

No. 1987-3

## AN ACT

## HB 217

Amending the act of October 5, 1978 (P.L.1109, No.261), entitled "An act requiring the licensing of practitioners of osteopathic medicine and surgery; regulating their practice; providing for certain funds and penalties for violations and repeals," further providing for the performance of radiologic procedures by auxiliary personnel.

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

Section 1. Section 16.4 of the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, added December 20, 1985 (P.L.398, No.108), is amended to read:

Section 16.4. Radiologic procedures.

(a) On and after January 1, ~~[1987]~~ *1988*, no auxiliary personnel shall perform radiologic procedures on the premises of an osteopathic physician unless such person is under the direct supervision of an osteopathic physician **[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 osteopathic physician under whose direct supervision such auxiliary personnel is acting is on the premises at the time the radiologic procedures are performed.*

(b) 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) 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) No auxiliary personnel who has or obtains a license, a 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. This act shall take effect immediately and shall be retroactive to January 1, 1987.

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

ROBERT P. CASEY