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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - PHARMACIES - RADIOLOGIC  
TECHNOLOGISTS

Introduced By: Representative Donna M. Walsh

Date Introduced: May 16, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-19.1-8 of the General Laws in Chapter 5-19.1 entitled  
2 "Pharmacies" is hereby amended to read as follows:

3 **5-19.1-8. Licensing required.** – (a) No person shall engage in the practice of pharmacy,  
4 establish, conduct, or maintain a pharmacy or wholesale drug operation, or manufacture drugs  
5 without obtaining a license under this chapter. It shall be unlawful for any person to practice  
6 pharmacy or to institute or operate any pharmacy unless such person shall be a licensed  
7 pharmacist or shall place in charge of the pharmacy a licensed pharmacist. Provided, persons who  
8 provide acceptable evidence of being currently licensed by examination or endorsement under the  
9 laws of other states of the United States and the District of Columbia shall not be prevented from  
10 practicing in this state for a period of ninety (90) days from the date on the application receipt,  
11 provided that they become duly licensed in this state within ninety (90) days. The board may,  
12 through regulations, establish the responsibilities and duties of the pharmacist-in-charge.

13 (b) The director of health may, upon determination that a waiver of the licensing  
14 requirement is necessary in the interest of public health, waive the licensing requirement for the  
15 dispensing of prescription medication in the limited instance where such medication will be  
16 dispensed by a licensed healthcare professional at a licensed ambulatory care facility located on  
17 an island, without access to a pharmacy or pharmacy services by car, where it is necessary to  
18 dispense medication before it can be obtained from the mainland.

1 SECTION 2. Section 5-68.1-4 of the General Laws in Chapter 5-68.1 entitled  
2 "Radiologic Technologists" is hereby amended to read as follows:

3 **5-68.1-4. License required.** -- (a) No individual shall practice radiologic technology or  
4 shall represent themselves as practicing radiologic technology, unless they are licensed under this  
5 chapter. The provisions of this section do not apply to:

6 (1) A licensed practitioner when practicing within his or her field of expertise.

7 (2) A student of medicine, when under the general supervision of an instructor who is a  
8 radiologist and when acting within the scope of practice.

9 (3) A dentist, licensed dental hygienist or certified dental assistant when practicing  
10 within his or her field of expertise.

11 (4) A podiatry assistant who has received a "certificate of completion" from the  
12 Community College of Rhode Island or other equivalent training approved by the board, after  
13 having taken and passed the course on "radiography for podiatry assistance" and when acting  
14 within the practice of podiatry.

15 (5) A medical physicist when practicing within his or her field of expertise.

16 [\(6\) A licensed healthcare provider at a licensed ambulatory care facility on an island](#)  
17 [without access by car, to a facility with a licensed radiologic technologist, and where the director](#)  
18 [of health determines a waiver of the licensure requirements to be in the interest of public health.](#)

19 (b) Nothing in this chapter is intended to limit, preclude or interfere with the practice of  
20 persons and health care providers licensed by appropriate agencies of Rhode Island.

21 (c) This chapter does not prohibit an individual enrolled in an approved school of  
22 radiologic technology, under the direct supervision of a radiologist or a licensed radiologic  
23 technologist, from performing those duties essential for completion of a student's clinical service.

24 (d) This chapter is not intended to supersede the mammography rules and regulations  
25 promulgated pursuant to section 23-17-32.

26 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would permit the director of health to waive the licensing requirements for the  
2 dispensing of prescription medicine where it is necessary to get such medication before it can be  
3 retrieved from the mainland. In addition, the director of health may waive the licensing  
4 requirements for the practice of radiologic technology on an island where there is no access to a  
5 licensed radiologic technologist.

6           This act would take effect upon passage.

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