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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1281 Session of  
2024

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INTRODUCED BY CULVER, HUTCHINSON, VOGEL, COSTA, YAW, BAKER,  
J. WARD, SCHWANK AND BOSCOLA, JULY 12, 2024

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JULY 12, 2024

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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; provided penalties;  
9 and making repeals," further providing for definitions, for  
10 respiratory therapists, for perfusionist, for genetic  
11 counselor and for prosthetists, orthotists, pedorthists and  
12 orthotic fitters; providing for medical imaging  
13 professionals, radiation therapists, radiologist assistants  
14 and trainees; further providing for licenses and certificates  
15 and general qualification; repealing provisions relating to  
16 radiologic procedures and education and training required;  
17 and making a repeal.

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

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

23 Section 2. Definitions.

24 The following words and phrases when used in this act shall  
25 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 \* \* \*

3 "Computed tomography." The process of producing sectional or  
4 three-dimensional images using external ionizing radiation for  
5 diagnostic purposes or for the purpose of providing guidance  
6 during medical interventions.

7 \* \* \*

8 "Diagnostic medical sonography." The use of high-frequency  
9 sound waves with specialized equipment to direct the sound waves  
10 into an area of the human body to generate an image for  
11 diagnostic purposes or for the purpose of providing guidance  
12 during medical interventions.

13 \* \* \*

14 "Fluoroscopy." The process of producing real-time images  
15 using external ionizing radiation for diagnostic purposes or for  
16 the purpose of providing guidance during medical interventions.

17 \* \* \*

18 "Ionizing radiation." Radiation that consists of alpha  
19 particles, beta particles, gamma rays, x-rays, neutrons, high-  
20 speed electrons, high-speed protons or other particles capable  
21 of producing ions. The term does not include non-ionizing  
22 radiation, including high-frequency sound waves, magnetic  
23 fields, microwaves, radiofrequency signals or visible, infrared  
24 or ultraviolet light.

25 \* \* \*

26 "Licensed practitioner." An individual who is a licensed  
27 physician, dentist, chiropractor or podiatrist in this  
28 Commonwealth.

29 "Limited x-ray machine operations." The performance of  
30 radiography limited to chest, extremities, spine, skull and

1 sinuses or bone densitometry procedures using equipment that  
2 emits external ionizing radiation resulting in radiographic  
3 images or bone density measurements.

4 "Magnetic resonance imaging." The process of using a  
5 magnetic field and radio frequency waves to produce sectional or  
6 three-dimensional images of internal structures of the human  
7 body for diagnostic purposes or for the purpose of providing  
8 guidance during medical interventions.

9 \* \* \*

10 "Medical imaging." A modality used to produce images of the  
11 internal structures of the human body for diagnostic purposes or  
12 for the purpose of providing guidance during medical  
13 interventions through the use of electromagnetic waves, sound  
14 waves, radio waves, magnetic fields, ionizing radiation or  
15 radioactive materials.

16 "Medical imaging certification organization." A national  
17 organization that specializes in the certification and  
18 registration of medical imaging or radiation therapy technical  
19 personnel and is accredited by the NCCA, the American National  
20 Standards Institute or another accreditation organization  
21 recognized by the board.

22 "Medical imaging professional." An individual, other than a  
23 licensed practitioner, who is licensed to perform medical  
24 imaging by the board in a modality for which the individual is  
25 certified to perform by a medical imaging certification  
26 organization.

27 \* \* \*

28 "Modality." The type of medical imaging a licensed medical  
29 imaging professional is certified to perform, including any of  
30 the following:

1           (1) Diagnostic medical sonography.

2           (2) Limited x-ray machine operations.

3           (3) Magnetic resonance imaging.

4           (4) Nuclear medicine technology.

5           (5) Radiography.

6           \* \* \*

7           "Nuclear medicine technology." Medical imaging that utilizes  
8 sealed and unsealed radioactive materials for diagnostic,  
9 treatment and research purposes. The term includes any of the  
10 following:

11           (1) The procurement, preparation and administration of  
12 radiopharmaceuticals, adjunctive and imaging medications.

13           (2) The combination of nuclear medicine instrumentation  
14 with computed tomography, magnetic resonance imaging or other  
15 modalities to produce a three-dimensional image with or  
16 without adjunctive and imaging medications to enhance the  
17 evaluation of physiological processes at a molecular level.

18           \* \* \*

19           "Radiation therapist." An individual, other than a licensed  
20 physician, who is licensed to practice radiation therapy by the  
21 board.

22           "Radiation therapy." The use of ionizing radiation for  
23 treating disease.

24           "Radiography." The process of obtaining an image using  
25 external ionizing radiation for diagnostic purposes or for the  
26 purpose of providing guidance during medical interventions.

27           "Radiologist." A physician who is licensed in this  
28 Commonwealth and is certified by the American Board of  
29 Radiology, the American Osteopathic Board of Radiology, the  
30 Royal College of Radiology or the Royal College of Physicians

1 and Surgeons of Canada as a radiologist.

2 "Radiologist assistant." An individual, other than a  
3 licensed physician, who is licensed to practice advanced  
4 diagnostic imaging procedures by the board.

5 \* \* \*

6 "Trainee." An individual who has met the requirements and  
7 the regulations promulgated under this act to hold a temporary  
8 license issued by the board as a medical imaging professional,  
9 radiation therapist or radiologist assistant.

10 \* \* \*

11 Section 2. Sections 13.1(a) (3), 13.3(f) (2), 13.4(e) (2) and  
12 13.5(a) (1) of the act are amended to read:

13 Section 13.1. Respiratory therapists.

14 (a) Qualifications.--An individual shall be eligible to  
15 apply for licensure as a respiratory therapist if that  
16 individual satisfies all of the following:

17 \* \* \*

18 (3) Has proved to the satisfaction of the board that the  
19 individual is of good moral character and is not unfit or  
20 unable to practice as a respiratory therapist by reason of  
21 physical or mental impairment. In assessing the moral  
22 character of an applicant with a criminal conviction, the  
23 board shall conduct an individualized assessment in  
24 accordance with 63 Pa.C.S. § 3113 (relating to consideration  
25 of criminal convictions).

26 \* \* \*

27 Section 13.3. Perfusionist.

28 \* \* \*

29 (f) Qualifications.--An applicant shall be licensed to  
30 practice perfusion under this act if the applicant meets all of

1 the following qualifications and has otherwise complied with the  
2 provisions of this act:

3 \* \* \*

4 (2) The person is of good moral character. In assessing  
5 the moral character of an applicant with a criminal  
6 conviction, the board shall conduct an individualized  
7 assessment in accordance with 63 Pa.C.S. § 3113 (relating to  
8 consideration of criminal convictions).

9 \* \* \*

10 Section 13.4. Genetic counselor.

11 \* \* \*

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

16 \* \* \*

17 (2) The person is of good moral character. In assessing  
18 the moral character of an applicant with a criminal  
19 conviction, the board shall conduct an individualized  
20 assessment in accordance with 63 Pa.C.S. § 3113 (relating to  
21 consideration of criminal convictions).

22 \* \* \*

23 Section 13.5. Prosthetists, orthotists, pedorthists and  
24 orthotic fitters.

25 (a) Licensure qualifications.--To qualify for licensure to  
26 practice prosthetics, orthotics, pedorthics or orthotic fitting,  
27 an applicant shall:

28 (1) Be of good moral character. In assessing the moral  
29 character of an applicant with a criminal conviction, the  
30 board shall conduct an individualized assessment in

1 accordance with 63 Pa.C.S. § 3113 (relating to consideration  
2 of criminal convictions).

3 \* \* \*

4 Section 3. The act is amended by adding a section to read:

5 Section 13.7. Medical imaging professionals, radiation  
6 therapists, radiologist assistants and trainees.

7 (a) License required.--Beginning two years after the  
8 effective date of this subsection, it shall be unlawful for an  
9 individual who is not licensed under this section to perform or  
10 offer to perform medical imaging, radiation therapy or  
11 radiography procedures on a human body for diagnostic purposes  
12 or for the purpose of providing guidance during medical  
13 interventions or practice as a medical imaging professional,  
14 radiation therapist or radiologist assistant.

15 (b) Medical imaging professional license.--The board shall  
16 issue a license as a medical imaging professional to an  
17 applicant who meets all of the following requirements:

18 (1) Is at least 18 years of age.

19 (2) Submits an application and the required fee as  
20 established by the board by regulation.

21 (3) Is of good moral character. In assessing the moral  
22 character of an applicant with a criminal conviction, the  
23 board shall conduct an individualized assessment in  
24 accordance with 63 Pa.C.S. § 3113 (relating to consideration  
25 of criminal convictions).

26 (4) Has a high school diploma or its equivalent.

27 (5) Satisfactorily completes a course of study in  
28 diagnostic medical sonography, magnetic resonance imaging,  
29 nuclear medicine technology or radiography or an equivalent  
30 course of study determined by the board.

1 (6) Passes an applicable modality or specialization  
2 examination administered by a medical imaging certification  
3 organization approved by the board.

4 (c) Medical imaging professional scope of practice.--A  
5 medical imaging professional shall only perform the functions of  
6 the modality in which the medical imaging professional has  
7 received education and training, and certification by a medical  
8 imaging certification organization.

9 (d) Radiation therapist license.--The board shall issue a  
10 license as a radiation therapist to an applicant who meets all  
11 of the following requirements:

12 (1) Is at least 18 years of age.

13 (2) Submits an application and the required fee as  
14 established by the board by regulation.

15 (3) Is of good moral character. In assessing the moral  
16 character of an applicant with a criminal conviction, the  
17 board shall conduct an individualized assessment in  
18 accordance with 63 Pa.C.S. § 3113.

19 (4) Has a high school diploma or its equivalent.

20 (5) Satisfactorily completes a course of study in  
21 radiation therapy or an equivalent course of study determined  
22 by the board.

23 (6) Passes an applicable radiation therapy examination  
24 administered by a medical imaging certification organization  
25 approved by the board.

26 (e) Radiation therapist scope of practice.--A radiation  
27 therapist may use ionizing radiation to deliver radiation  
28 therapy treatments and perform treatment simulation using a  
29 medical imaging modality and shall execute treatment plan  
30 procedures and dosimetric calculations as prescribed by a



1 licensed physician.

2 (f) Radiologist assistant license.--The board shall issue a  
3 license as a radiologist assistant to an applicant who meets all  
4 of the following requirements:

5 (1) Is at least 18 years of age.

6 (2) Submits an application and the required fee as  
7 established by the board by regulation.

8 (3) Is of good moral character. In assessing the moral  
9 character of an applicant with a criminal conviction, the  
10 board shall conduct an individualized assessment in  
11 accordance with 63 Pa.C.S. § 3113.

12 (4) Has a high school diploma or its equivalent.

13 (5) Satisfactorily completes a course of study in  
14 radiologist assistant or an equivalent course of study  
15 determined by the board.

16 (6) Passes an applicable radiologist assistant  
17 examination administered by a medical imaging certification  
18 organization approved by the board.

19 (7) Holds a current certification in radiography and as  
20 a radiologist assistant issued by a medical imaging  
21 certification organization approved by the board.

22 (g) Radiologist assistant scope of practice.--

23 (1) A radiologist assistant may perform advanced  
24 diagnostic imaging procedures under the supervision of a  
25 supervising radiologist. The procedures under this subsection  
26 shall include, but are not limited to, any of the following:

27 (i) Enteral and parenteral procedures.

28 (ii) Injection of diagnostic agents and physician-  
29 prescribed medications.

30 (iii) Diagnostic and therapeutic aspirations and

1           localizations.

2           (iv) Radiologist directed invasive procedures.

3           (v) Fluoroscopy procedures.

4           (vi) Entering orders as directed by the supervising  
5           radiologist.

6           (vii) Obtaining informed consent as a qualified  
7           practitioner under section 504 of the act of March 20,  
8           2002 (P.L.154, No.13), known as the Medical Care  
9           Availability and Reduction of Error (Mcare) Act.

10          (2) A radiologist assistant may not interpret medical  
11          imaging, render diagnoses or prescribe medication or  
12          therapies.

13          (3) A radiologist assistant and the supervising  
14          radiologist shall establish written clinical protocols in  
15          accordance with the following:

16                (i) The clinical protocols shall identify the  
17                supervising radiologist and be signed by the supervising  
18                radiologist.

19                (ii) The clinical protocols shall describe the  
20                radiologist assistant's scope of practice.

21                (iii) The clinical protocols shall describe the  
22                nature and degree of supervision that the supervising  
23                radiologist will provide the radiologist assistant.

24                (iv) The supervising radiologist, the radiologist  
25                assistant or a delegate of the supervising radiologist  
26                and the radiologist assistant shall prepare and submit  
27                the clinical protocols to the board.

28          (4) The clinical protocols under paragraph (3) shall  
29          take effect upon submission to the board by a supervising  
30          radiologist, a radiologist assistant or a delegate of the

1 supervising radiologist and the radiologist assistant.

2 (5) It shall not be a defense in an administrative or  
3 civil action that a radiologist assistant acted outside the  
4 scope of the clinical protocols submitted to the board under  
5 paragraph (3) or that a supervising radiologist utilized the  
6 radiologist assistant outside the scope of the clinical  
7 protocols due to the supervising radiologist or radiologist  
8 assistant authorizing another individual to represent to the  
9 board that the description of the radiologist assistant's  
10 scope of practice had been approved by the supervising  
11 radiologist or radiologist assistant.

12 (6) Nothing in this subsection shall be construed to  
13 require the clinical protocols under paragraph (3) to be  
14 approved by the board.

15 (h) Current professionals.--The board shall issue a license  
16 under this section to an individual practicing as a medical  
17 imaging professional, radiation therapist or radiologist  
18 assistant if the individual meets all of the following  
19 requirements within two years of the effective date of this  
20 subsection:

21 (1) Is at least 18 years of age.

22 (2) Submits an application and the required fee as  
23 established by the board by regulation.

24 (3) Is of good moral character. In assessing the moral  
25 character of an individual with a criminal conviction, the  
26 board shall conduct an individualized assessment in  
27 accordance with 63 Pa.C.S. § 3113.

28 (4) Holds a current license or certification as a  
29 medical imaging professional, radiation therapist or  
30 radiologist assistant issued by a medical imaging

1 certification organization approved by the board.

2 (i) Use of title.--Beginning two years after the effective  
3 date of this subsection, an individual who holds an active  
4 license under this section may do any of the following:

5 (1) Hold oneself out as a licensed medical imaging  
6 professional, radiation therapist or radiologist assistant.

7 (2) Use a title indicating the specific modality for  
8 which the individual is licensed under this section.

9 (3) Use any words, symbols or abbreviations indicating  
10 the specific modality for which the individual is licensed  
11 under this section.

12 (j) Temporary licensure for trainees.--

13 (1) Upon the submission of a board-approved written  
14 application and fee, the board may issue a temporary license  
15 to practice as a medical imaging professional trainee,  
16 radiation therapist trainee or a radiologist assistant  
17 trainee to an applicant who is a student or graduate of an  
18 approved institution of higher learning.

19 (2) A trainee shall be responsible to and under the  
20 direct and immediate personal supervision of a supervising  
21 radiologist.

22 (3) The board shall only issue one temporary license to  
23 an applicant under this subsection and the temporary license  
24 shall expire one year after the date of issuance or upon the  
25 trainee obtaining a license as a medical imaging  
26 professional, radiation therapist or radiologist assistant.

27 (4) The following apply:

28 (i) The board shall promulgate temporary regulations  
29 for the purpose of temporary licensure under this  
30 subsection, which shall expire no later than two years

1 following the publication of the temporary regulations.

2 The regulations shall not be subject to:

3 (A) Section 612 of the act of April 9, 1929  
4 (P.L.177, No.175), known as The Administrative Code  
5 of 1929.

6 (B) Sections 201, 202, 203, 204 and 205 of the  
7 act of July 31, 1968 (P.L.769, No.240), referred to  
8 as the Commonwealth Documents Law.

9 (C) Sections 204(b) and 301(10) of the act of  
10 October 15, 1980 (P.L.950, No.164), known as the  
11 Commonwealth Attorneys Act.

12 (D) The act of June 25, 1982 (P.L.633, No.181),  
13 known as the Regulatory Review Act.

14 (ii) The authority of the board to adopt temporary  
15 regulations under subparagraph (i) shall expire six  
16 months after the effective date of this subparagraph.  
17 Regulations adopted after this period shall be  
18 promulgated as provided by law.

19 (k) Exemptions.--The licensure requirements under this  
20 section shall not apply to any of the following:

21 (1) An individual licensed in this Commonwealth whose  
22 scope of practice includes performing medical imaging,  
23 radiation therapy or radiography.

24 (2) A physician assistant licensed under this act or the  
25 act of October 5, 1978 (P.L.1109, No.261), known as the  
26 Osteopathic Medical Practice Act, or a certified registered  
27 nurse practitioner licensed under the act of May 22, 1951  
28 (P.L.317, No.69), known as The Professional Nursing Law,  
29 who:

30 (i) performs fluoroscopy and has completed training

1 acceptable to the board;

2 (ii) is working under the supervision of a licensed  
3 physician who interprets diagnostic medical imaging  
4 studies, performs medical imaging guided procedures or  
5 provides radiation therapy;

6 (iii) provides a direct report to the supervising  
7 physician of each fluoroscopy procedure performed; and

8 (iv) has met the requirements under 25 Pa. Code §  
9 221.16 (relating to training, competency and continuing  
10 education) or 49 Pa. Code Ch. 18 Subch. E (relating to  
11 performance of radiologic procedures by auxiliary  
12 personnel).

13 (3) Auxiliary personnel under the supervision of a  
14 licensed chiropractor who is permitted to perform x-rays  
15 under the act of December 16, 1986 (P.L.1646, No.188), known  
16 as the Chiropractic Practice Act.

17 (4) Auxiliary personnel under the supervision of a  
18 licensed dentist who is authorized to perform x-rays under  
19 section 11.4 of the act of May 1, 1933 (P.L.216, No.76),  
20 known as The Dental Law.

21 (5) Auxiliary personnel under the supervision of a  
22 doctor of podiatric medicine who is permitted to perform x-  
23 rays under section 21.2 of the act of March 2, 1956 (1955  
24 P.L.1206, No.375), known as the Podiatry Practice Act.

25 (6) An individual performing sonography procedures  
26 within the individual's scope of practice that is used to  
27 assess information about a patient's immediate condition, is  
28 limited to a focused imaging target and does not generate a  
29 recorded diagnostic medical image, including an assessment of  
30 any of the following:

1           (i) Fetal presentation or heartbeat.

2           (ii) Fluid in a body cavity.

3           (iii) Foreign body position or location.

4           (iv) Fetal monitoring during active labor.

5           (v) An anatomical landmark or blood vessel for  
6 vascular access or administration of anesthesia.

7           (7) A physician in graduate medical training or a  
8 student enrolled in and attending a school or college of  
9 medicine, dentistry, chiropractic, podiatry, medical imaging  
10 or radiation therapy who performs medical imaging or  
11 radiation therapy procedures on a human body while under the  
12 supervision of a licensed practitioner or the supervision of  
13 an individual holding a license under this section in the  
14 supervised modality.

15           (8) A student enrolled in a medical imaging educational  
16 program recognized by the board who is employed by a medical  
17 facility affiliated with the program to perform authorized  
18 medical imaging procedures for which the student has a  
19 demonstrated competency if the medical imaging procedures are  
20 performed under the supervision of a licensed practitioner or  
21 the supervision of an individual holding a license under this  
22 section in the supervised modality.

23           (9) An individual employed by the Federal Government to  
24 provide medical imaging or radiation therapy services while  
25 discharging the individual's official duties.

26           (10) An individual performing medical imaging or  
27 radiation therapy procedures on nonhuman subjects or  
28 cadavers.

29           (1) Authorizations and restrictions.--

30           (1) A licensee under this section may use radioactive

1 substances or equipment emitting ionizing radiation, high-  
2 frequency sound waves or magnetic resonance and perform  
3 medical imaging and radiation therapy procedures on a human  
4 body for diagnostic purposes or for the purpose of providing  
5 guidance during medical interventions only:

6 (i) with a valid prescription of an individual  
7 authorized by the Commonwealth to prescribe medical  
8 imaging and radiation therapy procedures;

9 (ii) under the supervision of a licensed  
10 practitioner; and

11 (iii) within the scope of the license as specified  
12 under this section and the regulations promulgated by the  
13 board and in a modality for which the licensee has  
14 received education and training.

15 (2) A licensee under this section may not make a  
16 diagnostic interpretation of an image, make a diagnosis or  
17 prescribe a medication or therapy.

18 (m) License renewal.--A license under this section shall be  
19 subject to biennial renewal. For license renewal, a licensee  
20 shall submit all of the following to the board:

21 (1) An application and the required fee as established  
22 by the board by regulation.

23 (2) Proof of continuing education as determined by the  
24 board by regulation.

25 (3) Proof of holding a current certification issued by a  
26 medical imaging certification organization approved by the  
27 board.

28 (n) Professional liability.--

29 (1) A licensee under this section practicing in this  
30 Commonwealth shall maintain a level of professional liability



1 insurance coverage in the minimum amount of \$1,000,000 per  
2 occurrence or claims made. Failure to maintain insurance  
3 coverage as required shall subject the licensee to  
4 disciplinary proceedings. The board shall accept from the  
5 licensee as satisfactory evidence of insurance coverage any  
6 of the following:

7 (i) Self-insurance.

8 (ii) Personally purchased liability insurance.

9 (iii) Professional liability insurance coverage  
10 provided by the licensee's employer or similar insurance  
11 coverage acceptable to the board.

12 (2) An applicant for a license under this section shall  
13 provide proof that the applicant has obtained professional  
14 liability insurance in accordance with paragraph (1). It is  
15 sufficient if the applicant files with the application a copy  
16 of a letter from the applicant's professional liability  
17 insurance carrier indicating that the applicant will be  
18 covered against professional liability in the required  
19 amounts effective upon the issuance of the applicant's  
20 license to practice in this Commonwealth under this section.  
21 Upon issuance of the license, the licensee has 30 days to  
22 submit to the board the certificate of insurance or a copy of  
23 the policy declaration page.

24 Section 4. Section 22(b) introductory paragraph of the act  
25 is amended to read:

26 Section 22. Licenses and certificates; general qualification.

27 \* \* \*

28 (b) Qualifications.--The board shall not issue a license or  
29 certificate to an applicant unless the applicant establishes  
30 with evidence, verified by an affidavit or affirmation of the

1 applicant, that the applicant is of legal age, is of good moral  
2 character and is not addicted to the intemperate use of alcohol  
3 or the habitual use of narcotics or other habit-forming drugs  
4 and that the applicant has completed the educational  
5 requirements prescribed by the board and otherwise satisfies the  
6 qualifications for the license or certificate contained in or  
7 authorized by this act. In assessing the moral character of an  
8 applicant with a criminal conviction, the board shall conduct an  
9 individualized assessment in accordance with 63 Pa.C.S. § 3113  
10 (relating to consideration of criminal convictions). The board  
11 shall not issue a license or certificate to an applicant who has  
12 been convicted of a felony under the act of April 14, 1972  
13 (P.L.233, No.64), known as The Controlled Substance, Drug,  
14 Device and Cosmetic Act, or of an offense under the laws of  
15 another jurisdiction which, if committed in this Commonwealth,  
16 would be a felony under The Controlled Substance, Drug, Device  
17 and Cosmetic Act, unless:

18 \* \* \*

19 Section 5. Section 45 of the act is repealed:

20 [Section 45. Radiologic procedures; education and training  
21 required.]

22 (a) Supervision.--On and after January 1, 1988, no auxiliary  
23 personnel shall perform radiologic procedures on the premises of  
24 a medical doctor unless such person is under the direct  
25 supervision of a medical doctor and unless such person has  
26 passed an examination approved by the board and administered in  
27 accordance with section 812.1 of the act of April 9, 1929  
28 (P.L.177, No.175), known as The Administrative Code of 1929,  
29 provided that no such auxiliary personnel shall perform  
30 radiologic procedures for therapeutic purposes unless the

1 medical doctor under whose direct supervision such auxiliary  
2 personnel is acting is on the premises at the time the  
3 radiologic procedures are performed.

4 (b) Exclusion.--The board shall have the authority, after  
5 notice and hearing, to prohibit an auxiliary personnel from  
6 performing radiologic procedures if the continued performance of  
7 radiologic procedures by the auxiliary personnel is determined  
8 by the board to pose a threat to the health, safety or welfare  
9 of the public.

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

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

26 (e) Definition.--As used in this section, the term  
27 "radiologic procedures" means the use of ionizing radiation for  
28 diagnostic or therapeutic purposes.]

29 Section 6. Repeals are as follows:

30 (1) The General Assembly declares that the repeal under

1 paragraph (2) is necessary to effectuate the addition of  
2 section 13.7 of the act.

3 (2) Section 16.4 of the act of October 5, 1978  
4 (P.L.1109, No.261), known as the Osteopathic Medical Practice  
5 Act, is repealed.

6 Section 7. The State Board of Medicine shall promulgate  
7 final regulations necessary to implement the addition of section  
8 13.7 of the act within 24 months of the effective date of this  
9 section.

10 Section 8. This act shall take effect in 60 days.