

(Consolidated up to 113/2009)

## **ALBERTA REGULATION 61/2005**

### **Health Professions Act**

## **MEDICAL DIAGNOSTIC AND THERAPEUTIC TECHNOLOGISTS PROFESSION REGULATION**

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**Definitions**

- 1 In this Regulation,
  - (a) "Act" means the *Health Professions Act*;
  - (b) "College" means the Alberta College of Medical Diagnostic and Therapeutic Technologists;
  - (b.1) "Competence Committee" means the competence committee of the College;
  - (c) "Council" means the council of the College;
  - (d) "Registrar" means the registrar of the College;
  - (e) "Registration Committee" means the registration committee of the College;
  - (f) "registration year" means the period of time between 2 successive dates established in the bylaws made under

section 132 of the Act by which a regulated member is required to apply for the renewal of a practice permit.

AR 61/2005 s1;113/2009

## Registers

### Register categories

**2** The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) medical radiation technologist general register, which includes the following general registers:
  - (i) radiological technologist general register;
  - (ii) radiation therapist general register;
  - (iii) nuclear medicine technologist general register;
  - (iv) magnetic resonance technologist general register;
- (b) medical radiation technologist temporary register, which includes the following temporary registers:
  - (i) radiological technologist temporary register;
  - (ii) radiation therapist temporary register;
  - (iii) nuclear medicine technologist temporary register;
  - (iv) magnetic resonance technologist temporary register;
- (c) medical radiation technologist courtesy register;
- (d) electroneurophysiology technologist general register;
- (e) electroneurophysiology technologist temporary register;
- (f) electroneurophysiology technologist courtesy register.

AR 61/2005 s2;113/2009

## Registration

### General register

**3(1)** An applicant for registration as a regulated member on a general register category of the regulated members register listed in section 2 must

- (a) have a diploma or have successfully completed a program of studies approved by the Council, and

- (b) have successfully completed an entry examination approved by the Council.

**(2)** An applicant for registration under subsection (1) must meet at least one of the following:

- (a) have met the requirements set out in subsection (1) within the 2 years immediately preceding the date the Registrar receives a complete application;
- (b) have completed at least 800 working hours of practice in the appropriate area of practice within the 5 years immediately preceding the date the Registrar receives a complete application;
- (c) have successfully completed the requirements for academic and experiential upgrading as directed by the Registrar or Registration Committee in the appropriate area of practice within the 2 years immediately preceding the date the Registrar receives a complete application;
- (d) demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise in the appropriate area of practice listed in section 2.

**(3)** An applicant for registration on more than one general register category of the regulated members register listed in section 2 must

- (a) in respect of the applicant's primary and main area of practice, meet the requirements specified in subsection (2)(b), and
- (b) in respect of the applicant's secondary area of practice, meet the requirements referred to in subsection (2)(a), (c) and (d) and also have completed at least 160 working hours in the secondary area of practice within 5 years immediately preceding the date the Registrar receives a complete application.

AR 61/2005 s3;113/2009

#### **Temporary register**

**4(1)** An applicant for registration as a regulated member

- (a) who has successfully completed the requirement referred to in section 3(1)(a) (for medical radiation technologists or electroneurophysiology technologists) but has not successfully completed the entry examination referred to in section 3(1)(b) for that area of practice, or

- (b) is enrolled in a program of experiential upgrading as directed by the Registrar or Registration Committee for the purpose of completing the requirement referred to in section 3(1)(a)

may be registered in the appropriate category of the medical radiation technologist temporary register or the electroneurophysiology technologist temporary register category of the regulated members register, as the case may be.

**(2)** A person registered under subsection (1)

- (a) in the medical radiation technologist temporary register category of the regulated members register, may be registered for a period not exceeding one year, or
- (b) in the electroneurophysiology technologist temporary register category of the regulated members register, may be registered for a period not exceeding 2 years.

**(3)** The maximum periods referred to in subsection (2) may be extended at the discretion of the Registrar or Registration Committee for a period to be determined by the Registrar or Registration Committee.

**(4)** A person registered under subsection (1) must practise under the supervision of a regulated member who

- (a) practises in the same area of practice as the person registered in the temporary register, and
- (b) is physically present and available to assist the person with performing of the restricted activity as needed.

**(5)** Where an appropriate regulated member is not available to supervise a temporary member, the Registrar or Registration Committee may permit the temporary member to practise under the supervision of a regulated member of another regulated health profession who is authorized to perform the restricted activity that the temporary member is performing and may direct the manner and type of supervision to be provided.

#### **Courtesy register**

**5(1)** A person who requires registration in Alberta for a period not exceeding 6 months for a purpose approved by the Registrar is eligible for registration in the medical radiation technologist courtesy register or the electroneurophysiology technologist courtesy register category of the regulated members register if that person

- (a) is registered in good standing in another jurisdiction in a register appropriate to that person's area of practice, or
  - (b) otherwise satisfies the Registrar that the person has the competence to provide the services related to the approved purpose.
- (2)** Where a person is registered in a courtesy register category of the regulated members register under subsection (1),
- (a) the registration is for the purpose and length of time specified by the Registrar, and
  - (b) the Registrar must identify any title that may be used by the registered person and the restricted activities that person may engage in while so registered.

**Equivalent jurisdiction**

**6** An applicant for registration as a regulated member who is registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having registration requirements substantially equivalent to the registration requirements set out in section 3 may be registered in the appropriate category of the regulated members register.

AR 61/2005 s6;113/2009

**Equivalent qualifications**

**7(1)** An applicant for registration as a regulated member who does not meet the registration requirements of section 3 and whose qualifications have been determined by the Registrar or Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in section 3 may be registered in the appropriate category of the regulated members register.

**(2)** For the purposes of determining substantial equivalency of qualifications of an applicant under subsection (1), the College may require an applicant to undergo any examination, testing, assessment, training or education program it considers necessary.

AR 61/2005 s7;113/2009

**Good character**

**8** An applicant for registration as a regulated member must, at the request of the Registrar, provide evidence of good character and reputation by submitting the following:

- (a) a written reference from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;
- (b) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of medical radiation technologists and electrophysiology technologists or of members of another health profession;
- (c) the results of the applicant's criminal record check;
- (d) any other information requested by the Registrar.

#### **English language requirements**

**9(1)** An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of medical diagnostic and therapeutic technology.

**(2)** An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.

AR 61/2005 s9;113/2009

#### **Liability insurance**

**10** An applicant for registration as a regulated member must provide evidence of having the type and amount of professional insurance required by the Council.

### **Titles**

#### **Titles**

**11** Regulated members may use the titles set out in section 2 of Schedule 12 to the Act in accordance with the following conditions:

- (a) members registered in the radiological technologist general register or the radiological technologist temporary register category of the regulated members register are authorized to use the following titles:
  - (i) radiological technologist;
  - (ii) medical radiation technologist;
  - (iii) medical radiation technologist (radiological);

- (iv) MRT;
- (v) MRT (R);
- (b) members registered in the nuclear medicine technologist general register or the nuclear medicine technologist temporary register category of the regulated members register are authorized to use the following titles:
  - (i) nuclear medicine technologist;
  - (ii) medical radiation technologist;
  - (iii) medical radiation technologist (nuclear medicine);
  - (iv) MRT;
  - (v) MRT (NM);
- (c) members registered in the radiation therapist general register or the radiation therapist temporary register category of the regulated members register are authorized to use the following titles:
  - (i) radiation therapist;
  - (ii) medical radiation technologist;
  - (iii) medical radiation technologist (therapy);
  - (iv) MRT;
  - (v) MRT (T);
- (d) members registered in the magnetic resonance technologist general register or the magnetic resonance technologist temporary register category of the regulated members register are authorized to use the following titles:
  - (i) magnetic resonance technologist;
  - (ii) medical radiation technologist;
  - (iii) medical radiation technologist (magnetic resonance);
  - (iv) MRT;
  - (v) MRT (MR);
- (e) members registered in the electroneurophysiology technologist general register or the

electroneurophysiology technologist temporary register category of the regulated members register are authorized to use the following titles:

- (i) electroencephalography technologist;
- (ii) electroneurophysiology technologist;
- (iii) ENP;
- (iv) EEGT.

AR 61/2005 s11;113/2009

### **Practice Permit**

#### **Conditions**

**12** On issuing a practice permit, the Registrar may impose conditions on a regulated member, including but not limited to the following:

- (a) that a member complete the continuing competence requirements within a specified time;
- (b) that a member complete examinations, testing, assessment, clinical practicum or work experience;
- (c) that a member practise under supervision;
- (d) that a member's practice be limited to practice areas or settings specified by the Registrar;
- (e) that a member use only those titles specified by the Registrar;
- (f) that a member is prohibited from supervising students of the profession or regulated members of the College.

#### **Renewal requirements**

**13** A regulated member applying for renewal of the member's practice permit must provide evidence of

- (a) having met the continuing competence requirements set out in this Regulation,
- (b) continuing to meet the requirements of sections 8 and 10, and
- (c) continuing to meet the requirements set out in section 3(2) or (3), as the case may be.

AR 61/2005 s13;113/2009

## Continuing Competence

### Continuing competence program

**13.1(1)** As a part of the continuing competence program, regulated members must complete, in each registration year, a reflective practice review.

**(2)** A reflective practice review includes

- (a) a personal assessment of the regulated member's own practice in comparison with the competency profile for the appropriate area of practice approved by the Council,
- (b) the development and implementation of a learning plan that follows the regulated member's personal assessment of the regulated member's practice, and
- (c) a written evaluation of the result of the learning pursuant to the learning plan on the regulated member's practice.

**(3)** A reflective practice review must be completed in a form satisfactory to the Competence Committee and be retained by the regulated member for 5 registration years from the end of the registration year in which the reflective practice review was completed.

**(4)** The Competence Committee may select regulated members in accordance with the criteria established by the Council for a review and evaluation of all or part of the regulated member's reflective practice review.

**(5)** On the request of the Competence Committee, a regulated member must provide satisfactory evidence of having met the requirements of subsections (1) and (2), in each registration year of the 5 registration years preceding the request.

**(6)** If the results of a review of the evidence submitted under subsection (5) are unsatisfactory, the Competence Committee may direct a regulated member to undertake one or more of the following:

- (a) to complete specific continuing competence program requirements or professional development activities within a specified time period;
- (b) to report to the Competence Committee on specified matters related to the continuing competence program requirements;

- (c) to correct any problems identified in the reflective practice review.

AR 113/2009 s11

### **Restricted Activities**

#### **Radiological technologists**

**14(1)** A regulated member who is registered in the radiological technologist general register or the radiological technologist temporary register category of the regulated members register is authorized to perform in accordance with the standards of practice the following restricted activities:

- (a) apply any form of ionizing radiation in conjunction with medical radiography;
- (b) apply non-ionizing radiation in lithotripsy;
- (c) administer diagnostic imaging contrast agents for the purpose of conducting diagnostic scans and imaging of body tissue;
- (d) insert or remove instruments, devices or fingers
  - (i) beyond the opening of the urethra,
  - (ii) beyond the anal verge, and
  - (iii) into an artificial opening in the body

for the purpose of administering diagnostic examinations in medical radiography.

**(2)** A person referred to in subsection (1) who has completed advanced training approved by the Council and who has received notification from the Registrar that the authorization is indicated on the appropriate category of the regulated members register may perform in accordance with the standards of practice the following restricted activities:

- (a) to cut a body tissue or to perform other invasive procedures on body tissue below the dermis for the purpose of starting an intravenous line;
- (b) to apply non-ionizing radiation for the purpose of ultrasound imaging.

AR 61/2005 s14;113/2009

**Nuclear medicine technologists**

**15(1)** A regulated member who is registered in the nuclear medicine technologist general register or the nuclear medicine technologist temporary register category of the regulated members register is authorized to perform in accordance with the standards of practice the following restricted activities:

- (a) apply any form of ionizing radiation in conjunction with nuclear medicine;
- (b) compound or administer blood or blood products to perform autologous procedures;
- (c) administer radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols for diagnostic and therapeutic purposes;
- (d) cut a body tissue, or administer anything by an invasive procedure on body tissue below the dermis, for the purpose of administering injections or for starting an intravenous line;
- (e) insert or remove instruments or devices beyond the opening of the urethra for the purpose of administering diagnostic examinations in nuclear medicine.

**(2)** A person referred to in subsection (1) who has completed advanced training approved by the Council and who has received notification from the Registrar that the authorization is indicated on the appropriate category of the regulated members register may, in accordance with the standards of practice, apply non-ionizing radiation for the purpose of ultrasound imaging.

AR 61/2005 s15;113/2009

**Radiation therapists**

**16(1)** A regulated member who is registered in the radiation therapist general register or the radiation therapist temporary register category of the regulated members register is authorized to perform in accordance with the standards of practice the following restricted activities:

- (a) apply any form of ionizing radiation in conjunction with radiation therapy;
- (b) administer diagnostic imaging contrast agents for the purpose of conducting diagnostic scans and imaging of body tissue;
- (c) insert or remove instruments, devices, hands or fingers

- (i) beyond the cartilaginous portion of the ear canal,
  - (ii) beyond the pharynx,
  - (iii) beyond the opening of the urethra,
  - (iv) beyond the labia majora,
  - (v) beyond the anal verge, and
  - (vi) into an artificial opening in the body
- for the purpose of radiation treatment.

**(2)** A person referred to in subsection (1) who has completed advanced training approved by the Council and who has received notification from the Registrar that the authorization is indicated on the appropriate category of the regulated members register may perform in accordance with the standards of practice the following restricted activities:

- (a) to cut a body tissue or to perform other invasive procedures on body tissue below the dermis for the purpose of starting an intravenous line;
- (b) to apply non-ionizing radiation for the purpose of ultrasound imaging.

AR 61/2005 s16;113/2009

### **Magnetic resonance technologists**

**17(1)** A regulated member who is registered in the magnetic resonance technologist general register or the magnetic resonance technologist temporary register category of the regulated members register is authorized to perform in accordance with the standards of practice the following restricted activities:

- (a) apply non-ionizing radiation in conjunction with magnetic resonance imaging;
- (b) administer diagnostic imaging contrast agents for the purpose of conducting diagnostic scans and imaging of body tissue;
- (c) insert or remove instruments or devices beyond the opening of the urethra or beyond the anal verge for the purposes of conducting diagnostic scans and imaging of body tissue.

**(2)** A person referred to in subsection (1) who has completed advanced training approved by the Council and who has received notification from the Registrar that the authorization is indicated on

the appropriate category of the regulated members register may perform in accordance with the standards of practice the following restricted activities:

- (a) to cut a body tissue or to perform other invasive procedures on body tissue below the dermis for the purpose of starting an intravenous line;
- (b) to apply non-ionizing radiation for the purpose of ultrasound imaging.

AR 61/2005 s17;113/2009

### **Electroneurophysiology technologists**

**18** If a regulated member who is registered in the electroneurophysiology technologist general register or the electroneurophysiology technologist temporary register category of the regulated members register

- (a) has provided evidence satisfactory to the Registrar of having successfully completed the requirements approved by the Council to perform the restricted activity described in this section, and
- (b) has received notification from the Registrar that the authorization is indicated on the appropriate category of the regulated members register,

the regulated member may perform in accordance with the standards of practice the restricted activity of cutting a body tissue or administering anything by an invasive procedure on body tissue for the purpose of using needle electrodes.

AR 61/2005 s18;113/2009

### **Enhanced practice**

**19(1)** A regulated member who is registered in

- (a) one of the medical radiation technologist general register categories of the regulated members register listed in section 2(a),
- (b) the medical radiation technologist courtesy register listed in section 2(c),
- (c) the electroneurophysiology technologist general register category of the regulated members register listed in section 2(d), or

- (d) the electroneurophysiology technologist courtesy register category of the regulated members register listed in section 2(f)

may perform a restricted activity that is not authorized in respect of that regulated member's area of practice but only if

- (e) the restricted activity is one that is authorized to be performed by another regulated member who is registered in another area of practice under this Regulation,
- (f) the regulated member has completed the advanced training approved by the Council, and
- (g) the regulated member has received notification from the Registrar that the authorization is indicated on the appropriate category of the regulated members register.

(2) The Registrar may impose any conditions in accordance with policies and standards set by the Council on a regulated member referred to in subsection (1).

AR 61/2005 s19;113/2009

#### **Duty of regulated members**

**20** Despite sections 14 to 19, regulated members must restrict themselves to performing only those restricted activities that they are competent to perform and that are appropriate to their areas of practice and the procedures being performed.

#### **Students, supervision**

**21(1)** A student who is enrolled in an approved medical radiation technology program or an electroneurophysiology technology program satisfactory to the Council or who is enrolled in a combined laboratory and x-ray sciences program approved by the council of the Alberta College of Combined Laboratory and X-ray Technologists is permitted to perform restricted activities referred to in sections 14 to 18 as part of a clinical practicum with the consent of and under the supervision of a regulated member who is registered on the electroneurophysiology technologist general or courtesy register or the medical radiation technologist general or courtesy register.

(2) The supervising member must

- (a) be authorized to perform the restricted activity in respect of which the member is providing supervision, and

- (b) be physically present and available to assist the student with performing the restricted activity as needed.

AR 61/2005 s21;113/2009

### **Alternative Complaint Resolution**

#### **Process conductor**

**22** When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the complaints director must appoint an individual to conduct the alternative complaint resolution process.

#### **Agreement**

**23** The person conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by

- (a) the complainant,
- (b) the investigated person, and
- (c) the representative of the College.

#### **Confidentiality**

**24** The complainant and the investigated person must, subject to sections 59 and 60 of the Act, agree to treat all information shared during the alternative complaint resolution process as confidential.

AR 61/2005 s24;113/2009

#### **Leaving the process**

**25** The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

### **Reinstatement of Registration and Practice Permits**

#### **Applying for reinstatement**

**26(1)** A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration reinstated and the practice permit reissued.

**(2)** An application under subsection (1) may not be made earlier than

- (a) 3 years after the date of cancellation, or
- (b) one year after a decision is made denying an application for reinstatement.

**(3)** An applicant under subsection (1) must provide evidence to the Registration Committee of qualifications for registration.

AR 61/2005 s26;113/2009

#### **Review process**

**27(1)** An application under section 26 must be reviewed by the Registration Committee in accordance with sections 28 to 30 of the Act in the same manner as if the application for reinstatement were an application for registration as a regulated member.

**(2)** When reviewing an application under subsection (1), the Registration Committee must consider

- (a) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) whether the applicant
  - (i) meets the current requirements for registration,
  - (ii) has met any conditions imposed under Part 4 of the Act before the applicant's registration and practice permit were cancelled, and
  - (iii) is fit to practise medical diagnostic and therapeutic technology and does not pose a risk to public safety.

**(3)** The Registration Committee, on reviewing an application, may make one or more of the following orders:

- (a) an order denying the application;
- (b) an order directing the Registrar to reinstate the person's registration and practice permit;
- (c) an order directing the Registrar to impose specified terms and conditions on the person's practice permit.

AR 61/2005 s27;113/2009

#### **Review of decision**

**28** An applicant whose application is denied or on whose practice permit terms and conditions have been imposed under section 27 may apply to the Council in accordance with section 31(3) of the Act for a review of the decision of the Registration Committee.

**Access to decision**

**29(1)** The Registration Committee may order that its decision be published in a manner it considers appropriate.

**(2)** The College must make the decision of the Registration Committee available for 5 years to a member of the public on request.

AR 61/2005 s29;113/2009

**Information****Requested information**

**30(1)** An applicant for registration as a regulated member and a regulated member must provide the following information in addition to that required under section 33(3) of the Act at the request of the Registrar and when there are any changes to the information:

- (a) home address, telephone number and e-mail address;
- (a.1) emergency contact telephone number;
- (b) previous names, if applicable;
- (c) date of birth;
- (d) gender;
- (e) name of training institution and year of graduation;
- (f) other degrees or specializations;
- (g) name, address, telephone number, fax number and e-mail address of each current employer;
- (h) periodic confirmation from employer of the number of hours worked in a period;
- (i) description of category of membership, including additional qualifications and restrictions if applicable.

**(2)** Subject to section 34(1) of the Act, the College may release the information collected under subsection (1)

- (a) with the consent of the regulated member whose information it is, or
- (b) in a summarized or statistical form.
- (c) repealed AR 113/2009 s23.

AR 61/2005 s30;113/2009

**31** Repealed AR 113/2009 s24.

**Access to regulated members' information**

**32** The periods of time during which the College is required to provide information under section 119(4) of the Act to a member of the public are as follows:

- (a) information referred to in section 33(3) of the Act entered in a register for a regulated member, except for the information referred to in section 33(3)(h) of the Act, while the named regulated member is registered as a member of the College;
- (b) information referred to in section 119(1) of the Act respecting
  - (i) the suspension of a regulated member's practice permit, while the suspension is in effect,
  - (ii) the cancellation of a regulated member's practice permit, for 10 years after the cancellation,
  - (iii) the conditions imposed on a regulated member's practice permit, while the conditions are in effect,
  - (iv) the directions made that a regulated member cease providing professional services, while the directions are in effect, and
  - (v) the imposition of a reprimand or fine under Part 4 of the Act, for 5 years after the imposition of the reprimand or fine;
- (c) information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member, until the hearing is concluded;
- (d) information respecting
  - (i) whether a hearing has been held under Part 4 of the Act with respect to a named regulated member, for 10 years from the date the hearing is concluded, and
  - (ii) a decision and a record of the hearing referred to in section 85(3) of the Act of a hearing held under Part 4 of the Act, for 10 years after the date the hearing tribunal rendered its decision.

AR 61/2005 s32;113/2009

### **Transitional Provisions, Repeal and Coming into Force**

#### **Transitional**

**33** On the coming into force of this Regulation, the name of a regulated member described in section 6 of Schedule 12 to the Act is deemed to be entered in the category of the regulated member register described in section 2 of this Regulation that the Registrar considers appropriate.

#### **Repeal**

**34** The *Medical Radiation Technologists Regulation* (AR 327/85) is repealed.

#### **Coming into force**

**35** This Regulation comes into force on the coming into force of Schedule 12 to the Act.