

**REGULATION  
FOR THE  
CERTIFICATION  
OF  
RADIATION TECHNOLOGISTS/TECHNICIANS**

**Adopted February 27, 1989**

**Amended  
July 24, 1995  
July 11, 2002  
November 10, 2003  
February 10, 2006**

**by the**

**AUTHORITY  
ON  
RADIATION PROTECTION**

**In conformance with  
16 Delaware Code 7406 (c)**

**DELAWARE**  
**RADIATION TECHNOLOGIST/TECHNICIAN CERTIFICATION REGULATION**

**TABLE OF CONTENTS**

Introduction		
Section I	Findings	Page 3
Section II	Title of Regulation	Page 3
Section III	Severability	Page 3
Section IV	Definitions	Page 4
Section V	Legal Titles	Page 6
Section VI	Credentialing Process	Page 6
	A. Classification of Credentials	
	B. Application	
	C. Examination	
Section VII	Issuing Credentials	Page 7
Section VIII	Limitations of Credentials	Page 9
Section IX	Appeals, Enforcements and Penalties	Page 9
Schedule A	Credential Fees	Page 13
Schedule B	Delaware Professional Associations	Page 14
Schedule C	National Credentialing Organizations	Page 15

**DELAWARE RADIATION TECHNOLOGIST/TECHNICIAN  
CERTIFICATION REGULATION**

This Regulation was adopted by the Authority on Radiation Protection on February 27, 1989, pursuant to 16 Del. C. §7406(c). Radiation Technologists/Technicians are "users of ionizing radiation" and, therefore, subject to certification by the Authority on Radiation Protection. This Regulation is effective February 10, 2006

**SECTION I FINDINGS**

The Authority hereby finds and declares that the citizens of the State of Delaware are entitled to the maximum protection practicable from the harmful effects of excessive and improper exposure to ionizing radiation; that the protection can be increased by requiring appropriate education and training of individuals operating medical and dental equipment and sources emitting ionizing radiation; and that it is therefore necessary to establish certification standards in radiation protection principles for these operators and to provide for their appropriate examination and certification.

**SECTION II TITLE OF REGULATION**

This regulation shall be known as the "Radiation Technologist/Technician Certification Regulation".

**SECTION III SEVERABILITY**

If any provision or application of any provision of these Regulations is held invalid, that invalidity shall not affect other provisions or applications of these Regulations.

## SECTION IV DEFINITIONS

As used in this regulation:

- A. "Agency" means the administrative agent of the Authority on Radiation Protection; i.e., the Office of Radiation Control, Division of Public Health, Department of Health and Social Services.
- B. "ARRT": American Registry of Radiologic Technologists. A national certifying body that credentials graduates of JRCERT approved radiologic technology programs through a national testing process. The ARRT also administers the State Limited Scope Licensing Examination for the Authority on Radiation Protection, to be used by individuals who do not meet the national registry requirements.
- C. "Authority" means the Authority on Radiation Protection as specified by 16 Del. C. §7404.
- D. "CCI": Cardiovascular Credentialing International. A national certifying body that credentials technologists in invasive cardiovascular procedures.
- E. "Certificate" means a document issued by the Agency recognizing the successful completion of an Authority approved Certification Exam. The "Certificate" allows for the practice of radiation technology as specified by the level of examination the individual has passed. Other credentials include "Temporary".
  - 1. "Temporary" means a certificate issued by the Agency as a temporary authorization to practice Radiation Technology to any applicant who has complied with the provisions of this regulation and is scheduled for the next available examination.
- F. "Certification Examination" means any examination satisfactory to the Authority that is used to determine the competency of Radiation Technologists/Technicians in the "principles and practice of radiation protection".
- G. "CIS": Cardiovascular Invasive Procedure Specialist means any individual, other than a licensed practitioner who has trained to perform procedures in a catheterization lab or special procedures lab that require the use of radiation.
- H. "CODA": Commission on Dental Accreditation.
- I. "Dental Assistant" means an individual, other than a "Licensed Practitioner", who applies radiation to humans for diagnostic purposes in dentistry.

- J. "DANB": Dental Assisting National Board; an organization that provides national credentialing for Dental Assistants.
- K. "Fee" means the money [see schedule A] an individual must pay:
1. to apply for a certificate (recognition of an existing national credential)
  2. to apply for certification by taking a state examination
  3. for Re-certification - to reinstate an expired certificate
  4. for Renewal - to renew a valid certificate
- L. "JRCERT": Joint Review Committee on Education in Radiologic Technology
- M. "JRCECT": Joint Review Committee on Education in Cardiovascular Technology
- N. "Licensed Practitioner" means an individual licensed to practice medicine, dentistry, dental hygiene, podiatry, chiropractic, or osteopathy in this State.
- O. "Medical Radiographer" means an individual, other than a Licensed Practitioner, who exposes humans to ionizing radiation for diagnostic purposes in medicine, podiatry, chiropractic, or osteopathy.
- P. "NMTCB": Nuclear Medicine Technologist Certification Board, an organization that provides national credentialing of Nuclear Medicine Technologists.
- Q. "Nuclear Medicine Technologist" means an individual, other than a Licensed Practitioner, who uses radiopharmaceutical agents on humans for diagnostic and/or therapeutic purposes.
- R. "Radiation Technician" means any individual who has not graduated from an approved program in radiation technology, but has passed an Authority-approved examination.
- S. "Radiologic Technologist" means any individual who has successfully completed a JRCERT/JRCCVT approved program in radiation technology and/or has passed a national certification examination in his/her field of specialization.
- T. "Radiation Technology" means the use of a radioactive substance or equipment emitting ionizing radiation on humans for diagnostic or therapeutic purposes.
- U. "Radiation Therapist" means an individual, other than a Licensed Practitioner, who exposes humans to ionizing radiation for therapeutic purposes.
- V. "Source of Radiation" means a radioactive material, or any device or equipment emitting or capable of producing ionizing radiation.

- W. "User of Ionizing Radiation" means an individual who supervises the application of ionizing radiation and/or applies ionizing radiation to human beings for diagnostic, therapeutic and/or research purposes (16 Del. C. §7403(9)).

## SECTION V LEGAL TITLES

No individual, other than a Licensed Practitioner or Certified Radiation Technologist/Technician, shall use a Source of Radiation on humans for diagnostic, therapeutic and/or research purposes.

- A. The Authority shall establish certification requirements for Radiation Technologists/Technicians; i.e., Dental Assistant, Dental Radiation Technician, Medical Radiologic Technologist, Medical Radiation Technician, Nuclear Medicine Technologist, Radiation Therapist and Cardiovascular Radiologic Technologist. Individuals holding these certificates shall be recognized by such title(s).
- B. Any individual certified under this regulation is authorized to use a source of radiation on humans for diagnostic or therapeutic purposes under the supervision of a Licensed Practitioner, and in accordance with the Delaware Radiation Control Regulations.
- C. Holders of a certificate (legal title) under this regulation shall display the official certificate or a verified copy in each place of regular employment.

## SECTION VI CREDENTIALING PROCESS

- A. Classification of Credentials
1. Certificate (Section VII A)
  2. Temporary Certificate (Section VII B)
- B. Application
1. The Agency shall accept an application for credentialing from any Radiation Technologist/Technician who is at least 18 years of age, or who is currently enrolled in and attending an educational program in radiation technology and who pays a non-refundable application and examination fee (if applicable) established by rule of the Authority.
  2. One or more booklets on basic radiation protection and terminology, examination specifications, and requirements for certification and examination shall be prepared and distributed under the supervision of the

Authority on Radiation Protection, in consultation with appropriate professional associations (see Schedule B). Upon acceptance of the application and examination fee, a copy of the booklet shall be sent to all applicants.

3. The Agency shall issue a certificate to all applicants holding a current national credential from an Authority-recognized, national voluntary credentialing body (see Schedule C).
4. The application shall be valid for a period of six (6) months.

#### C. Examinations

1. The examination process shall be administered by the Agency under the general direction of the Authority on Radiation Protection, test administration companies under contract. The fee for examination shall accompany the application request.
2. The Authority may accept, in lieu of an examination, a current credential by a recognized national voluntary credentialing body, (See Schedule C) issued on the basis of an examination consistent with the requirements established by the Authority, provided that the radiation protection standards to which that body adheres are at least as stringent as those established by the Authority.
3. An examinee who fails to pass the certification examination may be re-tested two times per twelve (12) month period, provided the prescribed application and examination fees for each re-examination are paid.

### SECTION VII ISSUING CREDENTIALS

- A. The Agency may issue a Permanent Certificate to each applicant who has successfully met the requirements under Section VI, is at least 18 years of age, and has paid the prescribed fees. Furthermore, the Certificate shall be issued on verifying that the applicant has passed a certification examination acceptable to the Authority [see Section VI.C. above]. The initial permanent Certificate shall expire after a period of four (4) years from date of issue. Certificates based on national credentials will automatically terminate if the national credentials are permitted to lapse, or are revoked.
- B. Temporary Certificate--The Agency may issue one Temporary Certificate to any person whose national credential is pending. Only one Temporary Certificate may be issued if the Agency finds that it will not violate the purpose of this regulation or endanger the public health and safety. The Temporary Certificate

shall grant the same rights as the credential for which the applicant is awaiting examination. Such Temporary Certificate may not be renewed by the Agency without the approval of the Authority and only for just cause.

The Temporary Certificate shall expire:

1. on the date of notification of the results of the certification examination; or,
  2. on the certification examination date if the applicant does not take the examination; or,
  3. in any case, after a maximum of 90 days from the date of issue.
- C. Renewal of Permanent Certificate - A valid, permanent certificate may be renewed by the Agency for a period of four (4) years upon payment of a renewal fee (see Schedule A) established by the Authority.
1. Applicants for renewal of certificates based on national credentials must provide proof that the national credentials are currently valid. A photocopy of the national credential membership card or certificate in good standing is the proof required.
- D. A Radiation Technologist/Technician whose certificate expires is not permitted to take radiographs, until the expired certificate is renewed. A grace period of 30 days following the expiration date of a permanent certificate is granted to allow the affected individual to renew the expired certificate.
- E. A Radiation Technologist/Technician whose Permanent Certificate has lapsed for a period of less than 180 days shall apply for re-certification provided that he/she presents evidence of having previously passed a Certification Examination approved by the Authority and pays the re-certification fee.
- F. A Radiation Technologist/Technician whose permanent certificate has lapsed for more than 180 days shall:
1. Apply for re-certification
  2. Apply to take the appropriate certification examination or show proof of currently valid national credential(s)
  3. Pay the re-certification and re-examination fees

**A radiation technologist/technician who has allowed his/her certificate to expire shall not expose humans to ionizing radiation beyond the 30 day grace period described above until and unless he/she is re-certified. Failure to comply with this requirement will subject the technologist/ technician's employer to citation**



**under the Delaware Radiation Control Regulations addressing Radiation Machine or Radioactive Material Registration.**

**SECTION VIII LIMITATIONS OF CREDENTIALS**

- A. Nothing in the provisions of this regulation relating to Radiation Technology shall limit, enlarge, or affect the practice of Licensed Practitioners herein defined.
- B. The requirement for certification shall not apply to a resident physician, dentist, dental hygienist or to a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry, or radiation technology who applies ionizing radiation to humans in such an educational program while under the supervision of a certified Radiation Technologist.
- C. A certificate, registration or license issued by another state will not be accepted as a valid equivalent Radiation Technologist/Technician certification by the Authority.

**SECTION IX APPEALS, ENFORCEMENTS AND PENALTIES**

**A. OFFENSES**

The following is a list of offenses which are grounds for disciplinary actions of a certified Radiation Technologist or certified Radiation Technician and are the basis for refusal of an application for certification:

The certificate holder or applicant:

- 1. has been found guilty of fraud or deceit in procuring or attempting to procure a certificate to practice radiation technology; or
- 2. has been convicted of a felony; or
- 3. has been convicted of a crime involving moral turpitude or gross immorality; or
- 4. is unfit or incompetent by reason of gross negligence; or
- 5. is addicted to the use of habit-forming drugs and not currently under treatment for the addiction; or

6. has a physical or mental condition that prohibits the certificate holder from performing the essential functions of the practice authorized by the certificate; or
7. has a certificate to practice as a registered technologist that has been suspended or revoked in any jurisdiction; or
8. is guilty of unprofessional conduct, or the willful neglect of a patient.

## B. DISCIPLINARY SANCTIONS

The Authority on Radiation Protection may impose any of the following sanctions singly or in combination when it finds a certificate holder or an applicant is guilty of any offense described in Section A:

1. Permanently revoke a certificate to practice
2. Suspend a certificate until the certificate holder provides proof that the conditions in response to which the suspension was issued no longer exist.
3. Censure a certificate
4. Issue a letter of reprimand
5. Refuse a certificate (Applicant)
6. Refuse to renew a certificate

## C. PROCEDURE

### 1. THE AUTHORITY

- a. The Agency may, upon complaint or upon its own initiative, investigate whether a certificate holder or applicant has engaged in activities specified in this section as grounds for disciplinary action. The Agency shall file a complaint with the Authority seeking to impose sanctions against the alleged violator.
- b. The Authority shall notify the alleged violator of the complaint and offer the alleged violator the opportunity for a hearing, which must be requested within 30 days of the date of notification. If the alleged violator does not timely request a hearing, the proposed sanctions shall become final. If the alleged violator makes a timely request for a hearing, the Authority shall schedule the hearing and

give the alleged violator at least 15 days notice prior to the date fixed for the hearing.

c. In all proceedings herein:

- 1) The alleged violator may be represented by counsel who shall have the right of examination and cross-examination.
- 2) The alleged violator and the Agency may subpoena witnesses. Subpoenas shall be issued by the Chairman or Vice Chairman of the Authority upon written request.
- 3) Testimony before the Authority shall be under oath. Any member of the Authority shall have power to administer oaths for this purpose.
- 4) A stenographic record of the hearing shall be made by a qualified court reporter. At the request and expense of either party such record shall be transcribed with a copy to the other party.
- 5) The decision of the Authority shall be based upon a preponderance of the evidence. If the charges are supported by such evidence, the Authority may refuse to issue, or may revoke or may suspend a certificate, or otherwise discipline a certificate holder as outlined in these regulations.
- 6) The decision of the Authority will be sent to the alleged violator by certified mail.
- 7) Any final order of the Authority may be appealed to the Superior Court.
- 8) All findings of the original action, hearing, appeal and conclusions will be held in file at the Agency.
- 9) The Agency shall notify the employer of the alleged violator of any final order of the Authority regarding any action taken against the certification of that employee by registered, return receipt mail.

#### D. JUDICIAL REVIEW BY SUPERIOR COURT

Any final order entered in any proceeding by the Authority shall be subject to judicial review by the Delaware Superior Court per 16 Del. C. §7412(c).

E. UNLAWFUL PRACTICE OF RADIATION TECHNOLOGY

No person shall practice or offer to practice radiation technology or claim to be a registered or certified radiation worker in Delaware, or shall use any title, abbreviation, sign, card, or device to indicate that such person is certified pursuant to this regulation unless such person is actually certified by the Authority on Radiation Protection.

## SCHEDULE A

### Certification Fees

Certificate Category	Application	Examination	Renewal
Dental Radiation Technician	\$10.00	Per Testing Organization	\$50.00 for 4 years
Medical Radiation Technician	\$10.00	Per Testing Organization	\$50.00 for 4 years
Medical Radiologic Technologist	\$10.00	Per National Board	\$50.00 for 4 years
Nuclear Medicine Technologist	\$10.00	Per National Board	\$50.00 for 4 years
Radiation Therapist	\$10.00	Per National Board	\$50.00 for 4 years
Cardiovascular Radiologic Technologist	\$10.00	Per National Board	\$50.00 for 4 years

## **SCHEDULE B**

### Delaware Professional Associations

Dental Assistants Association  
Dental Hygienists Association  
Medical Society of Delaware  
Society of Nuclear Medicine Technologists Section  
Delaware Society of Radiology Professionals  
Dental Society of Delaware

## **SCHEDULE C**

### **LIST OF NATIONAL CREDENTIALING ORGANIZATIONS ACCEPTABLE FOR DELAWARE CERTIFICATION**

1. American Registry of Radiologic Technologists (ARRT)
2. Dental Assisting National Board (DANB)
3. Nuclear Medicine Technologist Certification Board (NMTCB)
4. Cardiovascular Credentialing International (CCI)