Adopt Mirt 300 to read as follows:

CHAPTER Mirt 300 REQUIREMENTS FOR LICENSURE

PART Mirt 301 DEFINITIONS

Mirt 301.01 Definitions. In this chapter the following definitions shall apply:

(a) “Board” means “board” as defined in RSA 328-J:1, I, namely, “the board of medical imaging and radiation therapy”;

(b) “Licensed practitioner” means “licensed practitioner” as defined in RSA 328-J:1, V, namely, “a person licensed to practice medicine, dentistry, chiropractic, podiatry, or osteopathy in New Hampshire”;

(c) “Limited x-ray machine operator” means “limited x-ray machine operator” as defined in RSA 328-J:1, VI, namely, “a person who is licensed under this chapter to perform, under the supervision of a licensed practitioner, limited diagnostic radiography procedures of specific parts of human anatomy or bone density measurements using equipment that emits external ionizing radiation”;

(d) “Magnetic resonance technologist” means “magnetic resonance technologist” as defined in RSA 328-J:1, VII, namely, “a person who is licensed under this chapter to perform magnetic resonance procedures using magnetic fields and radio frequency signals”;

(e) “Medical imaging” means “medical imaging” as defined in RSA 328-J:1, VIII, namely, “any procedure intended for use in the diagnosis or visualization of disease or other medical conditions in human beings, including, but not limited to the following modalities, radiography, nuclear medicine, fluoroscopy, magnetic resonance, and other procedures using ionizing radiation, magnetic resonance, or ultrasound”;

(f) “Medical imaging professional” means “medical imaging professional” as defined in [NH] RSA 328-J:1, IX, namely, “any person who is a magnetic resonance technologist, nuclear medicine technologist, radiographer, radiologist assistant, or sonographer licensed under this chapter”;

(g) “Nuclear medicine technologist” means “nuclear medicine technologist” as defined in [NH] RSA 328-J:1, X, namely, “a person who is licensed under this chapter to perform a variety of nuclear medicine and molecular imaging procedures using sealed and unsealed radiation sources, ionizing and nonionizing radiation, and adjunctive medicine and therapeutic procedures using unsealed radioactive sources”;

(h) “Radiation therapist” means “radiation therapist” as defined in [NH] RSA 328-J:1, XI, namely, “a person who is licensed under this chapter to administer ionizing radiation to human beings for therapeutic purposes”;

(i) “Radiographer” means “radiographer” as defined in [NH] RSA 328-J:1, XII, namely, “a person who is licensed under this chapter to perform a comprehensive set of diagnostic radiographic procedures using external ionizing radiation to produce radiographic, fluoroscopic, or digital images”;
(j) “Radiologist” means “radiologist” as defined in [NH] RSA 328-J:1, XIII, namely, “a physician certified by or board-eligible to be certified for the American Board of Radiology, the American Osteopathic Board of Radiology, the British Royal College of Radiology, or the Canadian College of Physicians and Surgeons in that medical specialty”;

(k) “Radiologist assistant” means “radiologist assistant” as defined in [NH] RSA 328-J:1, XIV, namely, “a radiographer who has met additional qualifications and who is licensed under this chapter to perform a variety of activities under the supervision of a radiologist in the areas of patient care, patient management, radiologic imaging, or interventional procedures guided by radiologic imaging”; and

(l) “Sonographer” means “sonographer” as defined in [NH] RSA 328-J:1, XV, namely, “a person who is licensed under this chapter to perform a comprehensive set of diagnostic sonography procedures using ultrasound to create medical images.”

PART Mirt 302 APPLICATION PROCEDURE

Mirt 302.01 Processing of Applications.

(a) Applicants who wish to apply for initial licensure as a limited x-ray machine operator[s], medical imaging professional[s], or radiation therapist[s] shall do so by submitting or arranging for the submission of, each of the following components of the application packet:

(1) An A completed [application] “Application for Initial Licensure” form, effective [DATE] provided by the board that contains the information specified by Mirt 302.02;

(2) The required documents specified by Mirt 302.04; and

[(4)] (3) The initial license fee specified by Mirt 305.

(b) If the board, after receiving and reviewing a completed application packet complying with Mirt 302.01, requires further information or documents to determine the applicant's qualification for licensure, the board shall:

(1) So notify the applicant in writing within 60 days; and

(2) Specify the information or documents it requires.

(c) An application shall be considered to be completed on the first date that the board has received:

(1) The completed application packet described in (a) above; and

(2) Any additional information or documents which may have been requested pursuant to (b) above.

(d) The application shall be denied if the application is not complete within 54 weeks of the receipt by the board of the [application] “Application for Initial Licensure” form, effective [DATE] [part of the application packet].
(e) The board shall issue written approval or denial of an application within 120 days of the date that the application is complete.

(f) The board shall refund the license fee, but not the application processing fee, if:

1. The applicant withdraws the application;
2. The application is not completed within 54 weeks of receipt by the board of the [application-] “Application for Initial Licensure” form, effective [DATE] [part of the application packet]; or
3. The board denies the application.

(g) Any applicant wishing to challenge the board's denial of an application for initial licensure shall:

1. Make a written request for a hearing of the applicant's challenge; and
2. Submit this request to the board:
   a. Within 60 days of the board’s notification of denial; or
   b. If the applicant is on active military duty outside the United States, within 60 days of the applicant’s return to the United States or release from duty, whichever occurs later.

Mirt 302.02 Multipart Application Form.

(a) The multipart [application] “Application for Initial Licensure” form, effective [DATE] shall:

1. Be provided by the board; and
2. Contain 2 parts as follows:
   a. Part one, which is held confidential by the board; and
   b. Part 2, which is available to the public.

(b) The applicant shall:

1. Complete the entire form using a keyboard or by printing the information legibly in ink; and
2. Complete all sections of the entire form or designate them as not applicable.

(c) On part one of the form the applicant shall designate the initial license applied for by circling the appropriate designation preprinted on the form.

(d) On confidential part one of the form the applicant shall provide his or her:
(1) Full name;

(2) Home physical address;

(3) Home phone number or personal cell phone number;

(4) Home mailing address;

(5) Place of employment name, if any;

(6) Place of employment mailing address, if any;

(7) Place of employment phone number, if any;

(8) E-mail address at which the applicant wishes to receive correspondence from the board;

(9) Date of birth; and

(10) Place of birth.

(e) On part one of the form, the applicant shall designate, by checking in the appropriate box, if the applicant wishes to receive notifications from the board by e-mail or regular mail.

(f) Also on part one of the form, the applicant shall indicate using the “yes” and “no” columns provided:

(1) Whether the applicant has any reason to believe that the applicant will soon be the subject of a disciplinary proceeding, settlement agreement, or consent decree undertaken or issued by a professional licensing board of any state or jurisdiction;

(2) Whether any malpractice claim has been made against the applicant;

(3) Whether the applicant has for disciplinary reasons been put on administrative leave, been fired for cause other than staff reduction from a position at the applicant’s place of employment, or had any privileges limited, suspended, or revoked in any:

   a. Hospital;

   b. Health care setting;

   c. Home health care agency;

   d. Educational institution; or

   e. Other professional setting;

(4) Whether the applicant has been denied the privilege of taking an examination required for any professional licensure;
(5) Whether the applicant has any physical, mental, or emotional condition, or any alcohol or substance abuse problem, which could negatively affect the applicant's ability to practice the profession for which licensure is sought;

(6) Whether the applicant engages in any remedial undertaking to alleviate one or more conditions listed in (5) above which could itself negatively affect the applicant's ability to practice the profession for which licensure is sought; and

(7) Whether the applicant has committed any act(s) that would violate the laws \[{}\text{and/or}{}\] rules that govern the profession for which [you are] he or she is applying.

(g) Pursuant to RSA 161-B:11, the applicant shall furnish his or her social security number on part one of the application form.

(h) On part 2 of the application form the applicant shall provide:

(1) His or her full name;

(2) For any education, educational degree, or educational credential required to achieve eligibility for initial licensure:

   a. The name and address of the educational program or institution;

   b. The degree or other credential earned; and

   c. The year of the degree or credential earned; and

(3) A list of the jurisdictions where the applicant is or has been licensed to practice.

(i) On part 2 of the application form the applicant shall indicate by using the “yes” and “no” columns provided:

(1) Whether the applicant has been found guilty of or entered a plea of no contest to any felony or misdemeanor;

(2) Whether the applicant has ever been the subject of any disciplinary action by any professional licensing authority;

(3) Whether the applicant has ever been denied a license or other authorization to practice in any state or jurisdiction;

(4) Whether the applicant has ever surrendered a license or other authorization to practice issued by any state or jurisdiction in order to avoid or settle disciplinary charges; and

(5) Whether the applicant has a full or partial ownership interest in any diagnostic or therapeutic service(s) or company(ies).

(j) Also on part 2 of the form, the applicant shall place his or her notarized signature, printed full name, and the date of signing below the following preprinted statement:
"I acknowledge that knowingly making a false statement on this application form is a misdemeanor under RSA 641:23, I. I certify that the information I have provided on all parts of the application form and in the documents that I have personally submitted to support my application is complete and accurate to the best of my knowledge and belief. I also certify that I have read the statute and the rules of the Board and promise that, if I am licensed, I will abide by them."

Mirt 302.03效 with Notarized Signature. The effect of the applicant’s notarized signature on part one of the form shall be:

(a) The applicant’s acknowledgement that knowingly making a false statement on the application form is a misdemeanor under RSA 641:23, I;

(b) The applicant’s certification that:

(1) The information provided on all of the parts of the application form and in the documents personally submitted to support the application is complete and accurate to the best of the applicant’s knowledge and belief; and

(2) The applicant has read the statutes and administrative rules of the board; and

(c) The applicant’s promise to abide by the statutes and administrative rules of the board.

Mirt 302.04 Required Documents. Applicants for initial licensure as a limited x-ray machine operator, medical imaging professional, or radiation therapist shall provide, or arrange for the board to receive, the following documents supporting their applications:

(a) A recent passport size, 2" x 2", original head-shot photograph;

(b) On a separate sheet, a detailed report of the relevant circumstances if any of the answers to questions described in Mirt 302.02(f)(1)-(7) [(f)(1) through (f)(7)] on part one of the application form is in the affirmative;

(c) On a separate sheet, a detailed report of the relevant circumstances if any of the answers to questions in Mirt 302.02(i)(1)-(5) [(i)(1) through (i)(5)] on part 2 of the application form is in the affirmative;

(d) Unless the information sought is available only on a website, an official letter of verification sent directly to the board from every jurisdiction which has issued a license or other authorization to practice stating whether:

(1) The license or other authorization is or was, during its period of validity, in good standing; and

(2) Whether any disciplinary action was taken against the license or other authorization to practice;
(e) A photocopy of the applicant’s national certification card, which shall be verified upon receipt. [Official transcripts showing all relevant education, including the board-approved radiation safety course taken pursuant to Mirt 303.05(a)(3):]

(1) Mailed directly to the board by the issuing institution(s); or

(2) Submitted by the applicant in one or more envelope(s) sealed by the institution(s) in such a manner that it would be evident to the board if the envelope(s) had been opened.

[(f) Written evidence of successful completion of the relevant examination described in Mirt 303;]

[(g)] (f) An original, not a photocopy, of a criminal offender record report:

(1) Issued by each state where the applicant has resided or been licensed within the past 6 years, provided that such state(s) will:

   a. Send the report to the board; or

   b. To the applicant for forwarding to the board;

(2) Covering the applicant under his or her name and any aliases; and

(3) Dated within the 6 months preceding the application for licensure.

PART Mirt 303 QUALIFICATIONS FOR LICENSURE

Mirt 303.01 Eligibility Requirements for Licensure as a Limited X-Ray Machine Operator. To qualify as a limited x-ray machine operator, applicant[s] shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

   (1) The general educational development test; or

   (2) A high school equivalency test;

(c) Successfully completed a course of study in limited x-ray machine operation that leads to certification in limited x-ray machine operation from one of the organizations listed in (d) below;

(d) Successfully passed one of the following examinations in limited x-ray machine operation:

   (1) The American Registry of Radiologic Technologist limited x-ray machine operator examination for limited bone density, chest, extremities, podiatric, skull[1] and sinus, and podiatric radiography examination;

   (2) The American Chiropractic Registry of Radiologic Technologists examination in spine radiography;
(3) The American Society of Podiatric Medical Assistants examination in podiatric radiography; or

(4) The International Society for Clinical Densitometry examination in clinical bone densitometry technology[7]; and

(e) Good professional character and reliability as evidenced by:

(1) The answers to the questions in Mirt 302.02(f) and (i);

(2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or pursuant to Mirt 302.04(c); and

(3) The criminal offender record report(s) required by Mirt 302.04[(i)](g).

Mirt 303.02 Eligibility Requirements for Licensure as a Magnetic Resonance Technologist. To qualify as a magnetic resonance technologist, an applicant[s] shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

    (1) The general educational development test; or

    (2) A high school equivalency test;

(c) Successfully completed a course of study in radiography approved, recognized as accredited, or required for certification by:

    (1) The American Registry of Magnetic Resonance Imaging Technologists (ARMRIT); or

    (2) American Registry of Radiologic Technologists (ARRT);

(d) Current certification and registration in magnetic resonance imaging in:

    (1) Radiography from the ARRT; or

    (2) Magnetic resonance from ARMRIT; and

(e) Good professional character and reliability as evidenced by:

    (1) The answers to the questions in Mirt 302.02(f) and (i);

    (2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or pursuant to Mirt 302.04(c); and

    (3) The criminal offender record report(s) required by Mirt 302.04[(i)].
Mirt 303.03 Eligibility Requirements for Licensure as a Nuclear Medicine Technologist. To qualify as a nuclear medicine technologist, [applicants] an applicant shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

1. The general educational development test; or

2. A high school equivalency test;

(c) Successfully completed a course of study in nuclear medicine technology that is approved, accredited, or required for certification by:

1. The Joint Review Committee on Educational Programs in Nuclear Medicine Technology (JRCNMT);

2. The Canadian Association of Medical Radiation Technologists (CAMRT); or

3. The Australian and New Zealand Society of Nuclear Medicine;

(d) Current certification and registration in nuclear medicine technology from:

1. The American Registry of Radiologic Technologists; or

2. Nuclear Medicine Technology Certification Board; and

(e) Good professional character and reliability as evidenced by:

1. The answers to the questions in Mirt 302.02(f) and (i);

2. Any reports related to such answers submitted pursuant to Mirt 302.04(b) or [pursuant to] Mirt 302.04(c); and

3. The criminal offender record report(s) required by Mirt 302.04(g).

Mirt 303.04 Eligibility Requirements for Licensure as a Radiation Therapist. To qualify as a radiation therapist, [applicants] an applicant shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

1. The general educational development test; or

2. A high school equivalency test;

(c) Successfully completed a course of study in radiation therapy that is approved, recognized as accredited, or required for certification by the American Registry of Radiologic Technologists;
(d) Current certification and registration in radiation therapy from The American Registry of Radiologic Technologists; and

(e) Good professional character and reliability as evidenced by:

   (1) The answers to the questions in Mirt 302.02(f) and (i);

   (2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or [pursuant to] Mirt 302.04(c); and

   (3) The criminal offender record report(s) required by Mirt 302.04[i](g).

Mirt 303.05 Eligibility Requirements for Licensure as a Radiographer. To qualify as a radiographer, an applicant shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

   (1) The general educational development test; or

   (2) A high school equivalency test;

(c) Successfully completed a [board approved] course of study in radiography that is approved, recognized as accredited, or required for certification by:

   (1) The American Registry of Radiologic Technicians;

   (2) Cardiovascular Credentialing International for certification as a registered cardiac electrophysiology specialist (RCES); or

   (3) Cardiovascular Credentialing International for certification as a registered cardiovascular invasive specialist (RCIS), provided that such certificate holders also complete a one-time online course in radiation safety provided by the NHTI—Concord’s Community College (NHTI);

(d) Current certification and registration in radiography from:

   (1) The American Registry of Radiologic Technicians; or

   (2) Cardiovascular Credentialing International as an RCES or RCIS; and

(e) Good professional character and reliability as evidenced by:

   (1) The answers to the questions in Mirt 302.02(f) and (i);

   (2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or [pursuant to] Mirt 302.04(c); and

   (3) The criminal offender record report(s) required by Mirt 302.04[i].
Mirt 303.06 Eligibility Requirements for Licensure as a Radiologist Assistant. To qualify as a radiologist assistant, an applicant shall have:

(a) A current, valid radiographer license;

(b) Current certification and registration in radiography from The American Registry of Radiologic Technologists;

(c) Current certification and registration as a radiologist assistant or radiology practitioner assistant from:

   (1) The American Registry of Radiologic Technologists; or

   (2) The Certification Board of Radiology Physician Assistants;

(d) Submitted to the board clinical protocols signed by the supervising radiologist specifying:

   (1) Procedures that are performed by the radiologist assistant;

   (2) Levels of radiologist supervision; and

   (3) The locations of practice designated by the supervising radiologist; and

(e) Good professional character and reliability as evidenced by:

   (1) The answers to the questions in Mirt 302.02(f) and (i);

   (2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or pursuant to Mirt 302.04(c); and

   (3) The criminal offender record report(s) required by Mirt 302.04(g).

Mirt 303.07 Eligibility Requirements for Licensure as a Sonographer. To qualify as a sonographer, an applicant shall have:

(a) Reached the age of 18 years old;

(b) Obtained a high school diploma, or passed:

   (1) The general educational development test; or

   (2) A high school equivalency test;

(c) Successfully completed a course of study in sonography that is approved, recognized as accredited, or required for certification by:

   (1) The American Registry of Radiologic Technologists;
(2) The American Registry of Diagnostic Medical Sonography; or

(3) Cardiovascular Credentialing International;

(d) Possession of a current certification and registration in sonography from:

(1) The American Registry of Radiologic Technologists; [or]

(2) The American Registry of Diagnostic Medical Sonography; [and] or

(3) Cardiovascular Credentialing International; and

(d) Good professional character and reliability as evidenced by:

(1) The answers to the questions in Mirt 302.02(f) and (i);

(2) Any reports related to such answers submitted pursuant to Mirt 302.04(b) or [pursuant to] Mirt 302.04(c); and

(3) The criminal offender record report(s) required by Mirt 302.04[(g)](g).

Mirt 303.08 Armed Services Education or Experience. Pursuant to RSA 332-G:7, education or experience gained in the armed services, to be creditable, shall be of a character equivalent to that which would have been gained in the civilian sector as demonstrated by the education and experience on the applicant’s joint services transcript.

MIRT 304 FACILITATED LICENSURE FOR MILITARY SPOUSES

Mirt 304.01 Licensing for Active Duty Military Spouses.

(a) Each applicant for licensure who is a military spouse pursuant to RSA 332-G:7, III shall apply to the board for licensure on an [application for licensure] “Application for Initial Licensure” form, effective [DATE] as specified in Mirt 302.02 and pay the fee set forth in Mirt 305.

(b) Each applicant for facilitated licensing as a military spouse shall provide a copy of the military member’s orders showing proof of active duty status.

(c) Each applicant who applies for facilitated licensing as a military spouse shall be eligible to obtain a facilitated license if the military spouse is licensed or registered in another state or jurisdiction, provided that the other state’s or jurisdiction’s licensure or registration requirements are consistent with RSA 328-J:11 and Mirt 303.

(d) Verification of licensure and examination shall be obtained by the candidate for licensure and submitted to the board directly from the verifying state or jurisdiction for approval.

(e) A military spouse who obtains a facilitated license shall comply with all license renewal requirements pursuant to Mirt 400.
Mirt 305 FEES

Mirt 305.01 Fees. The fees required by the board under RSA 328-J shall be as set forth in Table 305.01 Fee Schedule below.

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<th>Fee</th>
<th>Amount</th>
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<tbody>
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<td>Initial License Fee</td>
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<tr>
<td>Biennial Renewal Fee</td>
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<td>Administrative Rule</td>
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