

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 429 Session of
2007

INTRODUCED BY WONDERLING, KITCHEN, RAFFERTY, STOUT, O'PAKE,
COSTA, FONTANA, GORDNER, RHOADES, BOSCOLA, STACK AND WAUGH,
MARCH 14, 2007

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MARCH 14, 2007

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; providing penalties;
9 and making repeals," providing for perfusionist licensing,
10 qualifications, supervision and scope of practice,
11 regulations and exemptions.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

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

17 Section 2. Definitions.

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

21 * * *

1 "Extracorporeal circulation." The diversion of a patient's
2 blood through a heart-lung machine or similar device that
3 assumes the functions of the patient's heart, lung, kidney,
4 liver or other organs.

5 * * *

6 "Perfusion." The functions necessary for the support,
7 treatment, measurement or supplementation of the cardiovascular
8 systems or other organs, or a combination of those functions,
9 and for ensuring the safe management of physiologic functions by
10 monitoring and analyzing the parameters of the systems under the
11 supervision of a licensed physician.

12 "Perfusionist." An individual who is licensed to practice
13 perfusion by the State Board of Medicine or the State Board of
14 Osteopathic Medicine.

15 * * *

16 Section 2. Section 3(a) of the act, amended December 10,
17 2001 (P.L.859, No.92), is amended and the section is amended by
18 adding subsections to 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 care practitioner [or], certified
30 athletic trainer or perfusionist licensed or certified under the

1 laws of this Commonwealth. All professional and public members
2 of the board shall be appointed by the Governor, with the advice
3 and consent of a majority of the members elected to the Senate.

4 * * *

5 (k) Licensure fees.--All application and licensure fees
6 shall be set by the board and submitted by applicants and
7 licensees to the board.

8 (l) Referrals to State Board of Osteopathic Medicine.--Any
9 action to deny, suspend, restrict or rescind the license of a
10 perfusionist licensed by the State Board of Osteopathic Medicine
11 shall be referred to that board for appropriate action. The
12 State Board of Medicine shall convey any denial, suspension,
13 restriction or rescission to the State Board of Osteopathic
14 Medicine.

15 (m) Continuing education.--The board shall adopt, promulgate
16 and enforce rules and regulations consistent with the provisions
17 of this act establishing requirements of continuing education to
18 be met by individuals holding licensure as perfusionists under
19 this act as a condition for license renewal. Individuals shall
20 acquire a minimum of 30 continuing education units as a
21 condition of biennial renewal. The regulations may include any
22 fees necessary for the board to carry out its responsibilities
23 under this section.

24 Section 3. The act is amended by adding a section to read:
25 Section 13.3. Perfusionist.

26 (a) License required.--Eighteen months after the effective
27 date of this section, it shall be unlawful for any person to
28 hold himself out to the public as a perfusionist or to practice
29 or offer to practice perfusion unless the person holds a valid,
30 current license issued by the board or the State Board of

1 Osteopathic Medicine.

2 (b) Use of title.--A perfusionist who holds a valid, current
3 license issued by either board may use the title perfusionist or
4 licensed perfusionist, or an appropriate abbreviation of the
5 title, such as "LP."

6 (c) Regulations.--The board is authorized to promulgate
7 regulations to implement this section.

8 (d) Supervision and scope of practice.--A perfusionist may
9 perform perfusion to an individual being treated by a licensed
10 physician under medical supervision and approval consistent with
11 standing orders or protocols of a hospital that are promulgated
12 and approved by the physician designated as the medical director
13 of the cardiovascular surgery program. These services shall
14 include:

15 (1) The use of extracorporeal circulation, long-term
16 cardiopulmonary support techniques, including extracorporeal
17 carbon dioxide removal, extracorporeal membrane oxygenation
18 and associated therapeutic and diagnostic techniques.

19 (2) Counterpulsion, ventricular assistance,
20 autotransfusion, blood and blood component conservation
21 techniques, myocardial and organ preservation, extracorporeal
22 life support and isolated limb perfusion.

23 (3) Blood and blood component management techniques,
24 advanced life support and other related functions.

25 (4) In the performance of the acts described in
26 paragraphs (1), (2) and (3):

27 (i) The administration of:

28 (A) Pharmacological and therapeutic agents.

29 (B) Blood products or anesthetic agents through
30 the extracorporeal circuit or through an intravenous

1 line in conjunction with extracorporeal support,
2 under the supervision of the treating physician.

3 (ii) The performance and use of:

4 (A) Anticoagulation monitoring and analysis.

5 (B) Physiologic monitoring and analysis.

6 (C) Blood gas and chemistry monitoring and
7 analysis.

8 (D) Hematologic monitoring and analysis.

9 (E) Hypothermia.

10 (F) Hyperthermia.

11 (G) Normothermia.

12 (H) Hemoconcentration and hemodilution.

13 (I) Hemodialysis in conjunction with perfusion
14 service.

15 (iii) The observation of signs and symptoms related
16 to perfusion services, the determination of whether the
17 signs and symptoms exhibit abnormal characteristics and
18 the implementation of appropriate reporting, perfusion
19 protocols or changes in or the initiation of emergency
20 procedures.

21 (e) Exemptions.--The following persons may perform
22 perfusion, as indicated:

23 (1) A person licensed under any other section of this
24 act or any other law of this Commonwealth, while engaging in
25 the practice for which the person is licensed.

26 (2) A student enrolled in an accredited perfusion
27 education program if perfusion performed by the student:

28 (i) is an integral part of the student's course of
29 study; and

30 (ii) is performed under the direct supervision of a

1 perfusionist who is assigned to supervise the student and
2 who is on duty and immediately available in the assigned
3 patient care area.

4 (3) A legally qualified person employed by the Federal
5 Government to practice perfusion while in the discharge of
6 the person's official duties.

7 (f) Qualifications.--An applicant shall be licensed to
8 practice perfusion under this act if the applicant meets all of
9 the following qualifications and has otherwise complied with the
10 provisions of this act:

11 (1) The person is at least 18 years of age.

12 (2) The person is of good moral character.

13 (3) The person has completed an application form
14 provided by the board.

15 (4) The person has successfully completed a perfusion
16 education program approved by the board.

17 (5) The person is certified as a certified clinical
18 perfusionist by a certifying agency approved by the board.
19 The certification shall include an examination approved by
20 the board.

21 (6) The person complies with the course of continuing
22 education prescribed by the board.

23 (g) Certain certified persons not graduates of accredited
24 programs.--Within two years of the effective date of this
25 section, an applicant who was not a graduate of an accredited
26 program prior to 1981, but met the then-current eligibility
27 requirements for certification as a certified clinical
28 perfusionist and subsequently was certified, shall be licensed
29 as a perfusionist if the applicant otherwise complies with the
30 provisions of this act.

1 (h) Temporary license.--

2 (1) The board may issue a temporary graduate license to
3 practice perfusion to an individual who has graduated from an
4 educational program that complies with the education
5 requirements of this act. The following shall apply:

6 (i) The individual has applied for the examination
7 and is eligible to take the required examination.

8 (ii) The license authorizes the practice of
9 perfusion only under the supervision and direction of a
10 perfusionist licensed under this act. The license shall
11 be for a period of two years, unless extended by the
12 board and shall be nonrenewable.

13 (iii) The license shall expire immediately upon
14 notice that the individual has failed the required
15 examination under this act.

16 (2) The board may issue a temporary provisional license
17 to practice perfusion to an individual who practices
18 perfusion and is a nonresident of this Commonwealth and not
19 licensed under this act. The following shall apply:

20 (i) The individual shall perform perfusion in this
21 Commonwealth for a period of no more than six months from
22 the date the license is issued.

23 (ii) The license shall authorize the practice of
24 perfusion only in association with a perfusionist
25 licensed under this act.

26 (iii) The individual shall maintain a current
27 license under the laws of another state, District of
28 Columbia or territory of the United States which the
29 board determines the licensure requirements are
30 substantially equal to the requirements of this act.

1 (iv) The individual meets the requirements for
2 certification as a perfusionist established by the board.

3 (i) Temporary emergency exemption.--An individual who holds
4 a current license as a perfusionist in another state, the
5 District of Columbia or a territory of the United States or has
6 obtained national certification may provide emergency perfusion
7 services in this Commonwealth without first obtaining a license
8 from the board if all of the following conditions are met:

9 (1) A health care facility licensed by the Department of
10 Health certifies to the board within 36 hours of the
11 emergency perfusion services that all of the following apply:

12 (i) The emergency perfusion services were provided
13 for a patient of the health care facility.

14 (ii) The Commonwealth-licensed perfusionist retained
15 by the health care facility that would normally perform
16 the emergency perfusion services was not available or was
17 incapable of providing the services.

18 (iii) No other Commonwealth-licensed perfusionist
19 was available to provide or capable of providing the
20 emergency service.

21 (iv) The out-of-State-licensed perfusionist provided
22 only the emergency perfusion services for the patient of
23 the health care facility and no other perfusionist
24 services at the health care facility.

25 (2) The out-of-State-licensed perfusionist shall obtain
26 a license from the board if the health care facility or any
27 other health care facility licensed by the Department of
28 Health retains the perfusionist for or the perfusionist
29 provides any future perfusionist services unless the
30 conditions in paragraph (1) are met.

1 Section 4. This act shall take effect in 60 days.