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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 286

Session of  
1987

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INTRODUCED BY LLOYD, LINTON, VROON AND MILLER, FEBRUARY 11, 1987

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,  
FEBRUARY 11, 1987

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AN ACT

1 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  
4 certain actions by the Commissioner of Professional and  
5 Occupational Affairs and professional licensing boards; and  
6 transferring the authority for certification and education of  
7 such personnel under certain conditions.

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

10 Section 1. Postponement.

11 The restrictions on the performance of radiologic procedures  
12 by auxiliary personnel in the offices of medical doctors,  
13 osteopathic physicians, podiatrists and dentists scheduled by  
14 section 11.4 of the act of May 1, 1933 (P.L.216, No.76), known  
15 as The Dental Law, section 21.2 of the act of March 2, 1956  
16 (1955 P.L.1206, No.375), known as the Podiatry Practice Act,  
17 section 16.4 of the act of October 5, 1978 (P.L.1109, No.261),  
18 known as the Osteopathic Medical Practice Act, and section 45 of  
19 the act of December 20, 1985 (P.L.457, No.112), known as the  
20 Medical Practice Act of 1985, to become applicable beginning on

1 January 1, 1987, shall not become applicable until January 1,  
2 1988.

3 Section 2. Reports.

4 Beginning 30 days after the effective date of this act and  
5 every 30 days thereafter until such restrictions have been  
6 implemented, the Commissioner of Professional and Occupational  
7 Affairs shall report in writing to the Professional Licensure  
8 Committee of the House of Representatives and the Consumer  
9 Protection and Professional Licensure Committee of the Senate on  
10 the status of the implementation of the restrictions on the  
11 performance of radiologic procedures by auxiliary personnel in  
12 the offices of medical doctors, osteopathic physicians,  
13 podiatrists, dentists and chiropractors.

14 Section 3. Effect of failure to approve and administer  
15 examinations.

16 If either the State Board of Medicine, the State Board of  
17 Osteopathic Medicine, the State Board of Podiatry, the State  
18 Board of Dentistry or the State Board of Chiropractic has not  
19 approved the examination required to be passed by auxiliary  
20 personnel in accordance with section 11.4 of the act of May 1,  
21 1933 (P.L.216, No.76), known as The Dental Law, section 21.2 of  
22 the act of March 2, 1956 (1955 P.L.1206, No.375), known as the  
23 Podiatry Practice Act, section 16.4 of the act of October 5,  
24 1978 (P.L.1109, No.261), known as the Osteopathic Medical  
25 Practice Act, section 45 of the act of December 20, 1985  
26 (P.L.457, No.112), known as the Medical Practice Act of 1985,  
27 and section 522 of the act of December 16, 1986 (P.L. ,  
28 No.188), known as the Chiropractic Practice Act, and the  
29 approved examination has not been administered in accordance  
30 with section 812.1 of the act of April 9, 1929 (P.L.177,

1 No.175), known as The Administrative Code of 1929, before  
2 January 1, 1988, the power and duty of such board to approve  
3 such an examination and to contract for its administration shall  
4 expire.

5 Section 4. Effect of expiration of power of board.

6 Beginning on January 1, 1988, the Department of Environmental  
7 Resources shall provide for the examination of auxiliary  
8 personnel to perform radiologic procedures in the offices of the  
9 licensees of any board whose power and duty to approve such an  
10 examination and to contract for its administration expires  
11 pursuant to section 3. In carrying out its powers and duties  
12 under this section, the Department of Environmental Resources  
13 shall assure that such auxiliary personnel comply with minimum  
14 standards established pursuant to the Consumer-Patient Radiation  
15 Health and Safety Act of 1981 (Public Law 97-35, 95 Stat. 598)  
16 for the certification and education of persons who administer  
17 radiologic procedures and such additional requirements as the  
18 Department of Environmental Resources deems appropriate. To the  
19 maximum extent possible, the Department of Environmental  
20 Resources shall ensure compliance with those standards and  
21 requirements employing existing programs of certification  
22 established by the Federal Government, other State or local  
23 agencies, and private entities as recognized pursuant to section  
24 981(b) of the Consumer-Patient Radiation Health and Safety Act  
25 of 1981.

26 Section 5. Retroactivity.

27 Section 1 of this act shall be retroactive to January 1,  
28 1987.

29 Section 6. Effective date.

30 This act shall take effect immediately.