

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

24409

2001 SENATE HUMAN SERVICES

SB 2409

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2409

Senate Human Services Committee

Conference Committee

Hearing Date February 13, 2001

Tape Number	Side A	Side B	Meter #
1	X		12.2
1		X	3.1
February 14, 2001 1	X		2.4
Committee Clerk Signature <i>Carol Holdeich</i>			

Minutes:

The hearing was opened on SB 2409.

SENATOR DEVER, sponsor of note, introduced bill standards for procedures in human radiologic (ex-ray). Need to have knowledge about the procedures, settings, etc.

REPRESENTATIVE TODD PORTER, cosponsor, supports bill. (Written testimony) There are 600 registered and about 600 non-registered.

REPRESENTATIVE BRUCE ECKRE, cosponsor, supports bill. The education standards are the key to a civilized society.

REPRESENTATIVE GUNTER cosponsor of the bill, supports bill.

AMY HOFFMAN, Radiographer with specialty in the fields of Ultrasound, CT, and Nuclear Medicine. (Written testimony) SENATOR MATHERN: Is there any distinguishment between the license of someone who is grandfathered in or somebody who met all of the training requirements? MS. HOFFMAN: In section 7 the grandfather clause would recognize those

individuals that have indeed been practicing in the rural settings as ex-ray operated would one time and one time only come in under the licensing process as technologists and there would not be a distinction between credentials. SENATOR LEE: Do you think the continuing education would be made available through employers. MS. HOFFMAN: The vast majority of the education and training is through our employers. Conferences, materials through national and state libraries that they could access. SENATOR POLOVITZ: What professions use this technology. MS. HOFFMAN: Several medical and chiropractic. Dental is exception. SENATOR LEE: How would this affect surgeons? MS. HOFFMAN: Licensed practitioners, and doctors would be exempt. SENATOR ERBELE: If this is public safety issue, what issues are problems. MS. HOFFMAN: Sub optimal, overexposed, underexposed, inappropriate control of radiation. Procedure needs repeating meaning additional cost and additional exposure to radiation, as well as delaying medical care.

LISA STOCKS-BRUSH, Registered Radiologic Technologist and Certified Nuclear Medicine Technologist, supports bill. (Written testimony) She presented testimony written by LINDA OTTESEN, supporting bill.

SHIRLEY PORTER, NDSRT, supports bill. (Written testimony) SENATOR LEE: What would happen if a facility did not have someone trained? MS. PORTER: They have mobile units that travel the state for mammology.

KAREN WILLIAMS, BS,(RT), supports bill. (Written testimony) SENATOR MATHERN: Are there any requirements for ex-ray in animals. MS. WILLIAMS: I do not know that.
Neutral Testimony:

KEN WANGLER,, ND Dept. Of Health, is neutral on the bill. If the bill is passes the Dept would like to make some changes in the bill. (Written testimony) Offered amendments.

SENATOR MATHERN: How do your training requirements differ from training requirements you anticipate this board would have? MR. WANGLER: The current training requirements are very vague and difficult to enforce. This bill is looking at a two tiers - a limited licensure and a full licensure. The Dept. is looking at changing to be similar. We are looking at limiting the scope of practice for those in the lower tier of training. They would be limited to certain procedures. SENATOR LEE: How can we do what is best? MR. WANGLER: Courses are available in Montana. 88 hours for anyone who takes ex-rays. Training providers will come in sufficient time. SENATOR KILZER: Are you involved with inspecting ex-ray machines? MR. WANGLER: Yes, about 1/2 ex-rays are not up to standard. They are not properly developed, positions are wrong. Problems with developers; they require maintenance and a basic understanding of the function. If you are not properly trained it is difficult to know whether the problem that you are having is in the ex-ray machine technique or in the developing. Training is critical and we find that to be lacking in this state. SENATOR KILZER: Are there still some hand processing? MR. WANGLER: Yes, there are. SENATOR KILZER: Do you think we need some legislation for machines? MR. WANGLER: probably not. The Feds control the output of machines.

Opposition:

ARNOLD THOMAS, President of ND Health care Assoc., opposes the bill. (Written testimony)

Handed out regulations on this subject. He presented written testimony for MITCH LEUPP.

SENATOR KILZER: Is there a problem? MR. THOMAS: There is an uneven level of competency in ND. There is a safety compliance. We are working toward the level of education. There is a problem, but not in my facilities.

LESLIE ERVAND, hospital at Crosby. Lab people are sent to Billings. We don't have a high volume per day, so we send them to Williston and provide other training and experience. We have cross-trained techs. SENATOR MATHERN: Training requirements are discussion point. What would be the difference if the Dept issued these or the Board did? MR. ERVAND: I don't know if they will be the same. I can live with what is in the draft. Our committee has worked almost a year. It represents everybody. SENATOR KILZER: In Crosby does the clinic have separate ex-rays? MR. ERVAND: A little of both. Radiologist comes quarterly - ex-rays are sent to Williston.

DON WINDMUELLER, Medical Assoc., opposes bill. Support would be of committee. Not necessary to have licensure.

LISA STOCKS-BRUSH pointed out concerns that there is not the cooperation on the committee. The hearing was closed on SB 2409.

February 14, 2001, Tape 1, Side A, Meter 2.4.

Discussion was held. SENATOR MATHERN moved the amendments from Mr. Wangler of the Health Department. SENATOR FISCHER seconded the motion. Discussion. Roll call vote carried 6-0. SENATOR MATHERN moved a late implementation date of January 1, 2003. SENATOR KILZER seconded the motion. Roll call vote carried 5-1. SENATOR MATHERN moved a DO PASS AS AMENDED. SENATOR KILZER seconded it. Discussion. The motion was withdrawn. SENATOR MATHERN further amended to delay all dates in the bill to January 1, 2003. SENATOR KILZER seconded the motion. Discussion. Voice vote carried. SENATOR MATHERN moved DO PASS AS AMENDED. SENATOR KILZER seconded it. Roll call vote carried 6-0. SENATOR KILZER will carry the bill.

Date: 2/14/01

Roll Call Vote #: /

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2409

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendments

Motion Made By Sen Mathern Seconded By Sen Fischer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Amendments from Dept of Health - Wangler

Date: 2/14/01

Roll Call Vote #: 2

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2409

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Amend late, ^{implementation} date of Jan 1, 2003

Motion Made By Sen Mathem Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz		✓
Senator Kilzer, Vice-Chairperson	✓		Senator Mathem	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 5 No 1

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2/14/07

Roll Call Vote #: 3

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2409

Senate HUMAN SERVICES Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended

Motion Made By Sen Mathern Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson			Senator Polovitz		
Senator Kilzer, Vice-Chairperson			Senator Mathern		
Senator Erbele					
Senator Fischer					
<i>withdrawn</i>					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2/14/01

Roll Call Vote #: 4

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Amendment to implement Jan 1, 2003 in all places

Motion Made By Sen Mathern Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson			Senator Polovitz		
Senator Kilzer, Vice-Chairperson			Senator Mathern		
Senator Erbele					
Senator Fischer					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 2/14/01

Roll Call Vote #: 8

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2409

Senate HUMAN SERVICES Committee

Subcommittee on _____

or

Conference Committee

Legislative Council Amendment Number _____

Action Taken Do pass as amended

Motion Made By Sen Mathern Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Senator Lee, Chairperson	✓		Senator Polovitz	✓	
Senator Kilzer, Vice-Chairperson	✓		Senator Mathern	✓	
Senator Erbele	✓				
Senator Fischer	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen Kilzer

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2409: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2409 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and" and after "penalty" insert "; and to provide an effective date"

Page 1, remove lines 18 and 19

Page 1, line 20, replace "7" with "6"

Page 1, line 23, replace "8" with "7"

Page 2, line 1, replace "9" with "8"

Page 2, line 2, replace "10" with "9"

Page 2, line 11, replace "11" with "10"

Page 2, line 14, replace "12" with "11"

Page 2, line 19, replace "13" with "12"

Page 2, line 22, replace "14" with "13"

Page 2, line 25, replace "15" with "14"

Page 2, line 27, replace "16" with "15"

Page 3, line 3, remove "nurse,"

Page 3, line 12, remove "nurse,"

Page 3, line 16, remove "nursing,"

Page 3, line 27, replace "August 1, 2001" with "January 1, 2003"

Page 4, line 23, replace "Passes" with "Completes a board-approved course of study and passes" and after the second period insert "The board-approved course of study training standards may be no less stringent than, nor in conflict with, applicable ionizing radiation operator training requirements adopted in accordance with chapters 23-20, 23-20.1, and 23-20.2."

Page 4, line 26, replace "August 1, 2001" with "January 1, 2003"

Page 5, after line 8, insert:

- "3. The board-approved course of study training standards may be no less stringent than, nor in conflict with, applicable ionizing radiation operator training requirements adopted in accordance with chapters 23-20, 23-20.1, and 23-20.2."

Page 6, after line 3, insert:

"SECTION 12. EFFECTIVE DATE. This Act becomes effective on January 1, 2003."

REPORT OF STANDING COMMITTEE (410)
February 15, 2001 9:02 a.m.

Module No: SR-28-3461
Carrier: Kilzer
Insert LC: 10774.0101 Title: .0200

Renumber accordingly

2001 TESTIMONY

SB 2409

