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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1902

Session of  
1987

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INTRODUCED BY G. SNYDER, BOOK, MAYERNIK, SAURMAN, SEMMEL,  
BARLEY, JOHNSON, DORR, MICHLOVIC, GEIST, BORTNER, FOSTER AND  
B. SMITH, OCTOBER 28, 1987

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
OCTOBER 28, 1987

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AN ACT

1 Amending the act of October 5, 1978 (P.L.1109, No.261), entitled  
2 "An act requiring the licensing of practitioners of  
3 osteopathic medicine and surgery; regulating their practice;  
4 providing for certain funds and penalties for violations and  
5 repeals," providing for examinations and limited permits  
6 authorizing the performance of radiologic procedures.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 16.4 of the act of October 5, 1978  
10 (P.L.1109, No.261), known as the Osteopathic Medical Practice  
11 Act, amended May 6, 1987 (P.L.10, No.3), is amended to read:

12 Section 16.4. Radiologic procedures; qualification and permits.

13 (a) On and after January 1, 1989, no auxiliary personnel may  
14 perform radiologic procedures on the premises of an osteopathic  
15 physician, unless such person is under the direct supervision of  
16 an osteopathic physician, and unless the auxiliary personnel  
17 meets the requirements of this section and the osteopathic  
18 physician delegates the performance of radiologic procedures in  
19 compliance with this act.

1        [(a) On and after January 1, 1988, no] (b) No auxiliary  
2 personnel shall perform radiologic procedures on the premises of  
3 an osteopathic physician unless such person is under the direct  
4 supervision of an osteopathic physician and unless such person  
5 has passed an examination approved by the board and administered  
6 in accordance with section 812.1 of the act of April 9, 1929  
7 (P.L.177, No.175), known as "The Administrative Code of 1929,"  
8 provided that no such auxiliary personnel shall perform  
9 radiologic procedures for therapeutic purposes unless the  
10 osteopathic physician under whose direct supervision such  
11 auxiliary personnel is acting is on the premises at the time the  
12 radiologic procedures are performed.

13        (c) A limited permit authorizing the performance of  
14 radiologic procedures shall be issued by the board to applicants  
15 who demonstrate qualifications required by this section. The  
16 limited permit shall list each radiologic procedure which the  
17 holder of the permit is authorized to perform. The board shall  
18 promulgate regulations establishing biennial renewal and fees  
19 necessary to implement this section.

20        (d) The board may issue a permit without examination for the  
21 purpose of performing diagnostic radiographs to an applicant  
22 who:

23                (1) Is licensed as a health care practitioner in this  
24 Commonwealth, and who submits evidence satisfactory to the  
25 board that he or she has been performing diagnostic  
26 radiographs on the premises of a medical doctor for not less  
27 than eight years.

28                (2) Has successfully completed a course of study in  
29 diagnostic radiologic procedures and who submits evidence  
30 satisfactory to the board that he or she has been performing

1     such procedures on the premises of a medical doctor for not  
2     less than ten years.

3     ~~[(b)]~~ (e) The board shall [have the authority, after notice  
4 and hearing, to prohibit] suspend, revoke or otherwise restrict  
5 a permit issued to an auxiliary personnel [from performing  
6 radiologic procedures] if the continued performance of  
7 radiologic procedures by the auxiliary personnel is determined  
8 by the board to pose a threat to the health, safety or welfare  
9 of the public, or if the auxiliary personnel performs radiologic  
10 procedures which he or she is not authorized to perform.

11     ~~[(c)]~~ (f) It shall be unlawful under this act to knowingly  
12 permit radiologic procedures to be performed in violation of  
13 this section or in violation of the regulations promulgated or  
14 orders issued in accordance with this section.

15     ~~[(d)]~~ (g) No auxiliary personnel who has or obtains a  
16 license, a certificate or registration issued by, or on behalf  
17 of, a board within the Bureau of Professional and Occupational  
18 Affairs or a comparable board of another state, or who has  
19 obtained certification as the result of satisfactory completion  
20 of a test and an educational course accredited by an accrediting  
21 body recognized by the board, shall be required to undergo any  
22 additional education or testing pursuant to this section if  
23 radiologic procedures were included in the education or the  
24 examination which he or she was required to complete  
25 successfully in order to be eligible for such license,  
26 certificate, registration or certification.

27     ~~[(e)]~~ (h) Definition.--As used in this section, the term  
28 "radiologic procedures" means the use of ionizing radiation for  
29 diagnostic or therapeutic purposes.

30     Section 2. The act of May 6, 1987 (P.L.12, No.4), entitled

1 "An act relating to the performance of radiologic procedures by  
2 auxiliary personnel; postponing the effective date of certain  
3 provisions of law relating to such personnel; requiring certain  
4 actions by the Commissioner of Professional and Occupational  
5 Affairs and professional licensing boards; and transferring the  
6 authority for certification and education of such personnel  
7 under certain conditions," is repealed insofar as it is  
8 inconsistent with this act.

9 Section 3. This act shall be retroactive to May 6, 1987.

10 Section 4. This act shall take effect immediately.