

HOUSE BILL 218

J2
HB 634/12 – HGO

3lr1308

By: **Delegate George**
Introduced and read first time: January 21, 2013
Assigned to: Health and Government Operations

Committee Report: Favorable
House action: Adopted
Read second time: February 27, 2013

CHAPTER _____

1 AN ACT concerning

2 **Physician Assistants – Performance of X-Ray Duties**

3 FOR the purpose of providing for the circumstances under which a licensed physician
4 assistant may perform certain X-ray duties; requiring a primary supervising
5 physician to obtain certain approval from the Board of Physicians before a
6 certain physician assistant performs certain X-ray procedures; and generally
7 relating to the performance of X-ray duties by physician assistants.

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 14–306(e) and 15–302(c)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Health Occupations**

16 14–306.

17 (e) **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN [An]**
18 individual may perform X-ray duties without a license only if the duties:

19 (1) Do not include:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) Computerized or noncomputerized tomography;

2 (ii) Fluoroscopy;

3 (iii) Invasive radiology;

4 (iv) Mammography;

5 (v) Nuclear medicine;

6 (vi) Radiation therapy; or

7 (vii) Xerography[.];

8 (2) Are limited to X-ray procedures of the:

9 (i) Chest, anterior-posterior and lateral;

10 (ii) Spine, anterior-posterior and lateral; or

11 (iii) Extremities, anterior-posterior and lateral, not including
12 the head[.]; AND

13 (3) Are performed:

14 (i) By an individual who is not employed primarily to perform
15 X-ray duties;

16 (ii) In the medical office of the physician who delegates the
17 duties; and

18 (iii) 1. By an individual who, before October 1, 2002, has:

19 [1.] A. Taken a course consisting of at least 30 hours of
20 training in performing X-ray procedures approved by the Maryland Radiological
21 Society in consultation with the Maryland Society of Radiologic Technologists; and

22 [2.] B. Successfully passed an examination based on
23 that course that has been approved by the Maryland Radiological Society in
24 consultation with the Maryland Society of Radiologic Technologists; OR

25 2. BY A LICENSED PHYSICIAN ASSISTANT WHO HAS
26 COMPLETED A COURSE THAT INCLUDES ANTERIOR-POSTERIOR AND LATERAL
27 RADIOGRAPHIC STUDIES OF EXTREMITIES ON AT LEAST 20 SEPARATE PATIENTS
28 UNDER THE DIRECT SUPERVISION OF THE DELEGATING PHYSICIAN OR

1 RADIOLOGIST USING A MINI C-ARM OR SIMILAR LOW-LEVEL RADIATION
2 MACHINE TO PERFORM NONFLUOROSCOPIC X-RAY PROCEDURES, IF THE
3 DUTIES:

4 A. INCLUDE ONLY THE X-RAY PROCEDURES
5 DESCRIBED IN PARAGRAPH (2)(III) OF THIS SUBSECTION; AND

6 B. ARE PERFORMED PURSUANT TO A
7 BOARD-APPROVED DELEGATION AGREEMENT THAT INCLUDES A REQUEST TO
8 PERFORM ADVANCED DUTIES UNDER § 15-302(C)(2) OF THIS ARTICLE.

9 15-302.

10 (c) (1) The Board may not require prior approval of a delegation
11 agreement that includes advanced duties, if an advanced duty will be performed in a
12 hospital or ambulatory surgical facility, provided that:

13 (i) A physician, with credentials that have been reviewed by the
14 hospital or ambulatory surgical facility as a condition of employment, as an
15 independent contractor, or as a member of the medical staff, supervises the physician
16 assistant;

17 (ii) The physician assistant has credentials that have been
18 reviewed by the hospital or ambulatory surgical facility as a condition of employment,
19 as an independent contractor, or as a member of the medical staff; and

20 (iii) Each advanced duty to be delegated to the physician
21 assistant is reviewed and approved within a process approved by the governing body of
22 the health care facility before the physician assistant performs the advanced duties.

23 (2) (I) In any setting that does not meet the requirements of
24 paragraph (1) of this subsection, a primary supervising physician shall obtain the
25 Board's approval of a delegation agreement that includes advanced duties, before the
26 physician assistant performs the advanced duties.

27 (II) 1. BEFORE A PHYSICIAN ASSISTANT MAY PERFORM
28 X-RAY DUTIES AUTHORIZED UNDER § 14-306(E) OF THIS ARTICLE IN THE
29 MEDICAL OFFICE OF THE PHYSICIAN DELEGATING THE DUTIES, A PRIMARY
30 SUPERVISING PHYSICIAN SHALL OBTAIN THE BOARD'S APPROVAL OF A
31 DELEGATION AGREEMENT THAT INCLUDES ADVANCED DUTIES IN ACCORDANCE
32 WITH SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH.

33 2. THE ADVANCED DUTIES SET FORTH IN A
34 DELEGATION AGREEMENT UNDER THIS SUBPARAGRAPH SHALL BE LIMITED TO

1 NONFLUOROSCOPIC X-RAY PROCEDURES OF THE EXTREMITIES,
2 ANTERIOR-POSTERIOR AND LATERAL, NOT INCLUDING THE HEAD.

3 (3) Notwithstanding paragraph (1) of this subsection, a primary
4 supervising physician shall obtain the Board's approval of a delegation agreement
5 before the physician assistant may administer, monitor, or maintain general
6 anesthesia or neuroaxial anesthesia, including spinal and epidural techniques, under
7 the agreement.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.