

Rule Changes Effective November 10, 2019

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RULE CHANGES ADOPTED

CHAPTER 165. MEDICAL RECORDS

The amendments to **§165.1**, relating to Medical Records, adds a requirement that physicians must retain forensic medical examination records of a sexual assault victim in accordance with Section 153.003 of the Texas Occupations Code and pursuant to the passage of HB531 (86th Regular Session) which amended Section 153.003 of the Texas Occupations Code.

CHAPTER 172. TEMPORARY AND LIMITED LICENSES

The amendments to **§172.21**, relating to Other Health Care Providers Practice and Limited License for Disasters and Emergencies, adds Advance Practice Nurses (APRN) as being exempt from the requirement for a written Prescriptive Authority Agreement during a disaster, as the APRNs were inadvertently omitted from the rule when it was initially adopted and deletes the word "onsite". These amendments are consistent with the practice in previous disasters.

CHAPTER 194. MEDICAL RADIOLOGIC TECHNOLOGY

The amendments to **§194.2**, relating to Definitions, adds new definitions for "Certification Board for Radiology Practitioner Assistants", "radiologist", and "radiologist assistant", and amends the definition for "podiatrist."

The amendments to **§194.6**, relating to Procedural Rules and Minimum Eligibility Requirements for Applicants for a Certificate or Placement on the Board's Non-Certified Technician General Registry, establishes eligibility requirements that must be met in order for an applicant to obtain a temporary or regular radiologist assistant certificate, pursuant to HB 1504 (86th Regular Legislative Session), and eliminate registration requirements for individuals performing radiologic procedures under the supervision of a podiatrist, pursuant to HB 2847 (86th Legislature). Other amendments delete references to the NCT "general" registry, a distinction no longer required after the passage of SB 674 (85th Regular Session), which eliminated the NCT secondary registry with the Texas Medical Board. Finally, the amendments represent changes necessitated by the new language to maintain consistency and clarity throughout the section.

The amendments to **§194.7**, relating to Biennial Renewal of Certificate or Placement on the Board's General Registry for Non-Certified Technicians Generally, establishes continuing education requirements that must be met in order for a radiologist assistant certificate holder to renew a certificate, in accordance with HB 1504 (86th Regular Session). Other amendments clarify that certificate holders and NCTs are required to "complete activities" meeting the RCEEM or RCEEM+ designation, as opposed to "attendance and participation in formal activities", reflecting that web-based courses are formats that comply with the continuing education requirements. Repealing language mandating the denial of an application for renewal of a certificate or NCT registration upon notice of a Texas Guaranteed Student Loan Corporation guaranteed student loan, in accordance with SB 37 (86th Regular Session). Other amendments delete references to the NCT "general" registry, a distinction no longer required after the passage of SB 674 (85th Regular Session), which eliminated the NCT secondary registry with the Texas

Medical Board. Remaining amendments represent changes necessitated by the new language related to radiologist assistant certificates, to maintain consistency and clarity throughout the section.

The amendments to **§194.10**, relating to Retired Certificate or NCT General Registration Permit, deletes references to the NCT "general" registry, a distinction no longer required after the passage of SB 674 (85th Regular Session). Language is added with a reference to the Certification Board for Radiology Practitioner Assistants (CBRPA) related to possible certification renewal requirements for a radiologist assistant with a retired certificate, who desires to return to active practice and who had initially obtained eligibility for a Texas certificate through CBRPA national certification. The language reflects the new radiologist assistant eligibility requirements established by HB 1504 (86th Regular Session).

The amendments to **§194.21**, relating to Scope of Practice, adds language to more precisely outline the allowed scope of practice for an individual holding a limited certificate.

The amendments to **§194.34**, relating to Exemption from Licensure for Certain Military Spouses (Medical Radiologic Technologists), allows qualified military spouses to practice medical radiological technology without obtaining a license during the time the military service member to whom the military spouse is married is stationed at a military installation in Texas. The exemption cannot exceed three years, and practice must be authorized by the Board after verifying that the military spouse holds an active license in good standing in another state with substantially equivalent requirements for licensure as Texas. The new rule is mandated by the passage of SB 1200 (86th Regular Legislative Session).