

No. 33

5th Session, 14th Legislature, Alberta
11 Elizabeth II

BILL 33

A Bill respecting Radiological Technicians

HON. DR. ROSS

Explanatory Note

General—This Bill will establish authority to regulate the qualifications and standards of x-ray technicians. Because of the different nature of their work, separate provisions are made for medical technicians and industrial technicians.

2. Definitions.

3. Medical Radiological Technicians Board established.

BILL

No. 33 of 1963

An Act respecting Radiological Technicians

(Assented to 1963)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Radiological Technicians Act*".

2. In this Act,

- (a) "industrial radiological technician" means a person who operates an x-ray machine for the examination or treatment of things other than living persons;
- (b) "medical radiological technician" means a person who operates an x-ray machine for the examination or treatment of living persons;
- (c) "Minister" means the member of the Executive Council charged with the administration of this Act.

PART I

MEDICAL RADIOLOGICAL TECHNICIANS

3. (1) There is hereby established a board to be known as the Medical Radiological Technicians Board which shall be composed of five members appointed by the Minister,

- (a) two of whom shall be members of the Canadian Society of Radiological Technicians (Alberta Division) registered under this Part, and
- (b) two of whom shall be members of the College of Physicians and Surgeons of the Province of Alberta who are certified in the medical specialty of radiology.

(2) The members of the Board shall hold office for a term of three years, except that the Minister may appoint one of the first members for a term of one year and another for a term of two years.

(3) A member is eligible for re-appointment at the expiration of his term of office.

4. Authority to make regulations on matters relating to medical radiological technicians.

(4) The Minister may designate one of the members of the Board to be the first chairman and one to be the first secretary of the Board, and thereafter their successors in office shall be elected by the Board from among its members to hold office for a period of one year.

(5) Every vacancy on the Board caused by the death, resignation or incapacity of a member may be filled by the appointment, by the Minister from the group whom that member represented, of a person to hold office for the remainder of the term of office of that member.

4. (1) Subject to the approval of the Lieutenant Governor in Council the Board may make regulations

- (a) providing for the registration of medical radiological technicians, including the fees payable for registration not exceeding twenty-five dollars for each person registered,
- (b) prescribing the qualifications of persons to be registered and the proofs to be furnished as to technical qualifications, experience, education and good character,
- (c) providing for the examination of persons applying for registration and the setting of the fees payable for such examination,
- (d) providing for the establishment of suitable training and apprenticeship programs and prescribing the qualifications required to be admitted to apprenticeship,
- (e) providing for the registration of student medical radiological technicians and for maintaining a registry for registered students,
- (f) providing for maintaining a register of registered medical radiological technicians and providing for the annual renewal of registration and prescribing the fees payable thereon not exceeding five dollars annually for each person registered,
- (g) specifying the radiological services and treatments that a registered medical radiological technician may render,
- (h) prescribing the discipline and control of registered medical radiological technicians, including the adoption and enforcement of any reasonable rules of conduct,
- (i) providing for the investigation of any complaint that a registered medical radiological technician has been guilty of misconduct or displayed such incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended,
- (j) providing for the cancellation or suspension of the registration of any person found by the Board to be guilty of misconduct or to have been incompetent,

5. Scope of the services and treatments that may be rendered by medical radiological technicians.

6. Requirements to be met before a person may render medical radiological services and treatments.

7. Registration of persons presently acting as medical radiological technicians.

- (k) defining "misconduct" for the purpose of this section and the regulations,
 - (l) prescribing rules for the procedure at meetings of the Board, the constitution of a quorum, the duties of the chairman and of the secretary and such other matters of administration as may be found necessary for the efficient carrying out of the duties and powers of the Board,
 - (m) prescribing forms for use under this Part and fixing registration and other fees for services given by the Board, and
 - (n) governing such other matters, not being inconsistent with the intent of this Act, as may be thought necessary to further the purposes and objects of this Part.
- (2) The regulations may provide for different classes of medical radiological technicians and may prescribe different qualifications, requirements, rights and duties applicable to the different classes.
- (3) The Lieutenant Governor in Council may make regulations providing for the payment of reasonable fees and disbursements to members of the Board in respect of the discharge of their duties as members of the Board.

5. (1) A registered medical radiological technician may render only the radiological services and treatments

- (a) that are specified by the regulations as radiological services and treatments that a registered medical radiological technician may render, and
- (b) that he has been trained to render during his course of formal training.

(2) Where different classes of medical radiological technicians are established under the regulations, a technician may render only those services and treatments that are authorized for the class to which he belongs.

6. (1) No person shall render any radiological service or treatment to any person unless he is registered under this Act as a medical radiological technician or a student medical radiological technician.

(2) A medical radiological technician shall not render any radiological service or treatment to any person except upon the direction of a duly qualified medical practitioner.

(3) A student medical radiological technician shall not render any radiological service or treatment to any person except under the direct supervision of a person who is authorized to render such service or treatment.

7. Any person carrying on business as or practising as a medical radiological technician on the effective date of this Act is entitled to register under this Part upon apply-

8. Industrial radiological technicians required to be licensed.

9. Authority to make regulations on matters relating to industrial radiological technicians.

10. Suspension or cancellation of licence of industrial radiological technician.

11. Industrial radiological technicians cannot use x-rays on living persons.

12. The Act does not apply to certain professional groups.

ing to and obtaining the approval of the Board for registration and paying the fee for registration prescribed by the regulations.

PART II

INDUSTRIAL RADIOLOGICAL TECHNICIANS

8. No person shall act as an industrial radiological technician unless he is licensed as required by the regulations under this Part as an industrial radiological technician.

9. The Lieutenant Governor in Council may make regulations

- (a) prescribing standards of proficiency for industrial radiological technicians,
- (b) providing for the examination and licensing of industrial radiological technicians,
- (c) fixing examination fees and licence fees,
- (d) requiring the annual renewal of licences,
- (e) providing for the investigation of complaints against industrial radiological technicians,
- (f) respecting the suspension or cancellation of licences,
- (g) providing for the appointment and remuneration of persons, boards or committees to conduct examinations or to issue licences or to investigate complaints,
- (h) governing such other matters, not being inconsistent with the intent of this Act, as may be thought necessary to further the purposes and objects of this Part.

10. The licence of an industrial radiological technician may be suspended or cancelled for failure to comply with this Act or the regulations or with any reasonable safety measures.

11. No industrial radiological technician shall operate an x-ray machine for the examination or treatment of a living person.

PART III

GENERAL

12. This Act does not apply to

- (a) a duly qualified medical practitioner, or
 - (b) a member of the Alberta Dental Association, or
 - (c) a member of the Alberta Chiropractic Association.
- or

13. Prohibition against the operation of an x-ray machine by an unqualified person.

14. Offences.

15. Penalties.

16. Proof by certificate.

17. Commencement of Act.

(d) a member of the Alberta Veterinary Medical Association.

13. No person shall operate an x-ray machine or other device that emits x-rays,

- (a) unless he is registered or licensed under this Act, or
- (b) while his registration or licence is suspended.

14. (1) Every person is guilty of an offence who

- (a) not being registered or licensed under this Act, holds himself out as being registered or licensed under this Act, or
- (b) who, being a registered medical radiological technician of one class, holds himself out as a registered medical radiological technician of another class.

(2) A registered medical radiological technician who renders any service or treatment he is not authorized to render under the regulations is guilty of an offence.

(3) Any person who contravenes this Act or the regulations is guilty of an offence.

15. (1) A person who is guilty of an offence is liable on summary conviction

- (a) for a first offence to a fine of not more than fifty dollars and in default of payment to imprisonment for not more than thirty days,
- (b) for a second offence to a fine of not more than one hundred dollars and in default of payment to imprisonment for not more than sixty days, and
- (c) for a third or subsequent offence to imprisonment for not less than sixty days and not more than six months.

(2) A prosecution under this Act may be commenced within two years of the date of the alleged offence, but not thereafter.

16. In any action, proceeding or prosecution a certificate purporting to be signed by the secretary of the Board is admissible in evidence as *prima facie* proof of the registration or non-registration under Part I of any person and of the class in which any person is registered, without proof of the office or signature of the person certifying.

17. This Act comes into force on the first day of August, 1963.

No. 33

FIFTH SESSION

FOURTEENTH LEGISLATURE

11 ELIZABETH II

1963

BILL

An Act respecting Radiological
Technicians

Received and read the

First time

Second time

Third time

HON. DR. ROSS
