

AMENDED IN ASSEMBLY MAY 24, 2002

AMENDED IN ASSEMBLY APRIL 4, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2753

Introduced by Assembly Member Aanestad

February 25, 2002

An act to amend Section 114870 of the Health and Safety Code, relating to health care.

LEGISLATIVE COUNSEL'S DIGEST

AB 2753, as amended, Aanestad. Health care: bone densitometers.

Existing law provides for the regulation of various entities by the State Department of Health Services to protect persons from excessive and improper exposure to ionizing radiation in radiologic technology, and establishes standards of education, training, and experience for persons who use X-rays on any person.

This bill would provide for certification, by the department, of a physician and surgeon to *operate and* supervise the operation of an X-ray bone densitometer, ~~or to operate a bone densitometer as specified~~, if the physician and surgeon provides the department a certificate by a manufacturer of a densitometer machine; or by a radiologic technology school; that evidences the ~~licentiate's~~ *completion of training by the physician and surgeon* in the use of the bone densitometer. *This bill would require the department to charge a fee for these certificates in an amount sufficient to cover the department's costs of implementing the provisions of this bill.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114870 of the Health and Safety Code
2 is amended to read:
3 114870. The department shall:
4 (a) Upon recommendation of the committee, adopt regulations
5 as may be necessary to accomplish the purposes of this chapter.
6 (b) Provide for certification of radiologic technologists,
7 without limitation as to procedures or areas of application, except
8 as provided in Section 106980. Separate certificates shall be
9 provided for diagnostic radiologic technology, for mammographic
10 radiologic technology, and for therapeutic radiologic technology.
11 If a person has received accreditation to perform mammography
12 from a private accreditation organization, the department shall
13 consider this accreditation when deciding to issue a
14 mammographic radiologic technology certificate.
15 (c) Provide, as may be deemed appropriate, for granting
16 limited permits to persons to conduct radiologic technology
17 limited to the performance of certain procedures or the application
18 of ~~X-ray~~ X-rays to specific areas of the human body, except for
19 mammography, prescribe minimum standards of training and
20 experience for these persons, and prescribe procedures for
21 examining applicants for limited permits. The minimum standards
22 shall include a requirement that persons granted limited permits
23 under this subdivision shall meet those fundamental requirements
24 in basic radiological health training and knowledge similar to
25 those required for persons certified under subdivision (b) as the
26 department determines are reasonably necessary for the protection
27 of the health and safety of the public.
28 (d) Provide for the approval of schools for radiologic
29 technologists.
30 (e) Provide, upon recommendation of the committee, for
31 certification of licentiates of the healing arts to supervise the
32 operation of X-ray machines or to operate X-ray machines, or
33 both, prescribe minimum standards of training and experience for
34 these licentiates of the healing arts, and prescribe procedures for
35 examining applicants for certification. This certification may limit



1 the use of X-rays to certain X-ray procedures and the application
2 of X-rays to specific areas of the human body.

3 (f) (1) Provide for certification of any physician and surgeon
4 ~~to supervise the operation of a bone densitometer, or to operate a~~
5 *to operate, and supervise the operation of,* a bone densitometer, if
6 that physician and surgeon provides a certificate that evidences
7 training in the use of a bone densitometer by a representative of a
8 bone densitometer machine manufacturer, or through any
9 radiologic technology school. *The certification shall be valid only*
10 *for the particular bone densitometer the physician and surgeon*
11 *was trained to use.* The activity covered by the certificate shall be
12 limited to the use of an X-ray bone densitometer to which all of the
13 following is applicable:

14 (A) The bone densitometer does not require user intervention
15 for calibration.

16 (B) The bone densitometer does not provide an image for
17 diagnosis.

18 (C) The bone densitometer is used only to estimate bone
19 density of the heel, wrist, or finger of the patient.

20 (2) The certificate shall be accompanied by a copy of the
21 curriculum covered by the manufacturer's representative or
22 radiologic technology school. The curriculum shall include, at a
23 minimum, instruction in all of the following areas:

24 (A) Procedures for operation of the bone densitometer machine
25 if the machine is to be operated by the physician and surgeon, or
26 if the operation of the machine is to be supervised by the physician
27 and surgeon.

28 (B) Proper radiation protection of the operator, the patient, and
29 third parties in proximity to the machine.

30 (C) Applicable state radiation control regulations.

31 (3) (A) Notwithstanding any other provision of law, this
32 subdivision shall constitute all the requirements that must be met
33 by a physician and surgeon in order to operate, ~~or~~ *and* supervise
34 the operation of, a bone densitometer.

35 (B) No person may be supervised by a physician and surgeon
36 in the use of a bone densitometer unless that person possesses the
37 necessary license or permit required by the department.

38 (C) Nothing in this subdivision shall affect the requirements
39 imposed by the committee or the department for the registration



1 of a bone densitometer machine, or the inspection of facilities in
2 which any bone densitometer machine is operated.

3 *(D) This subdivision shall not apply to a licentiate of the*
4 *healing arts who is certified pursuant to subdivision (e) to operate,*
5 *and supervise the operation of, X-ray machines.*

6 *(E) The department shall charge a fee for a certificate issued*
7 *pursuant to this subdivision. The fee shall be in an amount*
8 *sufficient to cover the department's costs of implementing this*
9 *subdivision. The fees collected pursuant to this subparagraph*
10 *shall be deposited into the Radiation Control Fund established*
11 *pursuant to Section 114980.*

12 (g) Upon recommendation of the committee, exempt from
13 certification requirements licentiates of the healing arts who have
14 successfully completed formal courses in schools certified by the
15 department and who have successfully passed a roentgenology
16 technology and radiation protection examination approved by the
17 department and administered by the board that issued his or her
18 license.

