



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1950

Introduced 2/26/2021, by Sen. Emil Jones, III

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 an advanced practice registered nurse 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 an advanced practice registered nurse 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.

LRB102 15361 CPF 20722 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7 (Section scheduled to be repealed on January 1, 2022)

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
12 a 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 an
15 advanced practice registered nurse under the Nurse Practice
16 Act, or, as physician assistant, advanced practice registered
17 nurse, technician, nurse, or other assistant, is acting under
18 the supervision, prescription or direction of such licensed
19 person. However, no such physician assistant, advanced
20 practice registered nurse, technician, nurse, or other
21 assistant acting under the supervision of a person licensed
22 under the Medical Practice Act of 1987 or licensed as an
23 advanced practice registered nurse under the Nurse Practice

1 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 an advanced
7 practice registered nurse 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
17 with 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
5 this amendatory Act of 1991, if the mammography procedure
6 is performed by a radiologic technologist, that
7 technologist, in addition to being accredited by the
8 Agency to perform radiography, has satisfied training
9 requirements specific to mammography, which the Agency
10 shall establish by rule.

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

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

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

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

25 (4) that if the patient is self-referred and does not
26 have a primary care physician, or if the patient is

1 unfamiliar with the breast examination procedures, that
2 the patient has received information regarding public
3 health services where she can obtain a breast examination
4 and instructions.

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

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

7 (Section scheduled to be repealed on January 1, 2022)

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

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

1 standards in regard to the protection of the health and safety
2 of the general public.

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

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

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

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

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

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

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

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