

HB0934/293729/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 934
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Hutchinson**” and substitute “**Delegates Hutchinson, Alston, Bagnall, Bhandari, Cullison, Guzzone, Hill, S. Johnson, Kerr, R. Lewis, Lopez, Martinez, Pena-Melnyk, Rosenberg, Taveras, White Holland, and Woods**”; strike in their entirety lines 2 and 3 and substitute “**State Board of Physicians – Performance of X-Ray Duties Without a License**”; strike beginning with “establishing” in line 4 down through “Committee;” in line 8 and substitute “altering the circumstances under which individuals without a license to practice medicine may perform X-ray duties;”; strike beginning with “limited” in line 8 down through “technologists” in line 9 and substitute “the performance of X-ray duties by individuals without a license”; in line 12, after “Section” insert “14-306(e)”; strike beginning with “14-206(e)(2)(iii)” in line 12 down through “Technology” in line 16; after line 18, insert:

“BY adding to

Article – Health Occupations

Section 14-306(g) and (h)

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)”;

and strike in their entirety lines 19 through 28, inclusive.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“14-306.

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(e) Except as otherwise provided in this section AND IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, an individual may perform X-ray duties without a license only if the duties:

(1) Do not include:

(i) Computerized or noncomputerized tomography;

(ii) Fluoroscopy;

(iii) Invasive radiology;

(iv) Mammography;

(v) Nuclear medicine;

(vi) Radiation therapy; or

(vii) Xerography;

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

(i) Chest[, anterior-posterior and lateral];

(ii) Spine[, anterior-posterior and lateral; or], INCLUDING THE:

1. CERVICAL SPINE;

2. LUMBAR SPINE;

3. SACROILIAC JOINTS;

4. SACRUM AND COCCYX; AND

5. THORACIC SPINE;

(iii) [Extremities, anterior–posterior and lateral, not including the head; and] LOWER EXTREMITIES, INCLUDING:

1. TOES;

2. THE FOOT;

3. THE ANKLE;

4. THE CALCANEUS;

5. THE TIBIA AND FIBULA;

6. THE KNEE AND PATELLA; AND

7. THE FEMUR; AND

(IV) UPPER EXTREMITIES, INCLUDING:

1. FINGERS;

2. THE HAND;

3. THE WRIST;

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4. THE FOREARM;
5. THE ELBOW;
6. THE HUMERUS;
7. THE SHOULDER;
8. THE CLAVICLE;
9. ACROMIOCLAVICULAR JOINTS; AND
10. THE SCAPULA; AND

(3) Are performed:

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

(ii) In the [medical office of the physician who delegates the duties] PHYSICIAN'S OFFICE UNDER THE SUPERVISION OF A LICENSED PHYSICIAN OR RADIOLOGIC TECHNOLOGIST WHO IS ON-SITE OR ABLE TO PROVIDE IMMEDIATELY AVAILABLE DIRECTION; and

[(iii)] (II) 1. By an individual who[, before October 1, 2002,]
has:

A. [Taken a course consisting of at least 30 hours of training in performing X-ray procedures approved by the Maryland Radiological Society

in consultation with the Maryland Society of Radiologic Technologists] ATTESTED TO THE COMPLETION OF AT LEAST 6 MONTHS OF CLINICAL CARE EXPERIENCE; and

B. [Successfully passed an examination based on that course that has been approved by the Maryland Radiological Society in consultation with the Maryland Society of Radiologic Technologists; or] COMPLETED A LIMITED SCOPE X-RAY EDUCATIONAL PROGRAM CONSISTING OF AT LEAST 115 HOURS OF DIDACTIC TRAINING DELIVERED BY A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS PROVIDING INSTRUCTION IN RADIOGRAPHIC ANATOMY, PROCEDURES, AND PATHOLOGY, DIGITAL IMAGE ACQUISITION AND DISPLAY, FUNDAMENTALS, ETHICS, AND LAWS OF HEALTH CARE, HUMAN ANATOMY AND PHYSIOLOGY, IMAGE PRODUCTION AND ANALYSIS, IMAGING EQUIPMENT AND RADIATION PRODUCTION, MEDICAL TERMINOLOGY, AND PATIENT CARE;

C. COMPLETED AT LEAST 480 HOURS OF CLINICAL TRAINING AND SUCCESSFULLY COMPLETED A MINIMUM OF FIVE COMPETENCIES IN EACH BODY PART LISTED IN ITEM (2) OF THIS SUBSECTION UNDER THE DIRECT SUPERVISION OF A RADIOLOGIC TECHNOLOGIST CERTIFIED BY THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS;

D. ACHIEVED A PASSING SCORE, AS DETERMINED BY THE BOARD, ON THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS EXAMINATION FOR LIMITED SCOPE OF PRACTICE IN RADIOGRAPHY OR AN ALTERNATIVE EXAMINATION APPROVED BY THE BOARD; AND

E. REGISTERED WITH THE BOARD ATTESTING TO THE COMPLETION OF THE REQUIREMENTS OF THIS ITEM AND THE COMPLETION OF AT LEAST 24 HOURS OF APPROVED CONTINUING EDUCATION CREDITS

EARNED DURING THE 2-YEAR PERIOD IMMEDIATELY FOLLOWING THE DATE OF INITIAL REGISTRATION AND EVERY 2 YEARS THEREAFTER; OR

2. By a licensed physician assistant who has completed a course that includes anterior-posterior and lateral radiographic studies of extremities on at least 20 separate patients under the direct supervision of the delegating physician or radiologist using a mini C-arm or similar low-level radiation machine to perform nonfluoroscopic X-ray procedures, if the duties:

A. Include only the X-ray procedures described in paragraph (2)(iii) of this subsection; and

B. Are performed pursuant to a Board-approved delegation agreement that includes a request to perform advanced duties under § 15-302(c)(2) of this article.

(G) IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, A PHYSICIAN'S OFFICE THAT EMPLOYS AN INDIVIDUAL AUTHORIZED TO PERFORM X-RAY DUTIES WITHOUT A LICENSE UNDER SUBSECTION (E) OF THIS SECTION IS RESPONSIBLE FOR ENSURING THAT ALL REQUIREMENTS OF SUBSECTION (E) OF THIS SECTION ARE MET FOR EACH X-RAY EXAMINATION PERFORMED.

(H) IF AN UNLICENSED INDIVIDUAL PERFORMS X-RAY DUTIES WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (E) OF THIS SECTION, THE BOARD MAY IMPOSE A CIVIL PENALTY OF UP TO:

(1) \$5,000 FOR EACH VIOLATION ON THE PHYSICIAN'S OFFICE WHERE THE VIOLATION OCCURRED; AND

(2) \$1,000 FOR EACH VIOLATION ON THE INDIVIDUAL WHO COMMITTED THE VIOLATION."

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On pages 2 through 17, strike in their entirety the lines beginning with line 4 on page 2 through line 12 on page 17, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2029, the State Board of Physicians shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on:

(1) the number of individuals who have registered with the Board to perform limited X-ray duties under § 14-306(e) of the Health Occupations Article, as enacted by Section 1 of this Act; and

(2) its recommendations regarding the continuation of the registration process or the replacement of the registration process with a limited licensure category.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to prohibit the establishment of a program that provides the training described in § 14-306(e)(3)(ii) of the Health – General Article, as enacted by Section 1 of this Act, before the effective date of this Act.”;

in line 13, strike “2.” and substitute “4.”; in line 14, strike “October” and substitute “January”; and in the same line, strike “2024” and substitute “2025. It shall remain effective for a period of 5 years and, at the end of December 31, 2030, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect”.