
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 430 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 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 perfusionist licensing,
6 qualifications, supervision and scope of practice,
7 regulations and exemptions.

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

10 Section 1. Section 2 of the act of October 5, 1978
11 (P.L.1109, No.261), known as the Osteopathic Medical Practice
12 Act, is amended by adding definitions to read:

13 Section 2. Definitions.

14 The following words and phrases when used in this act shall
15 have, unless the context clearly indicates otherwise, the
16 meanings given to them in this section:

17 * * *

18 "Extracorporeal circulation." The diversion of a patient's
19 blood through a heart-lung machine or similar device that

1 assumes the functions of the patient's heart, lung, kidney,
2 liver or other organs.

3 * * *

4 "Perfusion." The functions necessary for the support,
5 treatment, measurement or supplementation of the cardiovascular
6 systems or other organs, or a combination of those functions,
7 and for ensuring the safe management of physiologic functions by
8 monitoring and analyzing the parameters of the systems under the
9 supervision of a physician licensed under this act or the act of
10 December 20, 1985 (P.L.457, No.112), known as the "Medical
11 Practice Act of 1985."

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

15 * * *

16 Section 2. Section 2.1(a) of the act, amended December 10,
17 2001 (P.L.863, No.93), is amended and the section is amended by
18 adding subsections to read:

19 Section 2.1. State Board of Osteopathic Medicine.

20 (a) The State Board of Osteopathic Medicine shall consist of
21 the Commissioner of Professional and Occupational Affairs or his
22 designee; the Secretary of Health or his designee; two members
23 appointed by the Governor who shall be persons representing the
24 public at large; one member appointed by the Governor who shall
25 be a respiratory care practitioner, a perfusionist, a physician
26 assistant or a certified athletic trainer; and six members
27 appointed by the Governor who shall be graduates of a legally
28 incorporated and reputable college of [osteopathy] osteopathic
29 medicine and shall have been licensed to practice osteopathic
30 medicine under the laws of this Commonwealth and shall have been

1 engaged in the practice of [osteopathy] osteopathic medicine in
2 this Commonwealth for a period of at least five years. All
3 professional and public members of the board shall be appointed
4 by the Governor with the advice and consent of a majority of the
5 members elected to the Senate. The Governor shall assure that
6 respiratory care practitioners, physician assistants and
7 certified athletic trainers are appointed to four-year terms on
8 a rotating basis.

9 * * *

10 (i) All application and licensure fees shall be set by the
11 board and submitted by applicants and licensees to the board.

12 (j) Any action to deny, suspend, restrict or rescind the
13 license of a perfusionist licensed by the State Board of
14 Medicine shall be referred to that board for appropriate action.
15 The State Board of Osteopathic Medicine shall convey any denial,
16 suspension, restriction or rescission to the State Board of
17 Medicine.

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

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

29 (a) License required.--Eighteen months after the effective
30 date of this section, it shall be unlawful for any person to

1 hold himself out to the public as a perfusionist or to practice
2 or offer to practice perfusion unless the person holds a valid,
3 current license issued by the board or the State Board of
4 Osteopathic Medicine.

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

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

11 (d) Supervision and scope of practice.--A perfusionist may
12 perform perfusion to an individual being treated by a physician
13 licensed under this act or the act of December 20, 1985
14 (P.L.457, No.112), known as the "Medical Practice Act of 1985,"
15 under medical supervision and approval consistent with standing
16 orders or protocols of a hospital that are promulgated and
17 approved by the physician designated as the medical director of
18 the cardiovascular surgery program. These services shall
19 include:

20 (1) The use of extracorporeal circulation, long-term
21 cardiopulmonary support techniques, including extracorporeal
22 carbon dioxide removal, extracorporeal membrane oxygenation
23 and associated therapeutic and diagnostic techniques.

24 (2) Counterpulsion, ventricular assistance,
25 autotransfusion, blood and blood component conservation
26 techniques, myocardial and organ preservation, extracorporeal
27 life support and isolated limb perfusion.

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

30 (4) In the performance of the acts described in

1 paragraphs (1) through (3):

2 (i) The administration of:

3 (A) Pharmacological and therapeutic agents.

4 (B) Blood products or anesthetic agents through
5 the extracorporeal circuit or through an intravenous
6 line in conjunction with extracorporeal support,
7 under the supervision of the treating physician.

8 (ii) The performance and use of:

9 (A) Anticoagulation monitoring and analysis.

10 (B) Physiologic monitoring and analysis.

11 (C) Blood gas and chemistry monitoring and
12 analysis.

13 (D) Hematologic monitoring and analysis.

14 (E) Hypothermia.

15 (F) Hyperthermia.

16 (G) Normothermia.

17 (H) Hemoconcentration and hemodilution.

18 (I) Hemodialysis in conjunction with perfusion
19 service.

20 (iii) The observation of signs and symptoms related
21 to perfusion services, the determination of whether the
22 signs and symptoms exhibit abnormal characteristics and
23 the implementation of appropriate reporting, perfusion
24 protocols or changes in or the initiation of emergency
25 procedures.

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

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

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

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

5 (ii) is performed under the direct supervision of a
6 perfusionist who is assigned to supervise the student and
7 who is on duty and immediately available in the assigned
8 patient care area.

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

12 (f) Qualifications.--An applicant shall be licensed to
13 practice perfusion under this act if the applicant meets all of
14 the following qualifications and has otherwise complied with the
15 provisions of this act:

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

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

18 (3) The person has completed an application form
19 provided by the board.

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

22 (5) The person is certified as a certified clinical
23 perfusionist by a certifying agency approved by the board.
24 The certification shall include an examination approved by
25 the board.

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

28 (g) Certain certified persons not graduates of accredited
29 programs.--Within two years of the effective date of this
30 section, an applicant who was not a graduate of an accredited

1 program prior to 1981, but met the then-current eligibility
2 requirements for certification as a certified clinical
3 perfusionist and subsequently was certified, shall be licensed
4 as a perfusionist if the applicant otherwise complies with the
5 provisions of this act.

6 (h) Temporary license.--

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

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

13 (ii) The license authorizes the practice of
14 perfusion only under the supervision and direction of a
15 perfusionist licensed under this act. The license shall
16 be for a period of two years, unless extended by the
17 board and shall be nonrenewable.

18 (iii) The license shall expire immediately upon
19 notice that the individual has failed the required
20 examination under this act.

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

25 (i) The individual will perform perfusion in this
26 Commonwealth for a period of no more than six months from
27 the date the license is issued.

28 (ii) The license shall authorize the practice of
29 perfusion only in association with a perfusionist
30 licensed under this act.

1 (iii) The individual shall maintain a current
2 license under the laws of another state, District of
3 Columbia or territory of the United States which the
4 board determines the licensure requirements are
5 substantially equal to the requirements of this act.

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

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

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

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

19 (ii) The Commonwealth licensed perfusionist retained
20 by the health care facility that would normally perform
21 the emergency perfusion services was not available or
22 incapable of providing the services.

23 (iii) No other Commonwealth licensed perfusionist
24 was available to provide or capable of providing the
25 emergency service.

26 (iv) The out-of-State licensed perfusionist provided
27 only the emergency perfusion services for the patient of
28 the health care facility and no other perfusionist
29 services at the health care facility.

30 (2) The out-of-State licensed perfusionist shall obtain

1 a license from the board if the health care facility or any
2 other health care facility licensed by the Department of
3 Health retains the perfusionist for or the perfusionist
4 provides any future perfusionist services unless the
5 conditions in paragraph (1) are met.

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