ray technicians or limited permit schools.
- The RHB stated that a qualified person means:
 - Either a certified supervisor and operator possessing either a radiography supervisor certificate or a radiography supervisor operator permit – or a certified diagnostic radiologic technologist, who has at least two years of radiologic technology experience.
 - A limited permit X-ray technician who holds a permit in the permit category for which the student is training and has at least two years of radiologic technology experience.
- Sub-committee is in final phase of reviewing standards.
 - Have clear definitions and have fine-tuned words and verbiage for clarification.
 - Improved and established criteria that is consistent within the document.
 - Faculty and curriculum has been evaluated.
 - Working on Six Questions for Fall 2010 RTCC Meeting.
- Committee Member Lightfoote: What is the age of the two sets of qualifications for California and the ASRT?
 - Linda Ortega - ASRT is 2009; California (RHB) is 1984.
- Committee Member Moldawer: What is the pathway for an out-of-state limited license technologist or technician to be able to be a limited license technologist in California?
 - Linda Ortega - There is no reciprocity. The candidate would have to attend an approved California school to be eligible to take the examination, regardless of their years of experience from another state.
 - Marilyn Cantrell - RHB Certification Unit (CU) - On a case-by-case basis the CU will evaluate the candidate's resume and proof of clinical experience during training. However, this is a rare occurrence that this occurs or that the candidate would ultimately be able to take the test.
- Committee Member Lightfoote - Questioned why California could not simply use the ASRT requirements?
 - Linda Ortega - The California curriculum is regulatory, and it does need to be reevaluated. The subcommittee is confident with the standards that California currently has.

- Committee Member Martin - Is there an ARRT exam for limited technicians based on the ASRT curriculum?
 - Linda Ortega Yes. It was updated in January 2009 and is reflective to what the student should be receiving if practicing in California.

Fourth Agenda Item:

Minimum Standards for Fluoroscopy Schools Proposed Regulatory Changes
Melissa Martin, MS, DABR, FACR

- Subcommittee did not have any recommendations or changes to the current fluoroscopy school curriculum.
- Currently updating the fluoroscopy syllabus.
- Current bill in Congress known as CARE Act – deals with qualifications of personnel providing imaging and treatment procedures on the U.S. population.
 - The CARE Act will establish the basic requirements of training for anyone performing the imaging or therapeutic procedures or providing the data, including the medical physicist’s credentials for who evaluates the equipment.
- Medical Imaging Patient Protection Act (MIPPA Act) – Requires accreditation of all outpatient facilities for high-tech imaging procedures.
 - Input is being requested by professional groups, the public and the manufacturers’ representatives. The two topics are CT and fluoroscopy.
 - FDA is having public hearings March 30th and March 31st.
- Based on the outcome of these hearings, the subcommittee may be coming back with further recommendations to the requirements for the State of California for fluoroscopy.

Fifth Agenda Item:

Legislative Update
Phillip Scott, Senior Health Physicist
Regulations Unit, Radiologic Health Branch

- Mr. Scott referenced the website www.leginfo.ca.gov that individuals can utilize to find information on California bills and laws, as well as legislative publications.
 - Proposed Legislation:
 - AB 1940 (Fletcher) - Fluoroscopy spot bill.
 - SB 1237 (Padilla) - Radiation control and recordkeeping for health facilities and clinics. Reporting requirements for excessive radiation use.
 - SB 942 (Dutton) - State Auditor analysis of regulations. Would require that all regulations adopted after January 1, 2011 be repealed 10 years after their effective dates unless the auditor

determines the benefit of the regulation to private persons or businesses exceeds its costs.

- SB (8X) 48 (Dutton and Denham) – Same as SB 942 but addresses the current fiscal emergency.

Enacted Legislation:

- AB 356 – Radiologic technology: fluoroscopy. Amended the definition of Licentiate of the Health Arts to include a Physician Assistant (PA). Allows PA to obtain a Licentiate fluoro permit. Requires the PA's supervising physician to also possess the fluoro permit. Regulations required to implement – at least three years.
- SB 148 – Requires mammography facilities to post notices of serious violations in an area visible to patients within two days of receipt and for at least five working days or until violation is corrected. Self-implementing.

- Information on all State of California regulations can be found at www.oal.ca.gov.
- CDPH proposed regulations are available for review at www.cdph.ca.gov. Items are posted two to five days before publication in the California Regulatory Notice Register.

Current Proposed Regulations:

- DPH-08-008 – Standards for protection against radiation.
 - Public comment April 2 – May 20, 2010. Must complete process by April 2, 2011.
- DPH-05-018 – Medical use of radioactive material
 - Public comment April 2 – May 20, 2010. Must complete process by April 2, 2011.

Lunch Adjournment

Reconvened at 1:00 p.m.

Chairperson Taylor made the following announcements:

- Recognition of the Therapeutic Subcommittee and Stephanie Eatmon, Subcommittee Chair.
- Committee member Dr. Cliff Tao, D.C. resigned from the RTCC.

Sixth Agenda Item:

Minimum Standards for Bone Densitometry Technician Radiology Programs and Proposed Regulatory Changes
Beverley Tracewell, R.N.

- Ms. Tracewell noted that her presentation had not largely changed from last fall and there were recommended revisions that she would be offering based on the subcommittee's work.

- Section II (2) proposed change: Defined Clinical Supervision as the “role of one who provides direct supervision of the students as they acquire the scans.”
- Section VI (6) proposed change: Committee felt that the roles of the didactic and clinical instructors should be separated and defined more clearly.
 - The didactic instructor shall be a physician, physicist, technologist, technician, or equivalent, qualified by training and experience to perform and instruct in the use of X-ray bone densitometry equipment.
 - The clinical instructor shall be a physician, physicist, technologist, technician, manufacturer representative, or equivalent, qualified by training and experience to perform and instruct in the use of X-ray bone densitometry equipment and shall be properly certificated or permitted by the State of California to conduct bone density testing.
 - Clinical instructors shall have at least one year of experience performing X-ray bone densitometry procedures.
- Section VI-B (6B) – proposed change: Instructors are responsible for offering didactic and/or clinical training, and shall instruct students and oversee the proper maintenance of their clinical records pursuant to these standards.
- Section VIII-B (8B) proposed change: The training (didactic, laboratory and clinical) shall extend over a period of at least three days but not more than two months.
- Section VIII-D (8D) proposed change: The laboratory curriculum shall offer at least two hours of general clinical practice quality assurance training including both experiments performed on phantoms and evaluation of images.
- Section VIII-E (8E) proposed change: Supervised clinical education shall be provided by qualified instructors and shall consist of the performance of a total of 20 scans by each student that includes the following: (Posterior/Anterior Spine (5), Hip (5), Forearms (5), Others (whole body, IVA, LVA, hips, spines (5))).
- Section IX (9) proposed change: The student shall be under the direct supervision of a physician who holds a Radiology or Radiography Supervisor and Operator certificate or permit until such time as the Supervisor or Operator deems the student is safely and competently using X-ray in the performance of the patient examination.
- .Committee Member Martin asked for clarification on what is considered an “equivalent instructor” in the didactic category.
- Committee Member Ortega stated that in the didactic section terms such as “technologist” and “technician” needs to be more specifically defined, such as “Radiologic Technologist.”
- Subcommittee Member Wendy Tellez (RHB) addressed the Committee and stated that she felt there were items that had not been covered in Ms. Tracewell’s presentation based on requests made to the subcommittee at the last RTCC meeting by the committee members:
 - Regarding “Radiation Safety Rules for Protecting the Technician” – changing the wording of ‘non-existent’ to ‘non-reportable.’
 - What would determine the qualification of a person to teach the didactic?
 - Having a unit at the school, so the laboratory could be performed.
 - What was considered an acceptable learning environment?

- Committee Member Martin made a motion that the suggested section changes documented on Ms. Tracewell's presentation hand-outs (yellow pages) be accepted and then voted on for approval. Seconded by Committee Member Lightfoote.
- Chairperson Taylor reminded the committee that they would be voting without transcripts from the September 2009 meeting and there would not be documentation available as to exactly what the committee would be voting on. The sections that were listed for revision in Ms. Tracewell's presentation were then reviewed. Motion passed unanimously.
- Following discussion and reading of excerpts from the September 2009 transcript, Committee Member Martin requested that a follow-up presentation be made at the next RTCC meeting to address comments made by the Committee at the past meeting that were not addressed.
- Ms. Tracewell will follow-up with Wendy Tellez to obtain a copy of the transcripts from the September 2009 meeting.

Seventh Agenda Item:

Joint Review Committee on Education in Radiologic Technology (JRCERT)
 Proposed Regulatory Changes
 Diane Garcia, Chairperson and Leslie Winter, CEO of JRCERT

(Diane Garcia – Presenter / Speaker)

- Ms. Garcia explained the history of the relationship between the RHB and JRCERT beginning in 1996.
- 2006 brought a change in leadership at RHB. Process of reviewing the oversight and approval of the school's under RHB's jurisdiction began.
- In November 2006, RHB Section Chief Frieda Taylor and Senior Health Physicist Sudana Kwok met with JRCERT and identified inconsistencies between the JRCERT accreditation processes and those established by RHB:
 - JRC "competency based" clinical evaluations vs. the California "process driven" regulations.
 - JRCERT had access to federal facilities, whereas California did not.
 - Clinical education approval and inspection frequency.
 - Investigation of allegations and complaints.
- In 2007, several subcommittees were formed to review and make recommendations about the Title 17 regulations and school minimum standards that in some cases had not been updated in over 20 years.
- The original intent of the JRC subcommittee was to obtain a continued recognition of the JRC as the approval agency of California CRT programs. This is allowed by Health and Safety Code 107050.
- In August 2007, RHB Chief Gary Butner called for a moratorium on the use of the outdated Title 17 regulations and minimum standards until the subcommittees could finish their work. The moratorium is in effect until January 1, 2011.
- In March 2009, a motion was presented to the RTCC which stated; through contractual agreement that the JRCERT will assure all California CRT programs

comply with specific provisions that are not included in the JRCERT standards. This motion was carried by the RTCC.

- JRC agreed to collect the following documentation for the RHB:
 - Documentation that all imaging equipment the CRT students use in the clinical education environment in a federal facility is registered with the RHB.
 - Documentation that all licentiates supervising CRT students in the clinical education environment in federal facilities maintain current Supervisor/Operator licenses.
 - Document that a Memo of Understanding exists between the federal clinical education facilities and the program sponsor agreeing that the RHB is authorized to conduct unannounced inspections of the program and clinical affiliations.

Ms. Garcia then introduced Leslie Winter from JRCERT.

(Leslie Winter, JRCERT – Presenter / Speaker)

- Addressed the three main concerns that the agency (RHB) has regarding the JRCERT accreditation process:
 - Allegations of Non-compliance – showed a series of slides depicting flow and timeline of the process for handling allegations and resolution. Example of a recent allegation and how it was handled by JRCERT from initiation to JRCERT Board action.
 - Frequency of Program Review –
 - Currently JRCERT programs are allowed a maximum accreditation of eight years. Programs are monitored through the eight years with annual reports and an interim report in the 4th year. Expectation for the annual report was described along with the content and information contained in the interim report of the fourth year of the accreditation cycle. Programs must assure compliance with the objectives in relation to: Mission statement and goals, clinical education setting continued recognition, radiation safety – instruction and practice/laboratory, clinical supervision and budget.
 - Any substantive changes must be submitted to JRCERT in relation to sponsorships or certain curricular changes.
 - Process Driven Education vs. Competency Driven Education
 - Process driven education has been determined to be “antiquated in scope” and is not an adequate measure of the level of ability and competence per student.
 - Competency based education – national certification examination requires that program directors document that their students have achieved a specific number of competency exams.
 - The variety of competency exams also encompasses patient care procedures.
 - A competency-based curriculum is consistent with other allied health programs, nursing and medical professions.

- Slides were presented depicting the steps in process driven education and competency based education.

(Diane Garcia – Presenter / Speaker)

- At the March 2009 RTTC meeting, the CRT Minimum Standards and Regulations Subcommittee presented revised standards for CRT schools and regulations that emulated the higher JRC national standards. The RTCC voted and approved these recommendations, including regulatory recommended change that eliminated the process-based clinical education.
- A white paper supporting clinical competency and education was submitted and approved. Answers to the six questions the RHB posed for the regulatory justification process were submitted and approved.
- Garcia pointed out that the benchmark for both California and JRC is 75%.
- Chairperson Taylor asked for clarification regarding Slide #11 in relation to the September 2009 Meeting Minutes that had been approved at the beginning of the current meeting. Member Garcia confirmed that she was in fact referring to the March 2009 RTTC meeting and not the meeting held the prior September.
- Garcia stated that the RTCC is being asked for the following:
 - An extension of the moratorium to complete what it necessary.
 - Assistance in providing clarifying information to assure the subcommittee has the opportunity to complete the assigned charge.
 - Acceptance of JRCERT as the accrediting agency for CRT (R) and CRT (T) programs.
- A motion was then made to make a recommendation to the Radiologic Health Branch to extend the moratorium not to exceed three years beyond January 2011. (Committee Member Sommerstein). Seconded (Committee Member Moldawer). Motion passed.
- Committee Member Moldawer made a motion to have the JRC accepted as the accrediting agency for the California CRT Diagnostic and CRT Therapeutic Schools for California Seconded (Committee member Sommerstein). Motion passed.
- Dr. Sommerstein stated that as a point of information, the committee is strictly an advisory committee, it is not able to make rules or regulations and only capable of making a recommendation.
- Public Comments
- Next RTCC Meeting to be held September 22, 2010 in Sacramento, CA.
- Meeting adjourned at 3:15 p.m.

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