

Adverse impact notification sent to Joint Commission on Administrative Rules, House Committee on Appropriations, and Senate Committee on Finance (COV § 2.2-4007.04.C): Yes Not Needed

If/when this economic impact analysis (EIA) is published in the *Virginia Register of Regulations*, notification will be sent to each member of the General Assembly (COV § 2.2-4007.04.B).



Virginia Department of Planning and Budget Economic Impact Analysis

18 VAC 85 -101 Regulations Governing the Licensure of Radiologic Technology
Department of Health Professions
Town Hall Action/Stage: 4707 / 7753
December 5, 2016

Summary of the Proposed Amendments to Regulation

The Board of Medicine (Board) proposes to repeal sections 50 (Traineeship for unlicensed graduate) and 60 (Traineeship for an applicant for licensure as a radiologic technologist-limited) of this regulation.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Code of Virginia (Code) § 54.1-2956.8:1 states that “it shall be unlawful for a person to practice...as a radiologist technologist or radiologist technologist, limited...unless he holds a license as such issued by the Board.” The Code section provides for one exception for individuals employed by a hospital who are practicing as radiologic technologists.

The existence of regulatory language for traineeships for unlicensed graduates (in sections 50 and 60) has created confusion for some applicants who believe they can practice radiologic technology before passage of the licensing examination. As described above, the law specifies that licensure is required for practice, with the exception of radiologic technologists employed by a hospital. According to the Department of Health Professions, since the enactment of the sections staff can only recall one time a traineeship has been granted, and that was when

examinations were only offered three times a year. Graduates are now allowed to sit for the licensing examination any day of the work week; so the need for a traineeship no longer exists. Thus the proposed repeal of the sections would have no impact in practice other than reduce potential confusion among readers of the regulation.

Businesses and Entities Affected

The proposed repeal of the sections would reduce the likelihood of confusion among readers of the regulation. Individuals considering licensure as a radiologist technologist or radiologist technologist-limited are the most likely to be interested in the sections. Each year approximately 430 new licenses are issued for radiologist technologists and 45 new licenses are issued for radiologist technologists-limited.¹

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments do not affect employment.

Effects on the Use and Value of Private Property

The proposed amendments do not affect the use and value of private property.

Real Estate Development Costs

The proposed amendments do not affect real estate development costs.

Small Businesses:

Definition

Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

Costs and Other Effects

The proposed amendments do not significantly affect costs for small businesses.

Alternative Method that Minimizes Adverse Impact

The proposed amendments do not adversely affect small businesses.

¹ Data source: Department of Health Professions

Adverse Impacts:**Businesses:**

The proposed amendments do not adversely affect businesses.

Localities:

The proposed amendments do not adversely affect localities.

Other Entities:

The proposed amendments do not adversely affect other entities.

Legal Mandates

General: The Department of Planning and Budget has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order Number 17 (2014). Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

Adverse impacts: Pursuant to Code § 2.2-4007.04(C): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period.

If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules shall be notified.

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