The meeting was called to order 9:33 a.m. by Chair, Timothy Webb. Committee members present were Michael Cokinos, Frank S. Denton, Kandace Farmer, D.O., and Paulette Southard.

Mr. Cokinos moved, Ms. Southard seconded that the Committee close the meeting to the public and continue in Executive Session for deliberations concerning Agenda Items 2a. The motion passed. Mr. Webb announced that the meeting would be closed for deliberations at 9:37 a.m. concerning licensure applications and the character and fitness of applicants under the authority of The Medical Practice Act Sections 152.009 and 155.058, Occupations Code, and that while in executive session, the Board would not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made.

The Executive Session ended at 11:56 a.m. The Licensure Committee conducted hearings to review applicants appearing concerning eligibility. The hearings were conducted in Executive Session. Following the hearings, the Committee reconvened and considered the applications.

Agenda Item 2a - Applicants appearing concerning eligibility.

Applicant #2081 appeared before the Committee, with counsel, in executive session. In open session, Mr. Denton moved that the committee recommend to the full Board that the Applicant’s appeal of the determination of ineligibility for licensure due to failure to demonstrate compliance with applicable statutory requirements be deferred pending the results of the Applicant’s specialty board certification examination, and upon receiving results showing passage, staff issue a full and unrestricted license. This recommendation is based on the Applicant’s ability to resolve the basis of his ineligibility for licensure. Mr. Cokinos seconded the motion. All voted in favor. The motion passed.
Applicant #2084 appeared before the Committee, with counsel, in executive session. In open session, Dr. Farmer moved that the committee recommend to the full Board that the Applicant’s appeal of the Executive’s Director offer of an Agreed Order be granted and the Applicant be granted an unrestricted license. Mr. Denton seconded the motion. The motion passed.

Applicant #2108 appeared before the Committee, with counsel, in executive session. In open session, Mr. Cokinos moved that the committee recommend to the full Board that the applicant be granted an unrestricted license. Dr. Farmer seconded the motion. All voted in favor. The motion passed.

Applicant #1545 appeared before the Committee, with counsel, in executive session. In open session Ms. Southard moved that the committee recommend to the full Board that the applicant be determined ineligible for a license. This recommendation is based on the Applicant’s history of unprofessional conduct, failure to practice medicine within the standard of care, being disciplined by another state board, and disciplinary action taken by a health care entity. Mr. Denton seconded the motion. All voted in favor. The motion passed.

Agenda Item 2b – Proposed orders offered by the Executive Director.
Ms. Johnston reported on 6 Remedial Plans order offered by the Executive Director and accepted by the applicants. Ms. Southard moved to recommend to the full Board that the 6 Remedial Plans be approved. Dr. Farmer seconded. All voted in favor. The motion passed.

Agenda Item 2c – Physician licensure applicants to be licensed.
Ms. Johnston reported that there were 132 applicants who met all requirements to be considered for permanent licensure by the full Board. Ms. Southard moved to recommend to the full Board that all 132 physician licensure applicants determined to meet eligibility requirements by staff be approved. Dr. Farmer seconded the motion. All voted in favor. The motion passed.
Agenda Item 2d – Surgical assistant licensure applicants to be licensed.
Ms. Johnston reported that were 8 surgical assistant applicants who met all requirements to be considered for licensure by the full Board. Ms. Southard moved to recommend to the full Board that all 8 surgical assistant applicants determined to meet eligibility requirements by staff be approved. Mr. Denton seconded the motion. All voted in favor. The motion passed.

Agenda Item 2e – Acudetox Specialist applicants to be certified.
There are none.

Ms. Johnston reported that in Quarter 1 of FY17, 917 new physician licenses were issued in an average processing time of 42 days. In Quarter 1 of FY 18, 573 license have been issued in an average processing time of 46 days.

Ms. Johnson further reported that in FY16, 4093 new physician licenses were issued in an average processing time of 40 days. But in all of FY17, 4719 new licenses were issued in an average processing time of 41 days which is a record number of physician licenses issued.

Agenda Item 4a -Nonprofit Health Organizations - Applications for Initial Certification.
Ms. Johnston reported that were 8 applications for initial certification as a Nonprofit Health Organization for approval. Mr. Cokinos moved to recommend to the full Board that the 8 requests for initial certification as a Nonprofit Health Organization be approved. Ms. Southard seconded. All voted in favor and the motion passed.

Agenda Item 4b - Nonprofit Health Organizations - Applications for Biennial Recertification.
There are none.

Agenda Item 4c - Nonprofit Health Organizations – Cancellation of Certification.
Ms. Johnston reported that were 2 requests for cancellation of certification as a Nonprofit Health Organization. Mr. Cokinos moved to recommend to the full Board that the 2 requests for
cancellation of certification as a Nonprofit Health Organization be approved. Ms. Southard seconded. All voted in favor and the motion passed.

5. Discussion, recommendation, and possible action regarding proposed rule amendments and rules review to 22 T.A.C.

a. Chapter 194. Medical Radiologic Technology

§194.34 Purpose
§194.35 Definitions
§194.36 Registration
§194.37 Annual Renewal
§194.38 Non-Certified Technician's Scope of Practice
§194.39 Suspension, Revocation or Nonrenewal of Registration
§194.40 Disciplinary Guidelines
§194.41 Procedure
§194.42 Compliance
§194.43 Construction

Ms. Southard moved to recommend to the full Board that the rules as presented be published in the Texas Register for public comment and proposed for repeal. Dr. Farmer seconded. All voted in favor. The motion passed.

There being no further business, the meeting was adjourned at 12:17 p.m.
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<td>2119</td>
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Texas Medical Board
Licensure Division

BOARD MEETING OF OCTOBER 20, 2017
TOTAL APPLICANTS FOR CONSIDERATION FOR PERMANENT LICENSURE

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**Grand Total**

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15. BHANDARI, SALIL KUMAR MD  
   SCHOOL: TEXAS A & M UNIV HLTH SCI CTR, COLL. OF MED, COLLEGE STATION-2009  
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16. BROOKS, MICHELLE MARIE MD  
   SCHOOL: AMERICAN UNIV OF THE CARIBBEAN SCHOOL OF MEDICINE CUPECOY SINT MAARTEN-2012  
   FULL-REG (649616)

17. BUCHANAN, BENJAMIN KELVIN MD  
   SCHOOL: TEXAS TECH UNIV PAUL L FOSTER SCHOOL OF MEDICINE, EL PASO-2014  
   FULL-REG (668123)

18. CASTILLO, SAMANTHA MICHELLE MD  
   SCHOOL: UNIV OF TEXAS SOUTHWESTERN MED CTR AT DALLAS, MED SCH, DALLAS, TX-2015  
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19. CECAVA, NATHAN DAVID MD  
   SCHOOL: UNIV OF NEW MEXICO SCH OF MED, ALBUQUERQUE-2001  
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20. CHONG, INSUN MD  
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21. COLLANTES, MARIA RIZZA DURAN MD  
   SCHOOL: UNIV OF SANTO TOMAS, MANILA-2002  
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22. CORSINI, ERIN M MD  
   SCHOOL: ALBANY MED COLL OF UNION UNIV, ALBANY-2016  
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23. CREEDON, DOUGLAS J MD  
   SCHOOL: MAYO MEDICAL SCHOOL, ROCHESTER-2001  
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24. CROWLEY, SEAN MD  
   SCHOOL: MEHARRY MED COLL SCH OF MED, NASHVILLE-2009  
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25. DANESHRAD, PAYAM MD  
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26. DAVIS, JUSTIN RANDOLPH MD  
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27. DONEPUDI, SUMAN MD  
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28. DULAI, HARIJOT SINGH MD  
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29. EBRAHIM, VIVIAN SAMI MD  
   SCHOOL: TEXAS TECH UNIV HLTH SCI CTR, LUBBOCK-2012  
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30. EDWARDS, JOHN WARREN MD  
   SCHOOL: WAYNE STATE UNIV SCH OF MED, DETROIT-2012  
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31. EL HADAD, CHRISTIAN MD  
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32. EUNGDAMRONG, NARAT JOHN MD  
   SCHOOL: CORNELL UNIV MEDICAL COLLEGE, NEW YORK-2010  
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33. EZE NLIAM, CHETE MARGARET MD  
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34. FAN, CHUAN-LI DO  
   SCHOOL: ARIZONA COLL OF OSTEOPATHIC MED, MIDWESTERN UNIV, GLENDALE, AZ-2015  
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35. FORGIONE, MICHAEL ANDREW JR MD  
   SCHOOL: TEMPLE UNIV SCH OF MED, PHILADELPHIA-1996  
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36. GIVNER, SARAH MD  
   SCHOOL: STATE UNIV OF NEW YORK AT STONY BROOK SCH OF MED, STONY BROOK-2014  
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37. GOTTSCHALK, AMY LYNN MD  
   SCHOOL: UNIV OF ARIZONA COLL OF MED, TUCSON-2003  
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38. GRUBB, SETH MICHAEL MD  
   SCHOOL: UNIV OF SOUTH FLORIDA COLL OF MED, TAMPA-2016  
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39. GUPTA, PREETI MD  
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66. LEICHT, KATHERINE M DO  
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67. LI, LIN MD  
SCHOOL: UNIV OF TEXAS SOUTHWESTERN MED CTR AT DALLAS, MED SCH, DALLAS, TX-2015
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68. LIN, CHEN HSING MD  
SCHOOL: WEST CHINA UNIV OF MED SCI, CHENGDU CITY, SICHUAN, CHINA-2009
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69. LINDSEY, MICHAEL WAYNE MD  
SCHOOL: UNIV OF TEXAS MED BRANCH, GALVESTON-2013
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70. LOMBARDO, LEO MD  
SCHOOL: UNIV OF CALIFORNIA SAN DIEGO SCH OF MED, LA JOLLA, CA-2008
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71. LU, HENRY HUY DINH MD  
SCHOOL: UNIV OF TEXAS SOUTHWESTERN MED CTR AT DALLAS, MED SCH, DALLAS, TX-2002
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72. LUKE, SUZETTE MD  
SCHOOL: TEXAS TECH UNIV HLTH SCI CTR, LUBBOCK-2014
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73. MACKIE, EMILY LOUISE MD  
SCHOOL: UNIV OF TEXAS MED SCHOOL AT SAN ANTONIO, SAN ANTONIO, TX-2012
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74. MASHMOUSHI, AHMAD KABALAN MD  
SCHOOL: MED UNIV OF SOUTH CAROLINA, COLL OF MED, CHARLESTON-2015
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75. MAZZARELLA, BRIAN CONFREY MD  
SCHOOL: UNIV OF TEXAS MED SCHOOL AT SAN ANTONIO, SAN ANTONIO, TX-2010
FULL-REG (551390)

76. MENDIOLA, NADIA EVANGELINA MD  
SCHOOL: UNIV OF TEXAS MED SCHOOL AT SAN ANTONIO, SAN ANTONIO, TX-2014
FULL-REG (582344)

77. MILLER, SCOTT D DO  
SCHOOL: DES MOINES UNIV, COLL OF OSTEO MED & SURG, DES MOINES IA-2014
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78. MILLS, RICHARD AINSWORTH MD  
SCHOOL: TUFTS UNIV SCH OF MED, BOSTON-2015
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<td>R G Kar Med Coll, Calcutta Univ, Calcutta, West Bengal-2004</td>
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<td>Univ of Texas Southwestern Med Ctr at Dallas, Med Sch, Dallas, TX-2015</td>
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92. PATEL, VINISHA MD  
   SCHOOL: ALBANY MED COLL OF UNION UNIV, ALBANY-1994
93. POWELL, THOMAS MD  
   SCHOOL: UNIV OF TX MEDICAL SCHOOL AT HOUSTON, HOUSTON, TX-2014
94. PRICE, RICHARD MD  
   SCHOOL: MED COLL OF WISCONSIN, MILWAUKEE-1980
95. PRUDEOFF, RYAN SANFORD DO  
   SCHOOL: OHIO UNIV COLL OF OSTEOP MED, ATHENS-2003
96. QUEZADA REAL, RICARDO MANUEL MD  
   SCHOOL: UNIV DE GUADALAJARA, GUADALAJARA, JALISCO-2005
97. RADU, OANA MIHAELA MD  
   SCHOOL: INST DE MED SI FARMACIE, CAROL DAVILA, BUCHAREST, ROMANIA-2006
98. REEVES, CROMWELL KEITH MD  
   SCHOOL: MERCER UNIV SCH OF MED, MACON-2015
99. RIOS TOVAR, ALEJANDRO JAVIER MD  
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100. ROMMAN, ADAM NABEEL MD  
    SCHOOL: UNIV OF TEXAS SOUTHWESTERN MED CTR AT DALLAS, MED SCH, DALLAS, TX-2013
101. SAGUN, DEAN LAXAMANA MD  
    SCHOOL: UNIV OF TX MEDICAL SCHOOL AT HOUSTON, HOUSTON, TX-2013
102. SALAMA, MICHAEL MD  
    SCHOOL: ST GEORGE'S UNIV, ST GEORGE'S-2011
103. SCHAEFER, ALBERT JAMES MD  
    SCHOOL: STATE UNIV OF NY HLTH SCI CTR, BROOKLYN COLL OF MED, BROOKLYN-1995
104. SCHNEIDER, BENJAMIN EDWARD MD  
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105. SELZER, KODY LEE MD
   SCHOOL: TEXAS A & M UNIV HLTH SCI CTR, COLL OF MED, COLLEGE STATION-2016
   FULL-REG (647271)

106. SHAH, KAMAL RAMESH MD
   SCHOOL: TULANE UNIV SCH OF MED, NEW ORLEANS-2011
   FULL-REG (565118)

107. SHIELDS, NAOMI NORMA MD
   SCHOOL: ALBANY MED COLL OF UNION UNIV, ALBANY-1982
   FULL-REG (661708)

108. SIDDQUI, MERAJ MD
   SCHOOL: LIAQUAT MED COLL, UNIV OF SIND, JAMSHORO, PAKISTAN-1990
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109. SMITH, LAUREN NICHOLE MD
   SCHOOL: UNIV OF FLORIDA COLL OF MED, GAINESVILLE-2015
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110. STIDGER, DUSTIN ALLEN MD
   SCHOOL: UNIV OF TEXAS MED SCHOOL AT SAN ANTONIO, SAN ANTONIO, TX-2014
   FULL-REG (584063)

111. STUART, JONATHAN ISAAC DO
   SCHOOL: KANSAS CITY UNIV OF MEDICINE AND BIOSCIENCES, KANSAS CITY-2014
   FULL-REG (584675)

112. SUNGUROV, MAXIM MD
   SCHOOL: FIRST MOSCOW STATE MEDICAL UNIV NAMED AFTER I M SECHENOV,
   MOSCOW RUSSIA-1989
   FULL-REG (663040)

113. TAI, SHAWN VAN MD
   SCHOOL: ROSS UNIV SCH OF MED, ROSEAU, DOMINICA-2008
   FULL-REG (670775)

114. TALHA, MUHAMMAD MD
   SCHOOL: KARACHI MED & DENT COLL & ABBASI SHAHEED HOSP, KARACHI,
   PAKISTAN-1999
   FULL-REG (668011)

115. TALLMAN, CRYSTAL IRENE DO
   SCHOOL: LAKE ERIE COLL OF OSTEO MED, ERIE, PA-2011
   FULL-REG (667154)

116. THOMPSON, CARL ALLEN DO
   SCHOOL: TOURO UNIV COLL OF OSTEO MED, VALLEJO, CA-2006
   FULL-REG (528939)

117. TIRUMALASETTY, NAGA NALINI MD
   SCHOOL: GANDHI MED COLL, OSMANIA UNIV, HYDERABAD, ANDHRA PRADESH-2004
   FULL-REG (658583)
118. TOLIVER, HERMAN LAROY JR MD
   SCHOOL: MED COLL OF GEORGIA, AUGUSTA UNIV, GEORGIA-2007
   FULL-REG (669400)

119. TSCHIRHART, MARK MD
   SCHOOL: ST GEORGE'S UNIV, ST GEORGE'S-2015
   FULL-REG (669677)

120. VAGEFI, PARSIA A MD
   SCHOOL: YALE UNIV SCHOOL OF MEDICINE, NEW HAVEN-2004
   FULL-REG (671598)

121. VARGHESE, JASON MD
   SCHOOL: INTERNATIONAL AMERICAN UNIV COLL OF MED, VIEUX FORT, ST
   LUCIA-2010
   FULL-REG (663428)

122. WARD, MARC ANDREW MD
   SCHOOL: PRITZKER SCH OF MED, UNIV OF CHICAGO, CHICAGO-2009
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123. WEI, SHUYAN MD
   SCHOOL: MED COLL OF WISCONSIN, MILWAUKEE-2015
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124. WEST, JANELLE MD
   SCHOOL: UNIV OF ALABAMA SCH OF MED, BIRMINGHAM-2016
   FULL-REG (666823)

125. WILHELM, NICHOLAS MD
   SCHOOL: UNIV OF TEXAS MED BRANCH, GALVESTON-2016
   FULL-REG (650614)

126. YAMAMOTO, SHOTA MD
   SCHOOL: UNIV OF CALIFORNIA LOS ANGELES GEFFEN SCH OF MED, LOS
   ANGELES CA-2011
   FULL-REG (670076)

127. YEH, DAVID JOHN MD
   SCHOOL: MED COLL OF GEORGIA, AUGUSTA UNIV, GEORGIA-1998
   FULL-REG (669062)

128. ZAIDI, WASIQ SYED MD
   SCHOOL: UNIV OF ARIZONA COLL OF MED, TUCSON-2014
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129. ZIA, KHURSHEED MD
   SCHOOL: DOW MED COLL, DOW UNIV OF HLTH SCI, KARACHI, PAKISTAN-1982
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1. HENRY, ROBERT PAUL JR MD  TELE-REG (653193)
   SCHOOL: UNIV OF MIAMI SCH OF MED, MIAMI-1986

2. LAMKE, GEOFFREY TODD MD  TELE-REG (661666)
   SCHOOL: MAYO MEDICAL SCHOOL, ROCHESTER-2002

3. WEBB, MEREDITH MARLINDA MD  TELE-REG (661808)
   SCHOOL: ST LOUIS UNIV SCH OF MED, ST LOUIS-2000
October 2017

Agenda Item 02d: Surgical Assistant Licensure Applicants to be Licensed

1. Arellano, Jesus
2. Espejo, Anthianira
3. Hernandez, Aurelio
4. Johnson, Ana
5. Lopez Cardenas, Manuel
6. Martin Colindres, Carlos Ernesto
7. Mason, Robin
8. Polk, Kendall
Agenda Item 4a: Applications for Initial Certification as Nonprofit Health Organization

1. Capital Area CareNow Physician Associates
2. CLA Physicians Group, Inc.
3. Community Pathology Associates
4. DPC Healthcare Physician Services, Inc.
5. HBP Lone Star, Inc.
6. Methodist CareNow Physician Associates
7. Texas CareNow Physician Associates
8. UMC Health Network, Inc.
Agenda Item 4c: Cancellation of Organizations Certified as Nonprofit Health Organizations

1. Corphealth Provider Link, Inc.
2. Shared Values Alliance
The purpose of these rules is to implement the provisions of the Medical Radiologic Technologist Certification Act, Texas Occupations Code Chapter 601 ("the Act") applicable to non-certified radiologic technicians or non-certified technicians.

RULE §194.35 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Board--The Texas Medical Board.
(2) Non-certified technician (NCT) or registrant--A person who is registered with the board and either:
   — (A) is listed on the current general registry with the Texas Board of Medical Radiologic Technology under §194.6 of this chapter (relating to Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board's Non-Certified Technician General Registry); or
   — (B) performs radiologic procedures for a physician to whom a hardship exemption was granted by the Texas Board of Medical Radiologic Technology within the previous year under §194.16 of this chapter (relating to Hardship Exemptions).
(3) Supervision--Responsibility for and control of quality, radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic purposes.

RULE §194.36 Registration

(a) Any person in the State of Texas performing radiologic procedures, as defined in §194.38 of this chapter (relating to Non-Certified Technician's Scope of Practice), under the supervision of a current and active licensed Texas physician, must be registered with the Texas Medical Board. The physician must also be registered with the board to supervise the non-certified technician.
(b) This section does not apply to registered nurses or to persons certified by the Texas Board of Medical Radiologic Technology under the Medical Radiologic Technologist Certification Act.
(e) An applicant shall apply for registration with the board on a form provided by the board and
shall pay the appropriate fee established by the board. Each physician, who supervises a non-certified technician, shall apply on a separate application form.

(d) Applicants shall be 18 years of age or older and either:
   (1) provide proof of the applicant's registry as an NCT with the Texas Board of Medical Radiologic Technology under §194.6 of this chapter (relating to Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board's Non-Certified Technician General Registry); or
   (2) perform radiologic procedures for a physician to whom a hardship exemption was granted by the Texas Board of Medical Radiologic Technology within the previous year under §194.16 of this chapter (relating to Hardship Exemptions). A person who operates a bone densitometry unit(s) which utilizes x-radiation who is in compliance with §194.15 of this chapter (relating to Bone Densitometry Training), however, is not required to obtain a hardship exemption as long as the person is not performing radiologic procedures other than bone densitometry.

RULE §194.37

Annual Renewal

(a) Registrants shall renew the registration annually by:
   (1) submitting a completed registration application;
   (2) paying a fee, as specified by the board under Chapter 175 of this title (relating to Fees and Penalties); and
   (3) providing proof of the registrant's renewal of status on the Texas Board of Medical Radiologic Technology registry or that the registrant is working under a physician hardship exemption, if applicable.

(b) If the registrant fails to comply with subsection (a) of this section on or before the expiration date of the registration, the following penalties as shown in paragraphs (1) and (2) of this subsection will be imposed:
   (1) one to 90 days late--penalty fee set under §175.3(4) of this title (relating to Penalties);
   (2) over 90 days late the registrant may not renew his or her registration, and the registration will be considered expired, unless an investigation is pending. The registrant must submit a new application and comply with the requirements and procedures for obtaining a permit.

(c) The board by rule may adopt a system under which registrations expire on various dates during the year. For the year in which the expiration date is changed, registration fees payable on or before January 1 shall be prorated on a monthly basis so that each registrant shall pay only that portion of the registration fee which is allocable to the number of months during which the registration is valid. On renewal of the registration on the new expiration date, the total registration is payable.

(d) Registrants shall inform the board in writing of address changes within two weeks.

RULE §194.38

Non-Certified Technician's Scope of Practice
(a) A registrant may only perform the following radiologic procedures, as listed in paragraphs (1) and (2) of this subsection unless otherwise expressly permitted by statute or rule:

(1) bone densitometry utilizing a dual energy x-ray densitometer; or

(2) chest, spine, extremities, abdomen, skull studies or other radiologic procedures utilizing standard film or film screen combinations and an x-ray tube that is stationary at the time of exposure; however, a registrant may not perform a procedure which has been identified as dangerous or hazardous by the Texas Board of Medical Radiologic Technology in §194.17 of this chapter (relating to Dangerous or Hazardous Procedures).

(b) A registrant, other than a physician assistant, shall perform all radiologic procedures under the direct supervision or instruction of a physician in the State of Texas.

(c) A supervising physician may not order, instruct, or direct a registrant to perform a radiologic procedure other than in compliance with applicable statutes and rules.

(d) All registrants must comply with the safety rules of the Texas Department of State Health Services relating to the control of radiation as set forth in 25 TAC Chapter 289 (relating to Radiation Control).

RULE §194.39 Suspension, Revocation or Nonrenewal of Registration

(a) The board may refuse to issue a registration to an applicant and may, following notice of hearing and a hearing as provided for in the Administrative Procedure Act, take disciplinary action against any non-certified technician who:

(1) violates the Medical Practice Act, the rules of the Texas Medical Board, an order of the board previously entered in a disciplinary proceeding, or an order to comply with a subpoena issued by the board;

(2) violates the Medical Radiologic Technologist Certification Act or the rules promulgated by the Texas Board of Medical Radiologic Technology;

(3) violates the rules of the Texas Department of State Health Services for control of radiation;

(4) obtains, attempts to obtain, or uses a registration by bribery or fraud;

(5) engages in unprofessional conduct, including, but not limited to, conviction of a crime, commission of any act that is in violation of the laws of the State of Texas if the act is connected with provision of health care, and commission of an act of moral turpitude;

(6) develops or has an incapacity that prevents the practice of radiologic technology with reasonable skill, competence, and safety to the public as a result of:

(A) an illness;

(B) drug or alcohol dependency; or habitual use of drugs or intoxicating liquors; or

(C) another physical or mental condition;

(7) fails to practice as a non-certified technician in an acceptable manner consistent with public health and welfare;

(8) has disciplinary action taken against a certification, permit, or registration in another state, territory, or country or by another regulatory agency;

(9) engages in acts requiring registration under these rules without a current registration from
the board; or
(10) is removed, suspended, or has had disciplinary action taken against the registrant.

(b) The board may suspend, revoke, or refuse to renew the registration of a non-certified technician, upon a finding that a non-certified technician has committed any offense listed in this section.

RULE §194.40 Disciplinary Guidelines

(a) Chapter 190 of this title (relating to Disciplinary Guidelines) shall apply to certificate holders, registrants, and permit holders regulated under this chapter to be used as guidelines for the following areas as they relate to the denial of registration or disciplinary action taken against a registrant:
(1) practice inconsistent with public health and welfare;
(2) unprofessional and dishonorable conduct; and
(3) aggravating and mitigating factors.

(b) If the provisions of Chapter 190 of this title conflict with the rules under this chapter or the Medical Radiological Technologist Act, the provisions of this chapter and the Act shall control.

RULE §194.41 Procedure

Chapter 187 of this title (relating to Procedural Rules) shall govern procedures relating to registrants where applicable. If the provisions of Chapter 187 of this title conflict with the Act or rules under this chapter, the Act and provisions of this chapter shall control.

RULE §194.42 Compliance

Chapter 189 of this title (relating to Compliance Program) shall be applied to registrants who are under board orders. If the provisions of Chapter 189 of this title conflict with the Act or rules under this chapter, the Act and provisions of this chapter shall control.

RULE §194.43 Construction

The provisions of this chapter shall be construed and interpreted so as to be consistent with the statutory provisions of the Medical Practice Act. In the event of a conflict between this chapter and the provisions of the Medical Practice Act, the provisions of the Medical Practice Act shall control; however, this chapter shall be construed so that all other provisions of this chapter which are not in conflict with the Act shall remain in effect.
TITLE 22  EXAMINING BOARDS
PART 9  TEXAS MEDICAL BOARD
CHAPTER 194  MEDICAL RADIOLOGIC TECHNOLOGY
SUBCHAPTER B  NON-CERTIFIED TECHNICIANS SUPERVISED BY PHYSICIANS
SUBCHAPTER F. OTHER LICENSING AGENCIES; RULEMAKING AND REGISTRATION REQUIREMENTS

Sec. 601.251. APPLICABILITY. This subchapter applies to the:

(1) Texas Board of Nursing;
(2) Texas Board of Chiropractic Examiners;
(3) State Board of Dental Examiners;
(4) Texas Medical Board;
(5) Texas State Board of Podiatric Medical Examiners; and
(6) Texas Physician Assistant Board.

Sec. 601.252. REQUIREMENT TO ADOPT RULES. (a) Each agency subject to this subchapter, other than the Texas Board of Nursing and the Texas Physician Assistant Board, shall adopt rules to regulate the manner in which a person who holds a license issued by the agency may order, instruct, or direct another authorized person in the performance of a radiologic procedure.

(b) Rules adopted under Subsection (a) must allow a practitioner the right to delegate certain designated radiologic procedures to a person not certified under this chapter if the delegation is allowed by the regulatory board that licenses the practitioner.

(c) Rules adopted under this section by the State Board of Dental Examiners must:

(1) require an authorized person who performs radiologic procedures under the delegation of a dentist, other than a registered nurse, to register with the dental board [agency that licenses the practitioner under whom the person performs radiologic procedures];

(2) establish reasonable and necessary fees to cover the administrative costs incurred by the dental board [agency] in administering a registration program created under this subsection;
(3) establish grounds for the suspension, revocation, or nonrenewal of a registration issued under this subsection; and

(4) establish standards, in addition to those required by this chapter, for training and supervising the operators of the equipment.

(d) In adopting rules under Subsection (c), the State Board of Dental Examiners may take into account whether the radiologic procedure will be performed by a registered nurse.