

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1440 Session of 2021

INTRODUCED BY MILLARD, NEILSON, DeLUCA, PICKETT, RADER, SCHWEYER, JAMES, FRITZ, KAUFER, WHEELAND, BIZZARRO, MENTZER, GAYDOS, HARKINS AND MEHAFFIE, MAY 17, 2021

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, JANUARY 24, 2022

AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),
2 entitled "An act relating to the right to practice medicine
3 and surgery and the right to practice medically related acts;
4 reestablishing the State Board of Medical Education and
5 Licensure as the State Board of Medicine and providing for
6 its composition, powers and duties; providing for the
7 issuance of licenses and certificates and the suspension and
8 revocation of licenses and certificates; provided penalties;
9 and making repeals," further providing for definitions and <--
10 for State Board of Medicine; providing for medical imaging
11 professionals, radiation therapists, radiologist assistants
12 and related fields; repealing provisions relating to
13 radiologic procedures and education and training required;
14 and making related and inconsistent repeals. FURTHER <--
15 PROVIDING FOR DEFINITIONS, FOR RESPIRATORY THERAPISTS, FOR
16 PERFUSIONIST, FOR GENETIC COUNSELOR AND FOR PROSTHETISTS,
17 ORTHOTISTS, PEDORTHISTS AND ORTHOTIC FITTERS; PROVIDING FOR
18 MEDICAL IMAGING PROFESSIONALS, RADIATION THERAPISTS AND
19 RADIOLOGIST ASSISTANTS; FURTHER PROVIDING FOR LICENSES AND
20 CERTIFICATES AND GENERAL QUALIFICATION; REPEALING PROVISIONS
21 RELATING TO RADIOLOGIC PROCEDURES AND EDUCATION AND TRAINING
22 REQUIRED; AND MAKING RELATED AND INCONSISTENT REPEALS.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. Section 2 of the act of December 20, 1985
26 (P.L.457, No.112), known as the Medical Practice Act of 1985, is
27 amended by adding definitions to read:

1 Section 2. Definitions.

2 The following words and phrases when used in this act shall  
3 have the meanings given to them in this section unless the  
4 context clearly indicates otherwise:

5 \* \* \*

<--

6 ~~"Accredited program." A program in medical imaging or~~  
7 ~~radiation therapy that is accredited by an accrediting agency~~  
8 ~~recognized and approved by the United States Department of~~  
9 ~~Education.~~

10 \* \* \*

11 ~~"Certification organization." A national organization that~~  
12 ~~specializes in the certification and registration of medical~~  
13 ~~imaging or radiation therapy technical personnel and is~~  
14 ~~accredited by the National Commission for Certifying Agencies,~~  
15 ~~the American National Standards Institute or another~~  
16 ~~accreditation organization recognized by the board.~~

17 \* \* \*

18 ~~"Computed tomography." The process of producing sectional or~~  
19 ~~three-dimensional images using external ionizing radiation for~~  
20 ~~diagnostic or therapeutic purposes.~~

21 \* \* \*

22 ~~"Diagnostic medical sonography." The use of high-frequency~~  
23 ~~sound waves with specialized equipment to direct the sound waves~~  
24 ~~into an area of the human body to generate a diagnostic image~~  
25 ~~for diagnostic or therapeutic purposes.~~

<--

26 \* \* \*

27 ~~"Fluoroscopy." The exposure of a patient to x rays in a~~  
28 ~~fluoroscopy mode, including positioning the patient and~~  
29 ~~fluoroscopy equipment and the selection of exposure factors.~~

<--

30 ~~"FLUOROSCOPY." A MEDICAL PROCEDURE THAT MAKES A REAL-TIME~~

<--

1 VIDEO OF THE MOVEMENTS INSIDE A PART OF THE BODY BY PASSING X-  
2 RAYs THROUGH THE BODY OVER A PERIOD OF TIME.

3 \* \* \*

4 "Ionizing radiation." Radiation that consists of alpha  
5 particles, beta particles, gamma rays, x-rays, neutrons, high-  
6 speed electrons, high-speed protons or other particles capable  
7 of producing ions. The term does not include non-ionizing  
8 radiation, including high-frequency sound waves, magnetic  
9 fields, microwaves, radiofrequency signals or visible, infrared  
10 or ultraviolet light.

11 \* \* \*

12 "Licensed practitioner." An individual who is licensed to <--  
13 practice medicine, dentistry, podiatry or osteopathy in this  
14 Commonwealth.

15 "Limited x ray machine operator." An individual who is  
16 licensed to perform only x ray procedures that do not involve  
17 the administration or utilization of contrast media on selected  
18 specific parts of the human anatomy under the supervision of a  
19 licensed practitioner. A LICENSED PHYSICIAN, DENTIST, <--  
20 CHIROPRACTOR OR PODIATRIST IN THIS COMMONWEALTH.

21 "Magnetic resonance imaging." The creation or acquisition of  
22 images generated by using radiofrequency signals within a  
23 magnetic field for diagnostic or therapeutic purposes.

24 \* \* \*

25 "Medical imaging." A modality used to produce images of the  
26 internal structures of the human body for diagnostic,  
27 interventional or therapeutic purposes through the use of  
28 electromagnetic waves, sound waves, radio waves, magnetic  
29 fields, ionizing radiation or radioactive materials.

30 "Medical imaging, radiation therapy or radiologist assistant <--

1 ~~license." A license to use radioactive substances or equipment~~  
2 ~~emitting high frequency sound waves, ionizing radiation,~~  
3 ~~magnetic fields or radiofrequency signals for medical imaging or~~  
4 ~~radiation therapy procedures on humans for diagnostic or~~  
5 ~~therapeutic purposes in this Commonwealth in accordance with~~  
6 ~~section 13.7.~~

7 "Medical imaging professional." An individual, other than a  
8 physician, an osteopathic physician or a podiatrist LICENSED <--  
9 PRACTITIONER, who has undergone appropriate training and testing  
10 by a certification organization to become a medical imaging <--  
11 licensee BE LICENSED UNDER SECTION 13.7 in the modality in which <--  
12 the individual's INDIVIDUAL practices, including any of the <--  
13 following:

- 14 (1) Diagnostic medical sonography.
- 15 (2) Advanced medical sonography.
- 16 ~~(3) Fluoroscopy.~~ <--
- 17 ~~(4) Limited x ray machine operations.~~
- 18 ~~(5) Magnetic resonance imaging.~~
- 19 ~~(6) Nuclear medicine technology.~~
- 20 ~~(7) Radiography.~~

21 \* \* \*

22 "Mobile imaging." An arrangement in which medical imaging  
23 services are transported to various sites. The term does not  
24 include movement within a hospital or movement to a site where  
25 the equipment will be located permanently.

- 26 (3) LIMITED X-RAY MACHINE OPERATIONS. <--
- 27 (4) MAGNETIC RESONANCE IMAGING.
- 28 (5) NUCLEAR MEDICINE TECHNOLOGY.
- 29 (6) RADIOGRAPHY.

30 \* \* \*

1 "Nuclear medicine technology." Medical imaging that utilizes  
2 sealed and unsealed radioactive materials for diagnostic,  
3 treatment and research purposes. The term includes any of the  
4 following:

5 (1) The procurement, preparation and administration of  
6 radiopharmaceuticals, adjunctive and imaging medications.

7 (2) The combination of nuclear medicine instrumentation  
8 with computed tomography, magnetic resonance imaging or other  
9 modalities to produce a three-dimensional image with or  
10 without adjunctive and imaging medications to enhance the  
11 evaluation of physiological processes at a molecular level.

12 \* \* \*

13 "Radiation therapist." An individual, other than a ~~physician~~<--  
14 ~~or an osteopathic physician~~ LICENSED PHYSICIAN, who has <--  
15 undergone appropriate training and testing by a certification  
16 organization to become a radiation therapist.

17 "Radiation therapy." The use of ionizing radiation for  
18 treating disease.

19 "Radiography." The process of obtaining an image using  
20 external ionizing radiation for diagnostic or therapeutic  
21 purposes.

22 "Radiologist." A physician who is licensed in this  
23 Commonwealth and is ~~board-eligible~~ ELIGIBLE for certification as <--  
24 a radiologist or is certified by the American Board of  
25 Radiology, the American Osteopathic Board of Radiology, the  
26 Royal College of Radiology or the Royal College of Physicians  
27 and Surgeons of Canada as a radiologist.

28 "Radiologist assistant." An individual, other than a  
29 ~~physician or an osteopathic physician, who meets all of the~~ <--  
30 following criteria:

1 ~~(1) The individual has undergone appropriate training~~  
2 ~~and testing by a certification organization to become a~~  
3 ~~radiologist assistant.~~

4 ~~(2) The individual works under the supervision of a~~  
5 ~~radiologist.~~

6 ~~(3) The individual does not interpret imaging, render~~  
7 ~~diagnoses or prescribe medications or therapies. LICENSED <--~~  
8 ~~PHYSICIAN, WHO HAS UNDERGONE APPROPRIATE TRAINING AND TESTING~~  
9 ~~BY A CERTIFICATION ORGANIZATION TO BECOME A RADIOLOGIST~~  
10 ~~ASSISTANT.~~

11 \* \* \*

12 "Specialization." A medical specialty area or type of  
13 equipment used within a medical imaging or radiation therapy  
14 modality, which has a corresponding certification from a  
15 certification organization recognized by the board.

16 \* \* \*

17 ~~Section 2. Section 3(a) and (b) of the act are amended to <--~~  
18 ~~read:~~

19 ~~Section 3. State Board of Medicine.~~

20 ~~(a) Establishment. The State Board of Medicine shall~~  
21 ~~consist of the commissioner or his designee, the Secretary of~~  
22 ~~Health or his designee, two members appointed by the Governor~~  
23 ~~who shall be persons representing the public at large and seven~~  
24 ~~members appointed by the Governor, six of whom shall be medical~~  
25 ~~doctors with unrestricted licenses to practice medicine and~~  
26 ~~surgery in this Commonwealth for five years immediately~~  
27 ~~preceding their appointment and one who shall be a nurse~~  
28 ~~midwife, physician assistant, certified registered nurse~~  
29 ~~practitioner, respiratory therapist, licensed athletic trainer~~  
30 ~~[redacted], perfusionist or a medical imaging professional, radiation~~

1 ~~therapist or radiologist assistant licensed or certified under~~  
2 ~~the laws of this Commonwealth. All professional and public~~  
3 ~~members of the board shall be appointed by the Governor, with~~  
4 ~~the advice and consent of a majority of the members elected to~~  
5 ~~the Senate.~~

6 ~~(b) Terms of office. The term of each professional and~~  
7 ~~public member of the board shall be four years or until his or~~  
8 ~~her successor has been appointed and qualified, but not longer~~  
9 ~~than six months beyond the four year period. In the event that~~  
10 ~~any of said members shall die or resign or otherwise become~~  
11 ~~disqualified during his or her term, a successor shall be~~  
12 ~~appointed in the same way and with the same qualifications and~~  
13 ~~shall hold office for the unexpired term. No member shall be~~  
14 ~~eligible for appointment to serve more than two consecutive~~  
15 ~~terms. The Governor shall assure that nurse midwives, physician~~  
16 ~~assistants, certified registered nurse practitioners,~~  
17 ~~perfusionists [and], respiratory therapists and medical imaging~~  
18 ~~professionals, radiation therapists or radiologist assistants~~  
19 ~~are appointed to four year terms on a rotating basis so that, of~~  
20 ~~every [four] five appointments to a four year term, one is a~~  
21 ~~nurse midwife, one is a physician assistant, one is a certified~~  
22 ~~registered nurse practitioner [and], one is a respiratory~~  
23 ~~therapist and one is a medical imaging professional, radiation~~  
24 ~~therapist or radiologist assistant.~~

25 \* \* \*

26 Section 3. ~~The act is amended by adding a section to read:~~  
27 ~~Section 13.7. Medical imaging professionals, radiation~~  
28 ~~therapists, radiologist assistants and related~~  
29 ~~fields.~~

30 ~~(a) Functions. A medical imaging professional, radiation~~

~~1 therapist or radiologist assistant shall perform the functions  
2 of the modality in which the medical imaging professional,  
3 radiation therapist or radiologist assistant is licensed and any  
4 related specializations. The functions under this subsection  
5 shall include any of the following:~~

~~6 (1) Diagnostic medical sonography.~~

~~7 (2) Magnetic resonance imaging.~~

~~8 (3) Nuclear technology medicine.~~

~~9 (4) Radiation therapy.~~

~~10 (5) Radiography.~~

~~11 (6) Radiologist assistant.~~

~~12 (b) License required. On or after January 1, 2024, an  
13 individual who is not licensed under this section may not  
14 perform or offer to perform medical imaging or radiation therapy  
15 procedures on humans for diagnostic, interventional or  
16 therapeutic purposes. A person, practice or business entity may  
17 not knowingly employ an individual who does not hold a license  
18 under this section or is not exempt from the license  
19 requirements under this section to perform medical imaging or  
20 radiation therapy procedures on humans for diagnostic or  
21 therapeutic purposes.~~

~~22 (c) License standards. The board shall issue a license to  
23 an individual who meets the standards established for  
24 certification by a certification organization. The board shall  
25 issue a license for two years and may renew the license upon the  
26 completion of the license renewal requirements, including  
27 continuing education requirements approved by the board.~~

~~28 (d) License requirements.~~

~~29 (1) An individual seeking to obtain a license for a  
30 medical imaging or radiation therapy modality shall comply~~



1 ~~with all of the following requirements:~~

2 ~~(i) The individual shall at least be 18 years of age~~  
3 ~~at the time of application.~~

4 ~~(ii) The individual shall have a high school diploma~~  
5 ~~or pass an approved equivalency test.~~

6 ~~(iii) The individual shall satisfactorily complete a~~  
7 ~~course of study in diagnostic medical sonography,~~  
8 ~~magnetic resonance imaging, nuclear medicine technology,~~  
9 ~~radiation therapy or radiography or an equivalent course~~  
10 ~~of study determined by the board.~~

11 ~~(iv) The individual shall pass an applicable~~  
12 ~~modality or specialization examination administered by a~~  
13 ~~certification organization. If an individual holds a~~  
14 ~~current certification and registration in a medical~~  
15 ~~imaging or radiation therapy modality on the effective~~  
16 ~~date of this section, the board shall deem that the~~  
17 ~~individual has met the requirements under this~~  
18 ~~subparagraph.~~

19 ~~(v) The individual shall pay applicable license~~  
20 ~~fees.~~

21 ~~(2) In addition to the requirements for a medical~~  
22 ~~imaging or radiation therapist license under paragraph (1),~~  
23 ~~an individual seeking to obtain a license as a radiologist~~  
24 ~~assistant shall comply with all of the following~~  
25 ~~requirements:~~

26 ~~(i) The individual shall hold a current license as a~~  
27 ~~radiographer and be currently certified and registered as~~  
28 ~~a radiographer by the American Registry of Radiologic~~  
29 ~~Technologists.~~

30 ~~(ii) The individual shall hold a current~~

~~certification and registration as a radiologist assistant by the American Registry of Radiologic Technologists or as a radiology practitioner assistant by the Certification Board of Radiology Practitioner Assistants.~~

~~(iii) The individual shall submit clinical protocols signed by the supervising radiologist to the board specifying procedures that are performed by the individual, the levels of radiologist supervision and the location of practice designated by the supervising radiologist. The individual shall submit updated protocols under this subparagraph biennially to the board and consistent with license renewal.~~

~~(c) Scope of practice and limitations.~~

~~(1) A radiologist assistant scope of practice shall be consistent with the Radiologist Assistant Practice Standards published by the American Society of Radiologic Technologists published on the effective date of this section. An individual licensed as a radiologist assistant may not interpret images, make diagnoses or prescribe medications or therapies.~~

~~(2) The board shall establish by regulation the scope of practice, education, certification, continuing education and licensure standards for an individual performing, under the supervision of a physician, a medical imaging modality and any related specializations, including any of the following:~~

~~(i) Diagnostic medical sonography.~~

~~(ii) Advanced medical sonography.~~

~~(iii) Fluoroscopy.~~

~~(iv) Limited x ray machine operations.~~

~~(v) Magnetic resonance imaging.~~

1           ~~(vi) Nuclear medicine technology.~~

2           ~~(vii) Radiography.~~

3           ~~(viii) Radiologist assistant.~~

4           ~~(3) The board shall establish by regulation the scope of~~  
5 ~~practice, education, continuing education and licensure~~  
6 ~~standards for an individual performing radiation therapist~~  
7 ~~duties under the supervision of a physician.~~

8           ~~(4) In establishing the scope of practice, education,~~  
9 ~~continuing education and licensure standards under paragraph~~  
10 ~~(3), the board may review and adopt the current standards of~~  
11 ~~the certification organization of each medical imaging and~~  
12 ~~radiation therapy modality.~~

13           ~~(5) An individual licensed as a fluoroscopy operator~~  
14 ~~shall only perform fluoroscopy within the scope of the~~  
15 ~~license issued to the individual and may not perform computed~~  
16 ~~tomography, diagnostic medical sonography, magnetic resonance~~  
17 ~~imaging, mammography, mobile imaging, nuclear medicine~~  
18 ~~technology, radiography or radiation therapy procedures.~~

19           ~~(6) An individual licensed as a limited x ray machine~~  
20 ~~operator shall perform tasks or procedures only within the~~  
21 ~~scope of the specific permit issued to the individual by the~~  
22 ~~board for a particular area of the human anatomy and may not~~  
23 ~~perform procedures involving the administration and~~  
24 ~~utilization of contrast media or perform computed tomography,~~  
25 ~~diagnostic medical sonography, fluoroscopy, magnetic~~  
26 ~~resonance imaging, mammography, mobile imaging, nuclear~~  
27 ~~medicine technology or radiation therapy.~~

28           ~~(7) A licensee under this section may use radioactive~~  
29 ~~substances or equipment emitting ionizing radiation, high~~  
30 ~~frequency sound waves or magnetic resonance and perform~~

~~1     medical imaging and radiation therapy procedures on humans  
2     for diagnostic or therapeutic purposes only:~~

~~3             (i) with a valid prescription of a person authorized  
4             by the Commonwealth to prescribe medical imaging and  
5             radiation therapy procedures;~~

~~6             (ii) under the supervision of a licensed  
7             practitioner; and~~

~~8             (iii) within the scope of the license as specified  
9             under this chapter and under regulations adopted by the  
10            board and in a modality for which the licensee is  
11            licensed.~~

~~12           (8) A licensee under this section may not make a  
13           diagnostic interpretation of an image, make a diagnosis or  
14           prescribe a medication or therapy.~~

~~15           (f) Current certification. An individual currently  
16           registered and certified by a certification organization on the  
17           effective date of this section shall immediately qualify for a  
18           license under this section.~~

~~19           (g) Use of title. An individual may not indicate or  
20           otherwise imply that an individual is certified or licensed to  
21           perform medical imaging or radiation therapy procedures in a  
22           medical imaging modality unless the individual is currently  
23           licensed in the medical imaging modality to perform medical  
24           imaging or radiation therapy procedures.~~

~~25           (h) Fluoroscopy and computed tomography.~~

~~26           (1) An applicant for a fluoroscopy operator license  
27           shall be a physician assistant licensed in this Commonwealth  
28           who meets all of the following requirements:~~

~~29           (i) The applicant shall complete 40 hours of  
30           didactic education in radiation safety, radiation~~

1 ~~protection, equipment operation, image acquisition and~~  
2 ~~patient positioning.~~

3 ~~(ii) The applicant shall complete 40 hours of~~  
4 ~~clinical education supervised by a radiologist or~~  
5 ~~radiographer.~~

6 ~~(iii) The applicant shall successfully complete the~~  
7 ~~fluoroscopy examination of a certification organization.~~

8 ~~(2) An individual who is licensed as a fluoroscopy~~  
9 ~~operator in this Commonwealth shall only perform fluoroscopy~~  
10 ~~within the scope of the individual's license and may not~~  
11 ~~perform computed tomography, diagnostic medical sonography,~~  
12 ~~magnetic resonance imaging, mammography, mobile imaging,~~  
13 ~~nuclear medicine technology, radiography or radiation~~  
14 ~~therapy.~~

15 ~~(3) On and after October 1, 2025, a licensee under this~~  
16 ~~section who performs computed tomography for diagnostic~~  
17 ~~purposes shall receive a certification in computed tomography~~  
18 ~~by the American Registry of Radiologic Technologists, Nuclear~~  
19 ~~Medicine Technologist Certification Board or other~~  
20 ~~certification organization.~~

21 ~~(i) Limitation or expansion of practice. Nothing in this~~  
22 ~~section relating to medical imaging or radiation therapy shall~~  
23 ~~be construed to limit or expand the practice of a licensed~~  
24 ~~practitioner.~~

25 ~~(j) Exemptions. This section shall not apply to any of the~~  
26 ~~following:~~

27 ~~(1) A licensed practitioner performing medical imaging~~  
28 ~~or radiation therapy procedures.~~

29 ~~(2) A dental hygienist currently licensed in this~~  
30 ~~Commonwealth.~~

1       ~~(3) A dental assistant currently licensed in this~~  
2       ~~Commonwealth~~

3       ~~(4) A resident physician or student enrolled in and~~  
4       ~~attending a school or college of medicine, chiropractic,~~  
5       ~~podiatry, medical imaging or radiation therapy who performs~~  
6       ~~authorized medical imaging or radiation therapy procedures on~~  
7       ~~humans while under the supervision of a licensed practitioner~~  
8       ~~or the supervision of an individual holding a license under~~  
9       ~~this section in the supervised modality. In accordance with~~  
10       ~~the regulations established by the board under this section,~~  
11       ~~a student enrolled in a medical imaging educational program~~  
12       ~~recognized by the board may be employed by a medical facility~~  
13       ~~affiliated with the educational program to perform authorized~~  
14       ~~medical imaging procedures for which the student has a~~  
15       ~~demonstrated competency if the medical imaging procedures are~~  
16       ~~performed under the supervision of a licensed practitioner or~~  
17       ~~the supervision of an individual holding a license under this~~  
18       ~~section in the supervised modality.~~

19       ~~(5) A licensed chiropractor or an individual under the~~  
20       ~~supervision of a chiropractor who is permitted to perform x-~~  
21       ~~rays under the act of December 16, 1986 (P.L.1646, No.188),~~  
22       ~~known as the Chiropractic Practice Act.~~

23       ~~(6) An individual who is employed by the Federal~~  
24       ~~Government to perform medical imaging or radiation therapy~~  
25       ~~procedures associated with the employment.~~

26       ~~(7) An individual performing sonography procedures~~  
27       ~~within the individual's scope of practice that is used to~~  
28       ~~assess information about a patient's immediate condition, is~~  
29       ~~limited to a focused imaging target and does not generate a~~  
30       ~~recorded diagnostic medical image, including assessment of~~

1 any of the following:

2 (i) Fetal presentation or heartbeat.

3 (ii) Fluid in a body cavity.

4 (iii) Foreign body position or location.

5 (iv) Fetal monitoring during active labor.

6 (v) An anatomical landmark or blood vessel for  
7 vascular access or administration of anesthesia.

8 (8) An individual performing medical imaging or  
9 radiation therapy procedures on nonhuman subjects or  
10 cadavers.

11 (k) License renewal and maintenance.

12 (1) A license under this section shall be subject to  
13 biennial renewal. If at the time of application for renewal,  
14 the applicant for license renewal has verified, by oath or  
15 affirmation, that the applicant is not in violation of this  
16 section, has complied with board's regulations under this  
17 section and has paid the license renewal fee, the board shall  
18 renew the applicant's license under this section.

19 (2) A licensee under this section shall maintain current  
20 certification and registration by a certification  
21 organization throughout the licensure period and shall not be  
22 required to duplicate the continuing education hours  
23 submitted to the certification organization. The board may  
24 require a licensee under this section to submit evidence of  
25 current certification and registration by a certification  
26 organization, which shall be deemed equivalent to the  
27 continuing education requirements established by the board.

28 (3) As a condition of license renewal under this  
29 section, an individual licensed as fluoroscopy operator or  
30 limited x ray machine operator shall complete continuing

1 ~~education requirements established by the board.~~

2 ~~(1) Advisory committees.~~

3 ~~(1) The board shall establish an ad hoc advisory~~  
4 ~~committee consisting of medical imaging professionals,~~  
5 ~~radiation therapists and radiologist assistants to assist the~~  
6 ~~board in promulgating the initial regulations for licensee~~  
7 ~~qualifications, standards and scope of practice for each~~  
8 ~~modality and specialization under this paragraph.~~

9 ~~(2) The advisory committee under paragraph (1) shall~~  
10 ~~consist, at a minimum, of the following members:~~

11 ~~(i) A radiologist licensed in this Commonwealth.~~

12 ~~(ii) A radiographer.~~

13 ~~(iii) A diagnostic medical sonographer.~~

14 ~~(iv) A nuclear medicine technologist.~~

15 ~~(v) A magnetic resonance imaging technologist.~~

16 ~~(vi) A radiation therapist.~~

17 ~~(vii) A radiologist assistant.~~

18 ~~(viii) A licensee in one of the modalities under~~  
19 ~~this section who is also a full time educator in an~~  
20 ~~accredited program in medical imaging or radiation~~  
21 ~~therapy.~~

22 ~~(3) The chairperson of the board shall preside over~~  
23 ~~meetings of the advisory committee under paragraph (1). The~~  
24 ~~chairperson shall appoint members of the advisory committee~~  
25 ~~under paragraph (1), schedule meetings and provide notice to~~  
26 ~~advisory committee members. Members of the advisory committee~~  
27 ~~under paragraph (1) shall be appointed from nominations~~  
28 ~~submitted by associations or organizations in this~~  
29 ~~Commonwealth representing medical imaging professionals,~~  
30 ~~radiation therapists and radiologist assistants.~~



1 SECTION 2. SECTIONS 13.1(A)(3), 13.3(F)(2), 13.4(E)(2) AND <--  
2 13.5(A)(1) OF THE ACT ARE AMENDED TO READ:

3 SECTION 13.1. RESPIRATORY THERAPISTS.

4 (A) QUALIFICATIONS.--AN INDIVIDUAL SHALL BE ELIGIBLE TO  
5 APPLY FOR LICENSURE AS A RESPIRATORY THERAPIST IF THAT  
6 INDIVIDUAL SATISFIES ALL OF THE FOLLOWING:

7 \* \* \*

8 (3) HAS PROVED TO THE SATISFACTION OF THE BOARD THAT THE  
9 INDIVIDUAL IS OF GOOD MORAL CHARACTER AND IS NOT UNFIT OR  
10 UNABLE TO PRACTICE AS A RESPIRATORY THERAPIST BY REASON OF  
11 PHYSICAL OR MENTAL IMPAIRMENT. IN ASSESSING THE MORAL  
12 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE  
13 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
14 ACCORDANCE WITH 63 PA.C.S. § 3113 (RELATING TO CONSIDERATION  
15 OF CRIMINAL CONVICTIONS).

16 \* \* \*

17 SECTION 13.3. PERFUSIONIST.

18 \* \* \*

19 (F) QUALIFICATIONS.--AN APPLICANT SHALL BE LICENSED TO  
20 PRACTICE PERFUSION UNDER THIS ACT IF THE APPLICANT MEETS ALL OF  
21 THE FOLLOWING QUALIFICATIONS AND HAS OTHERWISE COMPLIED WITH THE  
22 PROVISIONS OF THIS ACT:

23 \* \* \*

24 (2) THE PERSON IS OF GOOD MORAL CHARACTER. IN ASSESSING  
25 THE MORAL CHARACTER OF AN APPLICANT WITH A CRIMINAL  
26 CONVICTION, THE BOARD SHALL CONDUCT AN INDIVIDUALIZED  
27 ASSESSMENT IN ACCORDANCE WITH 63 PA.C.S. § 3113 (RELATING TO  
28 CONSIDERATION OF CRIMINAL CONVICTIONS).

29 \* \* \*

30 SECTION 13.4. GENETIC COUNSELOR.

1 \* \* \*

2 (E) QUALIFICATIONS.--AN APPLICANT SHALL BE LICENSED TO  
3 PRACTICE GENETIC COUNSELING UNDER THIS ACT IF THE APPLICANT  
4 MEETS ALL OF THE FOLLOWING QUALIFICATIONS AND HAS OTHERWISE  
5 COMPLIED WITH THE PROVISIONS OF THIS ACT:

6 \* \* \*

7 (2) THE PERSON IS OF GOOD MORAL CHARACTER. IN ASSESSING  
8 THE MORAL CHARACTER OF AN APPLICANT WITH A CRIMINAL  
9 CONVICTION, THE BOARD SHALL CONDUCT AN INDIVIDUALIZED  
10 ASSESSMENT IN ACCORDANCE WITH 63 PA.C.S. § 3113 (RELATING TO  
11 CONSIDERATION OF CRIMINAL CONVICTIONS).

12 \* \* \*

13 SECTION 13.5. PROSTHETISTS, ORTHOTISTS, PEDORTHISTS AND  
14 ORTHOTIC FITTERS.

15 (A) LICENSURE QUALIFICATIONS.--TO QUALIFY FOR LICENSURE TO  
16 PRACTICE PROSTHETICS, ORTHOTICS, PEDORTHICS OR ORTHOTIC FITTING,  
17 AN APPLICANT SHALL:

18 (1) BE OF GOOD MORAL CHARACTER. IN ASSESSING THE MORAL  
19 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE  
20 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
21 ACCORDANCE WITH 63 PA.C.S. § 3113 (RELATING TO CONSIDERATION  
22 OF CRIMINAL CONVICTIONS).

23 \* \* \*

24 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
25 SECTION 13.7. MEDICAL IMAGING PROFESSIONALS, RADIATION  
26 THERAPISTS AND RADIOLOGIST ASSISTANTS.

27 (A) LICENSE REQUIRED.--BEGINNING TWO YEARS AFTER THE  
28 EFFECTIVE DATE OF THIS SECTION, IT SHALL BE UNLAWFUL FOR AN  
29 INDIVIDUAL WHO IS NOT LICENSED UNDER THIS SECTION TO PERFORM OR  
30 OFFER TO PERFORM MEDICAL IMAGING OR RADIATION THERAPY PROCEDURES

1 ON HUMANS FOR DIAGNOSTIC, INTERVENTIONAL OR THERAPEUTIC PURPOSES  
2 OR PRACTICE AS A MEDICAL IMAGING PROFESSIONAL, RADIATION  
3 THERAPIST OR RADIOLOGIST ASSISTANT.

4 (B) MEDICAL IMAGING PROFESSIONAL LICENSE.--THE BOARD SHALL  
5 ISSUE A LICENSE AS A MEDICAL IMAGING PROFESSIONAL TO AN  
6 APPLICANT WHO MEETS ALL OF THE FOLLOWING REQUIREMENTS:

7 (1) IS AT LEAST 18 YEARS OF AGE.

8 (2) SUBMITS AN APPLICATION AND THE REQUIRED FEE AS  
9 ESTABLISHED BY THE BOARD BY REGULATION.

10 (3) IS OF GOOD MORAL CHARACTER. IN ASSESSING THE MORAL  
11 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE  
12 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
13 ACCORDANCE WITH 63 PA.C.S. § 3113 (RELATING TO CONSIDERATION  
14 OF CRIMINAL CONVICTIONS).

15 (4) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

16 (5) SATISFACTORILY COMPLETES A COURSE OF STUDY IN  
17 DIAGNOSTIC MEDICAL SONOGRAPHY, MAGNETIC RESONANCE IMAGING,  
18 NUCLEAR MEDICINE TECHNOLOGY OR RADIOGRAPHY OR AN EQUIVALENT  
19 COURSE OF STUDY DETERMINED BY THE BOARD.

20 (6) PASSES AN APPLICABLE MODALITY OR SPECIALIZATION  
21 EXAMINATION ADMINISTERED BY A CERTIFICATION ORGANIZATION  
22 APPROVED BY THE BOARD.

23 (C) MEDICAL IMAGING PROFESSIONAL SCOPE OF PRACTICE.--A  
24 MEDICAL IMAGING PROFESSIONAL SHALL ONLY PERFORM THE FUNCTIONS OF  
25 THE MODALITY IN WHICH THE MEDICAL IMAGING PROFESSIONAL HAS  
26 RECEIVED EDUCATION AND TRAINING, AND CERTIFICATION BY A  
27 CERTIFICATION ORGANIZATION. THE FUNCTIONS UNDER THIS SUBSECTION  
28 SHALL INCLUDE ANY OF THE FOLLOWING:

29 (1) DIAGNOSTIC MEDICAL SONOGRAPHY.

30 (2) MAGNETIC RESONANCE IMAGING.

1           (3) NUCLEAR MEDICINE TECHNOLOGY.

2           (4) RADIOGRAPHY.

3           (D) RADIATION THERAPIST LICENSE.--THE BOARD SHALL ISSUE A  
4 LICENSE AS A RADIATION THERAPIST TO AN APPLICANT WHO MEETS ALL  
5 OF THE FOLLOWING REQUIREMENTS:

6           (1) IS AT LEAST 18 YEARS OF AGE.

7           (2) SUBMITS AN APPLICATION AND THE REQUIRED FEE AS  
8 ESTABLISHED BY THE BOARD BY REGULATION.

9           (3) IS OF GOOD MORAL CHARACTER. IN ASSESSING THE MORAL  
10 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE  
11 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
12 ACCORDANCE WITH 63 PA.C.S. § 3113.

13           (4) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

14           (5) SATISFACTORILY COMPLETES A COURSE OF STUDY IN  
15 RADIATION THERAPY OR AN EQUIVALENT COURSE OF STUDY DETERMINED  
16 BY THE BOARD.

17           (6) PASSES AN APPLICABLE RADIATION THERAPY EXAMINATION  
18 ADMINISTERED BY A CERTIFICATION ORGANIZATION APPROVED BY THE  
19 BOARD.

20           (E) RADIATION THERAPIST SCOPE OF PRACTICE.--A RADIATION  
21 THERAPIST MAY USE IONIZING RADIATION TO DELIVER RADIATION  
22 THERAPY TREATMENTS, PERFORM TREATMENT SIMULATION USING MEDICAL  
23 IMAGING MODALITIES, PLAN TREATMENT PROCEDURES AND DOSIMETRIC  
24 CALCULATIONS AS PRESCRIBED BY A RADIATION ONCOLOGIST.

25           (F) RADIOLOGIST ASSISTANT LICENSE.--THE BOARD SHALL ISSUE A  
26 LICENSE AS A RADIOLOGY ASSISTANT TO AN APPLICANT WHO MEETS ALL  
27 OF THE FOLLOWING REQUIREMENTS:

28           (1) IS AT LEAST 18 YEARS OF AGE.

29           (2) SUBMITS AN APPLICATION AND THE REQUIRED FEE AS  
30 ESTABLISHED BY THE BOARD BY REGULATION.

1           (3) IS OF GOOD MORAL CHARACTER. IN ASSESSING THE MORAL  
2 CHARACTER OF AN APPLICANT WITH A CRIMINAL CONVICTION, THE  
3 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
4 ACCORDANCE WITH 63 PA.C.S. § 3113.

5           (4) HAS A HIGH SCHOOL DIPLOMA OR ITS EQUIVALENT.

6           (5) SATISFACTORILY COMPLETES A COURSE OF STUDY IN  
7 RADIOLOGIST ASSISTANT OR AN EQUIVALENT COURSE OF STUDY  
8 DETERMINED BY THE BOARD.

9           (6) PASSES AN APPLICABLE RADIOLOGIST ASSISTANT  
10 EXAMINATION ADMINISTERED BY A CERTIFICATION ORGANIZATION  
11 APPROVED BY THE BOARD.

12           (7) HOLDS A CURRENT LICENSE, CERTIFICATION OR  
13 REGISTRATION AS A RADIOGRAPHER AND RADIOLOGIST ASSISTANT  
14 ISSUED BY A CERTIFICATION ORGANIZATION APPROVED BY THE BOARD.

15 (G) RADIOLOGIST ASSISTANT SCOPE OF PRACTICE.--

16           (1) A RADIOLOGIST ASSISTANT MAY PERFORM ADVANCED  
17 DIAGNOSTIC IMAGING PROCEDURES UNDER THE DIRECTION OF A  
18 SUPERVISING RADIOLOGIST. THE PROCEDURES UNDER THIS SUBSECTION  
19 SHALL INCLUDE, BUT ARE NOT LIMITED TO, ANY OF THE FOLLOWING:

20           (I) ENTERAL AND PARENTERAL PROCEDURES.

21           (II) INJECTION OF DIAGNOSTIC AGENTS AND PHYSICIAN-  
22 PRESCRIBED MEDICATIONS.

23           (III) DIAGNOSTIC AND THERAPEUTIC ASPIRATIONS AND  
24 LOCALIZATIONS.

25           (IV) RADIOLOGIST DIRECTED INVASIVE PROCEDURES.

26           (V) FLUOROSCOPY PROCEDURES.

27           (2) A RADIOLOGIST ASSISTANT MAY NOT INTERPRET IMAGING,  
28 RENDER DIAGNOSES OR PRESCRIBE MEDICATION OR THERAPIES.

29           (3) A RADIOLOGIST ASSISTANT AND THE SUPERVISING  
30 RADIOLOGIST SHALL ESTABLISH CLINICAL PROTOCOLS IN ACCORDANCE

1 WITH THIS PARAGRAPH. THE CLINICAL PROTOCOLS SHALL IDENTIFY  
2 AND BE SIGNED BY THE RADIOLOGIST ASSISTANT AND SUPERVISING  
3 RADIOLOGIST. THE CLINICAL PROTOCOLS SHALL DESCRIBE THE MANNER  
4 AND FREQUENCY IN WHICH THE RADIOLOGIST ASSISTANT REGULARLY  
5 COMMUNICATES WITH THE SUPERVISING RADIOLOGIST. THE CLINICAL  
6 PROTOCOLS SHALL INCLUDE PROCEDURES PERFORMED BY THE  
7 RADIOLOGIST ASSISTANT, THE LEVEL OF SUPERVISION PROVIDED BY  
8 THE SUPERVISING RADIOLOGIST AND THE LOCATION OF THE PRACTICE  
9 DESIGNATED BY THE SUPERVISING RADIOLOGIST. UPON UPDATING THE  
10 CLINICAL PROTOCOLS, THE SUPERVISING RADIOLOGIST SHALL SUBMIT  
11 UPDATED CLINICAL PROTOCOLS TO THE BOARD FOR REVIEW. NOTHING  
12 IN THIS PARAGRAPH SHALL BE CONSTRUED TO REQUIRE THE CLINICAL  
13 PROTOCOLS TO BE APPROVED BY THE BOARD.

14 (H) CURRENT PRACTITIONERS.--THE BOARD SHALL ISSUE A LICENSE  
15 UNDER THIS SECTION TO AN INDIVIDUAL PRACTICING AS A MEDICAL  
16 IMAGING PROFESSIONAL, RADIATION THERAPIST OR RADIOLOGIST  
17 ASSISTANT ON THE EFFECTIVE DATE OF THIS SECTION IF THE  
18 INDIVIDUAL MEETS ALL OF THE FOLLOWING REQUIREMENTS WITHIN TWO  
19 YEARS OF THE EFFECTIVE DATE OF THIS SECTION:

20 (1) IS AT LEAST 18 YEARS OF AGE.

21 (2) SUBMITS AN APPLICATION AND THE REQUIRED FEE AS  
22 ESTABLISHED BY THE BOARD BY REGULATION.

23 (3) IS OF GOOD MORAL CHARACTER. IN ASSESSING THE MORAL  
24 CHARACTER OF AN INDIVIDUAL WITH A CRIMINAL CONVICTION, THE  
25 BOARD SHALL CONDUCT AN INDIVIDUALIZED ASSESSMENT IN  
26 ACCORDANCE WITH 63 PA.C.S. § 3113.

27 (4) HOLDS A CURRENT LICENSE, CERTIFICATION OR  
28 REGISTRATION AS A MEDICAL IMAGING PROFESSIONAL, RADIATION  
29 THERAPIST OR RADIOLOGIST ASSISTANT ISSUED BY A CERTIFICATION  
30 ORGANIZATION APPROVED BY THE BOARD.

1 (I) USE OF TITLE.--ONLY AN INDIVIDUAL WHO HOLDS AN ACTIVE  
2 LICENSE UNDER THIS SECTION MAY DO ANY OF THE FOLLOWING:

3 (1) HOLD ONESELF OUT AS A LICENSED MEDICAL IMAGING  
4 PROFESSIONAL, RADIATION THERAPIST OR RADIOLOGIST ASSISTANT.

5 (2) USE A TITLE INDICATING THE SPECIFIC MODALITY FOR  
6 WHICH THE INDIVIDUAL IS LICENSED UNDER THIS SECTION.

7 (3) USE ANY WORDS, SYMBOLS OR ABBREVIATIONS INDICATING  
8 THE SPECIFIC MODALITY FOR WHICH THE INDIVIDUAL IS LICENSED  
9 UNDER THIS SECTION.

10 (J) EXEMPTIONS.--THE LICENSURE REQUIREMENTS UNDER THIS  
11 SECTION SHALL NOT APPLY TO ANY OF THE FOLLOWING:

12 (1) AN INDIVIDUAL LICENSED IN THIS COMMONWEALTH WHOSE  
13 SCOPE OF PRACTICE INCLUDES PERFORMING MEDICAL IMAGING OR  
14 RADIATION THERAPY PROCEDURES.

15 (2) AUXILIARY PERSONNEL UNDER THE SUPERVISION OF A  
16 LICENSED CHIROPRACTOR WHO IS PERMITTED TO PERFORM X-RAYS  
17 UNDER THE ACT OF DECEMBER 16, 1986 (P.L.1646, NO.188), KNOWN  
18 AS THE CHIROPRACTIC PRACTICE ACT.

19 (3) AUXILIARY PERSONNEL UNDER THE SUPERVISION OF A  
20 LICENSED DENTIST WHO IS AUTHORIZED TO PERFORM X-RAYS UNDER  
21 SECTION 11.4 OF THE ACT OF MAY 1, 1933 (P.L.216, NO.76),  
22 KNOWN AS THE DENTAL LAW.

23 (4) AUXILIARY PERSONNEL UNDER THE SUPERVISION OF A  
24 DOCTOR OF PODIATRIC MEDICINE WHO IS PERMITTED TO PERFORM X-  
25 RAYS UNDER SECTION 21.2 OF THE ACT OF MARCH 2, 1956 (1955  
26 P.L.1206, NO.375), KNOWN AS THE PODIATRY PRACTICE ACT.

27 (5) AN INDIVIDUAL PERFORMING SONOGRAPHY PROCEDURES  
28 WITHIN THE INDIVIDUAL'S SCOPE OF PRACTICE THAT IS USED TO  
29 ASSESS INFORMATION ABOUT A PATIENT'S IMMEDIATE CONDITION, IS  
30 LIMITED TO A FOCUSED IMAGING TARGET AND DOES NOT GENERATE A

1 RECORDED DIAGNOSTIC MEDICAL IMAGE, INCLUDING AN ASSESSMENT OF  
2 ANY OF THE FOLLOWING:

3 (I) FETAL PRESENTATION OR HEARTBEAT.

4 (II) FLUID IN A BODY CAVITY.

5 (III) FOREIGN BODY POSITION OR LOCATION.

6 (IV) FETAL MONITORING DURING ACTIVE LABOR.

7 (V) AN ANATOMICAL LANDMARK OR BLOOD VESSEL FOR  
8 VASCULAR ACCESS OR ADMINISTRATION OF ANESTHESIA.

9 (6) A RESIDENT PHYSICIAN OR STUDENT ENROLLED IN AND  
10 ATTENDING A SCHOOL OR COLLEGE OF MEDICINE, CHIROPRACTIC,  
11 PODIATRY, MEDICAL IMAGING OR RADIATION THERAPY WHO PERFORMS  
12 AUTHORIZED MEDICAL IMAGING OR RADIATION THERAPY PROCEDURES ON  
13 HUMANS WHILE UNDER THE SUPERVISION OF A LICENSED PRACTITIONER  
14 OR THE SUPERVISION OF AN INDIVIDUAL HOLDING A LICENSE UNDER  
15 THIS SECTION IN THE SUPERVISED MODALITY.

16 (7) A STUDENT ENROLLED IN A MEDICAL IMAGING EDUCATIONAL  
17 PROGRAM RECOGNIZED BY THE BOARD WHO IS EMPLOYED BY A MEDICAL  
18 FACILITY AFFILIATED WITH THE PROGRAM TO PERFORM AUTHORIZED  
19 MEDICAL IMAGING PROCEDURES FOR WHICH THE STUDENT HAS A  
20 DEMONSTRATED COMPETENCY IF THE MEDICAL IMAGING PROCEDURES ARE  
21 PERFORMED UNDER THE SUPERVISION OF A LICENSED PRACTITIONER OR  
22 THE SUPERVISION OF AN INDIVIDUAL HOLDING A LICENSE UNDER THIS  
23 SECTION IN THE SUPERVISED MODALITY.

24 (8) AN INDIVIDUAL EMPLOYED BY THE FEDERAL GOVERNMENT TO  
25 PROVIDE MEDICAL IMAGING OR RADIATION THERAPY SERVICES WHILE  
26 IN THE DISCHARGE OF THE INDIVIDUAL'S OFFICIAL DUTIES.

27 (9) AN INDIVIDUAL PERFORMING MEDICAL IMAGING OR  
28 RADIATION THERAPY PROCEDURES ON NONHUMAN SUBJECTS OR  
29 CADAVERS.

30 (K) AUTHORIZATIONS AND RESTRICTIONS.--



1           (1) A LICENSEE UNDER THIS SECTION MAY USE RADIOACTIVE  
2           SUBSTANCES OR EQUIPMENT EMITTING IONIZING RADIATION, HIGH-  
3           FREQUENCY SOUND WAVES OR MAGNETIC RESONANCE AND PERFORM  
4           MEDICAL IMAGING AND RADIATION THERAPY PROCEDURES ON HUMANS  
5           FOR DIAGNOSTIC OR THERAPEUTIC PURPOSES ONLY:

6           (I) WITH A VALID PRESCRIPTION OF AN INDIVIDUAL  
7           AUTHORIZED BY THE COMMONWEALTH TO PRESCRIBE MEDICAL  
8           IMAGING AND RADIATION THERAPY PROCEDURES;

9           (II) UNDER THE SUPERVISION OF A LICENSED  
10           PRACTITIONER; AND

11           (III) WITHIN THE SCOPE OF THE LICENSE AS SPECIFIED  
12           UNDER THIS SECTION AND THE REGULATIONS PROMULGATED BY THE  
13           BOARD AND IN A MODALITY FOR WHICH THE LICENSEE HAS  
14           RECEIVED EDUCATION AND TRAINING.

15           (2) A LICENSEE UNDER THIS SECTION MAY NOT MAKE A  
16           DIAGNOSTIC INTERPRETATION OF AN IMAGE, MAKE A DIAGNOSIS OR  
17           PRESCRIBE A MEDICATION OR THERAPY.

18           (L) LICENSE RENEWAL.--A LICENSE UNDER THIS SECTION SHALL BE  
19           SUBJECT TO BIENNIAL RENEWAL. FOR LICENSE RENEWAL, A LICENSEE  
20           SHALL SUBMIT ALL OF THE FOLLOWING TO THE BOARD:

21           (1) AN APPLICATION AND THE REQUIRED FEE AS ESTABLISHED  
22           BY THE BOARD BY REGULATION.

23           (2) PROOF OF CONTINUING EDUCATION AS DETERMINED BY THE  
24           BOARD BY REGULATION.

25           (3) PROOF OF HOLDING A CURRENT CERTIFICATION AND  
26           REGISTRATION ISSUED BY A CERTIFICATION ORGANIZATION APPROVED  
27           BY THE BOARD.

28           (M) PROFESSIONAL LIABILITY.--

29           (1) A LICENSEE UNDER THIS SECTION PRACTICING IN THIS  
30           COMMONWEALTH SHALL MAINTAIN A LEVEL OF PROFESSIONAL LIABILITY

1 INSURANCE COVERAGE IN THE MINIMUM AMOUNT OF \$1,000,000 PER  
2 OCCURRENCE OR CLAIMS MADE. FAILURE TO MAINTAIN INSURANCE  
3 COVERAGE AS REQUIRED SHALL SUBJECT THE LICENSEE TO  
4 DISCIPLINARY PROCEEDINGS. THE BOARD SHALL ACCEPT FROM THE  
5 LICENSEE AS SATISFACTORY EVIDENCE OF INSURANCE COVERAGE ANY  
6 OF THE FOLLOWING:

7 (I) SELF-INSURANCE.

8 (II) PERSONALLY PURCHASED LIABILITY INSURANCE.

9 (III) PROFESSIONAL LIABILITY INSURANCE COVERAGE  
10 PROVIDED BY THE LICENSEE'S EMPLOYER OR SIMILAR INSURANCE  
11 COVERAGE ACCEPTABLE TO THE BOARD.

12 (2) AN APPLICANT FOR A LICENSE UNDER THIS SECTION SHALL  
13 PROVIDE PROOF THAT THE APPLICANT HAS OBTAINED PROFESSIONAL  
14 LIABILITY INSURANCE IN ACCORDANCE WITH PARAGRAPH (1). IT IS  
15 SUFFICIENT IF THE APPLICANT FILES WITH THE APPLICATION A COPY  
16 OF A LETTER FROM THE APPLICANT'S PROFESSIONAL LIABILITY  
17 INSURANCE CARRIER INDICATING THAT THE APPLICANT WILL BE  
18 COVERED AGAINST PROFESSIONAL LIABILITY IN THE REQUIRED  
19 AMOUNTS EFFECTIVE UPON THE ISSUANCE OF THE APPLICANT'S  
20 LICENSE TO PRACTICE IN THIS COMMONWEALTH UNDER THIS SECTION.  
21 UPON ISSUANCE OF THE LICENSE, THE LICENSEE HAS 30 DAYS TO  
22 SUBMIT TO THE BOARD THE CERTIFICATE OF INSURANCE OR A COPY OF  
23 THE POLICY DECLARATION PAGE.

24 SECTION 4. SECTION 22 (B) INTRODUCTORY PARAGRAPH OF THE ACT  
25 IS AMENDED TO READ:

26 SECTION 22. LICENSES AND CERTIFICATES; GENERAL QUALIFICATION.

27 \* \* \*

28 (B) QUALIFICATIONS.--THE BOARD SHALL NOT ISSUE A LICENSE OR  
29 CERTIFICATE TO AN APPLICANT UNLESS THE APPLICANT ESTABLISHES  
30 WITH EVIDENCE, VERIFIED BY AN AFFIDAVIT OR AFFIRMATION OF THE

1 APPLICANT, THAT THE APPLICANT IS OF LEGAL AGE, IS OF GOOD MORAL  
2 CHARACTER AND IS NOT ADDICTED TO THE INTEMPERATE USE OF ALCOHOL  
3 OR THE HABITUAL USE OF NARCOTICS OR OTHER HABIT-FORMING DRUGS  
4 AND THAT THE APPLICANT HAS COMPLETED THE EDUCATIONAL  
5 REQUIREMENTS PRESCRIBED BY THE BOARD AND OTHERWISE SATISFIES THE  
6 QUALIFICATIONS FOR THE LICENSE OR CERTIFICATE CONTAINED IN OR  
7 AUTHORIZED BY THIS ACT. IN ASSESSING THE MORAL CHARACTER OF AN  
8 APPLICANT WITH A CRIMINAL CONVICTION, THE BOARD SHALL CONDUCT AN  
9 INDIVIDUALIZED ASSESSMENT IN ACCORDANCE WITH 63 PA.C.S. § 3113  
10 (RELATING TO CONSIDERATION OF CRIMINAL CONVICTIONS). THE BOARD  
11 SHALL NOT ISSUE A LICENSE OR CERTIFICATE TO AN APPLICANT WHO HAS  
12 BEEN CONVICTED OF A FELONY UNDER THE ACT OF APRIL 14, 1972  
13 (P.L.233, NO.64), KNOWN AS THE CONTROLLED SUBSTANCE, DRUG,  
14 DEVICE AND COSMETIC ACT, OR OF AN OFFENSE UNDER THE LAWS OF  
15 ANOTHER JURISDICTION WHICH, IF COMMITTED IN THIS COMMONWEALTH,  
16 WOULD BE A FELONY UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE  
17 AND COSMETIC ACT, UNLESS:

18 \* \* \*

19 Section 4 5. Section 45 of the act is repealed: <--

20 [Section 45. Radiologic procedures; education and training  
21 required.]

22 (a) Supervision.--On and after January 1, 1988, no auxiliary  
23 personnel shall perform radiologic procedures on the premises of  
24 a medical doctor unless such person is under the direct  
25 supervision of a medical doctor and unless such person has  
26 passed an examination approved by the board and administered in  
27 accordance with section 812.1 of the act of April 9, 1929  
28 (P.L.177, No.175), known as The Administrative Code of 1929,  
29 provided that no such auxiliary personnel shall perform  
30 radiologic procedures for therapeutic purposes unless the

1 medical doctor under whose direct supervision such auxiliary  
2 personnel is acting is on the premises at the time the  
3 radiologic procedures are performed.

4 (b) Exclusion.--The board shall have the authority, after  
5 notice and hearing, to prohibit an auxiliary personnel from  
6 performing 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.

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

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

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

29 Section 5 6. Repeals are as follows:

30 (1) The General Assembly declares the repeals under

<--

1 paragraph (2) are necessary to effectuate the addition of  
2 section 13.7 of the act.

3 (2) The following are repealed:

4 (i) Section 16.4 of the act of October 5, 1978  
5 (P.L.1109, No.261), known as the Osteopathic Medical  
6 Practice Act, is repealed.

7 (ii) Section 21.2 of the act of March 2, 1956 (1955  
8 P.L.1206, No.375), known as the Podiatry Practice Act,  
9 repealed insofar as it is inconsistent with the addition  
10 of section 13.7 of the act.

11 SECTION 7. THE STATE BOARD OF MEDICINE SHALL PROMULGATE <--  
12 FINAL REGULATIONS NECESSARY TO IMPLEMENT THE ADDITION OF SECTION  
13 13.7 OF THE ACT WITHIN 180 DAYS OF THE EFFECTIVE DATE OF THIS  
14 SECTION.

15 Section ~~6~~ 8. This act shall take effect ~~immediately~~. IN 60 <--  
16 DAYS.