

No. 1987-2

## AN ACT

HB 216

Amending the act of December 20, 1985 (P.L.457, No.112), entitled "An act relating to the right to practice medicine and surgery and the right to practice medically related acts; reestablishing the State Board of Medical Education and Licensure as the State Board of Medicine and providing for its composition, powers and duties; providing for the issuance of licenses and certificates and the suspension and revocation of licenses and certificates; providing penalties; and making repeals," further providing for the performance of radiologic procedures by auxiliary personnel; and making a technical change.

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

Section 1. Sections 41(3) and 45 of the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, are amended to read:

Section 41. Reasons for refusal, revocation, suspension or other corrective actions against a licensee or certificate holder.

The board shall have authority to impose disciplinary or corrective measures on a board-regulated practitioner for any or all of the following reasons:

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(3) Being convicted of a felony or *being convicted of* a misdemeanor relating to a health profession or receiving probation without verdict, disposition in lieu of trial or an Accelerated Rehabilitative Disposition in the disposition of felony charges, in the courts of this Commonwealth, a Federal court or a court of any other state, territory or country.

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Section 45. Radiologic procedures; education and training required.

(a) Supervision.—On and after January 1, ~~1987~~ **1988**, no auxiliary personnel shall perform radiologic procedures on the premises of a medical doctor unless such person is under the direct supervision of a medical doctor **[who is on the premises at the time the X-ray is taken]** and unless such person has passed an examination approved by the board and administered in accordance with section 812.1 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, *provided that no such auxiliary personnel shall perform radiologic procedures for therapeutic purposes unless the medical doctor under whose direct supervision such auxiliary personnel is acting is on the premises at the time the radiologic procedures are performed.*

(b) Exclusion.—The board shall, **by regulation, provide for the exclusion of] have the authority, after notice and hearing, to prohibit an** auxiliary personnel from performing radiologic procedures if the continued performance of radiologic procedures by the auxiliary personnel is determined by the board to pose a threat to the health, safety or welfare of the public.

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

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

(e) **Definition.**—*As used in this section, the term “radiologic procedures” means the use of ionizing radiation for diagnostic or therapeutic purposes.*

Section 2. The amendments to section 45 of the act shall be retroactive to January 1, 1987.

Section 3. This act shall take effect immediately.

APPROVED—The 6th day of May, A. D. 1987.

ROBERT P. CASEY