

UNLICENSED staff members (and XRAY training) in Colorado chiropractic clinics as determined by the Colorado Board of Chiropractic Examiners

to review complete statutes, rules, and policies visit <http://www.dora.state.co.us/chiropractic/statutesrulespolicies.htm>

PART 2 SAFETY TRAINING FOR UNLICENSED X-RAY TECHNICIANS

12-33-201. Legislative declaration.

(1) The general assembly hereby finds, determines, and declares that public exposure to the hazards of ionizing radiation used for diagnostic purposes should be minimized wherever possible. Accordingly, the general assembly finds, determines, and declares that for any licensed chiropractor to allow an untrained person to operate a machine source of ionizing radiation, including without limitation a device commonly known as an "X-ray machine", or to administer such radiation to a patient for diagnostic purposes is a threat to the public health and safety.

(2) It is the intent of the general assembly that licensed chiropractors utilizing unlicensed persons in their practices provide those persons with a minimum level of education and training before allowing them to operate machine sources of ionizing radiation; however, it is not the general assembly's intent to discourage education and training beyond this minimum. It is further the intent of the general assembly that established minimum training and education requirements correspond as closely as possible to the requirements of each particular work setting as determined by the Colorado state board of chiropractic examiners pursuant to this part 2.

(3) The general assembly seeks to ensure, and accordingly declares its intent, that in promulgating the rules and regulations authorized by this part 2, the board will make every effort, consistent with its other statutory duties, to avoid creating a shortage of qualified individuals to operate machine sources of ionizing radiation for beneficial medical purposes in any area of the state.

12-33-202. Board authorized to issue rules.

(1) (a) The Colorado state board of chiropractic examiners shall adopt rules and regulations prescribing minimum standards for the qualifications, education, and training of unlicensed persons operating machine sources of ionizing radiation and administering such radiation to patients for diagnostic chiropractic use. No licensed chiropractor shall allow any unlicensed person to operate any machine source of ionizing radiation or to administer such radiation to any patient unless such person has met the standards then in effect under rules and regulations adopted pursuant to this section. The board may adopt rules and regulations allowing a grace period in which newly hired operators of machine sources of ionizing radiation shall receive the training required pursuant to this section.

(b) For purposes of this part 2, "unlicensed person" means any person who does not hold a current and active license entitling the person to practice chiropractic under the provisions of this article.

(2) The board shall seek the assistance of licensed chiropractors in developing and formulating the rules and regulations promulgated pursuant to this section.

(3) The required number of hours of training and education for all unlicensed persons operating machine sources of ionizing radiation and administering such radiation to patients shall be established by the board by rule on or before July 1, 1992. This standard shall apply to all persons in chiropractic settings other than hospitals and similar facilities licensed by the department of public health and environment pursuant to section 25-1.5-103, C.R.S. Such training and education may be obtained through programs approved by the appropriate authority of any state or through equivalent programs and training experience including on-the-job training as determined by the board. Effective 7-1-09 update

Rule 19 Safety Training for Unlicensed Chiropractic Personnel effective 3-17-10

A. As provided for in §12-33-202, C.R.S., the Board hereby establishes standards for unlicensed chiropractic personnel to operate a machine source of ionizing radiation (x-ray machine) or to administer such radiation to a patient for diagnostic purposes.

B. In order to qualify to operate an x-ray machine or to administer such radiation to a patient, unlicensed chiropractic personnel must successfully complete a Board approved course that satisfies the following requirements:

1. Basic radiological guidelines - 5 hours.
2. Operator and patient safety - 5 hours.
3. Practical and clinical experience in radiographic production, beam imaging formation, density, contrast, filtration, collimation, processing techniques, chart selection, positioning, examinations, high speed film selection, film marking, film storage, and darkroom procedures - 14 hours.

C. Any licensed chiropractor employing unlicensed chiropractic personnel to operate an x-ray machine or to administer such radiation to a patient shall maintain written verification of successful completion and training which must include:

1. A certificate with the name and authorized signature of the agency/educational institution or individual which provided the training;
2. Name and signature of the unlicensed person who successfully completed the education and training;
3. Verification of completion of hours specified in subsection B;
4. Date of completion; and
5. The original of the written verification shall be maintained in the personnel file and a copy shall be provided to the unlicensed person upon successful completion of the education and training.

D. No chiropractor shall allow any unlicensed person to operate an x-ray machine or to administer such radiation to any patient unless such unlicensed person has met the standards set forth herein. Any chiropractor who fails to comply with the provision of this rule may be subject to disciplinary action by the Board as provided for in §12-33-117, C.R.S.

E. As provided for in §12-33-128, C.R.S., the Board hereby establishes standards for unlicensed chiropractic assistants to deliver chiropractic services. Any person, under the direct supervision of a chiropractor, assisting a chiropractor in the delivery of chiropractic services is required to have the requisite skills and training in those areas which they are assisting. Appropriate training may be determined by the supervising chiropractor. The supervising chiropractor is responsible for:

1. ensuring chiropractic assistants possess the requisite skills and training to assist in the delivery of the chiropractic services;
2. all actions of the chiropractic assistants and may be subject to discipline by the Board as a result of those actions as provided for in §12-33-117, C.R.S.; and
3. maintaining records of chiropractic assistant's training.

BOARD POLICIES November 2009

CONCERNING UNLICENSED ACTIVITIES. A graduate of a C.C.E. approved (or its equivalent) chiropractic college who is not licensed to practice chiropractic in this state shall not formulate a diagnosis for the purpose of prescribing a treatment plan, shall not prescribe a treatment plan, and shall not perform chiropractic adjustments or manipulations. Tests and procedures which assist the chiropractor in formulating the diagnosis may be performed by unlicensed persons. If a licensed chiropractor delegates appropriate non-chiropractic tasks to unlicensed persons, the chiropractor shall adequately supervise the unlicensed persons. In determining whether the supervision is adequate under the circumstances of each case, the following factors shall be considered: (1) the complexity of the task; (2) the risk to the patient; (3) the background, training, and skill of the person performing the service; (4) the adequacy of the direction in terms of its form (i.e., written or oral) and its specificity; (5) the availability of a licensed chiropractor. The licensed chiropractor is responsible for the acts of unlicensed persons and the burden shall be on the chiropractor to establish that supervision was reasonable under the circumstances. The services performed by the unlicensed person shall be performed with the same degree of care and skill that would be expected of the licensed chiropractor.

Provided as a guide by the CCA and does not replace professional legal advice.

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