

## **BOARD INTERPRETATION REGARDING READING OF RADIOLOGIC OR IMAGING STUDIES**

The Board often receives requests on whether physicians who regularly read radiologic or imaging studies done in Idaho on Idaho patients by Idaho physicians must have an Idaho license. It is the Board's interpretation that such physicians must hold an Idaho license.

The Medical Practice Act, Idaho Code §54-1803(1), defines the practice of medicine as follows:

The "practice of medicine" means:

(a) To investigate, diagnose, treat, correct, or prescribe for any human disease, ailment, injury, infirmity, deformity, or other condition, physical or mental, by any means or instrumentality, or

(b) To apply principles or techniques of medical science in the prevention of any of the conditions listed in subsection (a) of this section, or

(c) To offer, undertake, attempt to do or hold oneself out as able to do any of the acts described in subsections (a) and (b) of this section.

Idaho Code §54-1804(2) makes it a felony to practice in the State of Idaho without a license. In addition, Idaho Code §54-1806(5) authorizes the Board to pursue injunctive relief to prohibit any unlawful practice of medicine.

Idaho Code §54-1804 creates certain limited exemptions from the need for an Idaho license. Idaho Code §54-1804(b) states:

A person residing in another state or country and authorized to practice medicine there, who is called in consultation by a person licensed in this state to practice medicine, or who for the purpose of furthering medical education is invited into this state to conduct a lecture, clinic, or demonstration, while engaged in activities in connection with the consultation, lecture, clinic, or demonstration, so long as he does not open an office or appoint a place to meet patients or receive calls in this state.

Based upon these statutory provisions, it is the interpretation of the Idaho State Board of Medicine that a physician reading radiologic or imaging studies done in the State of Idaho on Idaho patients must hold an Idaho license to practice medicine, unless the radiologic or imaging studies are sent to an out-of-state physician directly by an Idaho licensed physician to obtain consultation on a patient.

APPROVED By the Board on March 5, 2004.