**44:03:01:08.  Prohibited uses of radiation.** A licensee may not expose a person to diagnostic or therapeutic radiation except for healing arts purposes and only if the exposure has been authorized by a licensed practitioner of the healing arts or as permitted by 42 U.S.C. § 263b in effect on October 25, 2004, with reports going to the person's health care provider for follow-up. A licensee may not expose a person to the useful beam for non-healing arts training, instruction, or demonstration. The following X-radiation producing equipment may not be used and the following specified procedures may not be performed:

(1)  Fluoroscopic devices for fitting shoes;

(2)  Photofluorographic equipment;

(3)  Intraoral fluoroscopy for dental examinations;

(4)  Hand-held radiographic or fluoroscopic imaging devices, except for intra-oral radiographic imaging devices;

(5)  The use of fluoroscopy for positioning a patient for general radiographic imaging, except for radiation therapy simulators;

(6)  The use of fluoroscopy and c-arm X ray systems by a person other than a licensed practitioner of the healing arts unless under the supervision of a licensed practitioner of the healing arts;

(7)  The use of direct exposure X ray film, without intensifying screens, for routine diagnostic procedures other than intraoral dental radiography, therapeutic portal imaging, and industrial radiography;

(8)  Nonimage intensified fluoroscopic X ray equipment; or

(9)  The use of X ray equipment for mammography unless specifically designed by the manufacturer for the imaging of the breast.

**Source:** SL 1975, ch 16, § 1; 6 SDR 93, effective July 1, 1980; 26 SDR 96, effective January 23, 2000; 35 SDR 47, effective September 8, 2008; 50 SDR 41, effective October 11, 2023.

**General Authority:** SDCL 34-21-4.1, 34-21-15.

**Law Implemented:** SDCL 34-21-4.1, 34-21-23.