

AMENDED IN ASSEMBLY APRIL 21, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 356**

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**Introduced by Assembly Member Fletcher**

February 19, 2009

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An act to amend Section 114850 of the Health and Safety Code, relating to radiologic technology.

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as amended, Fletcher. Radiologic technology: licentiates of the healing arts.

Existing law sets forth the duties of various agencies relating to the protection of the public health and safety from the harmful effects of radiation, including, among others, the duties of the State Department of Public Health regarding the licensing and regulation of radiologic technology.

Existing law requires the department to provide for the certification of licentiates of the healing arts to supervise the operation of X-ray machines or to operate X-ray machines, or both, to prescribe minimum standards of training and experience for these licentiates of the healing arts, and to prescribe procedures for examining applicants for certification. Under existing law, licentiates of the healing arts is defined to include any person licensed under the Medical Practice Act, the Osteopathic Act, or a specified initiative act that created the State Board of Chiropractic Examiners, as provided.

Existing law, the Physician Assistant Practice Act, separately establishes the Physician Assistant Committee of the Medical Board of

California, and provides for the licensure of physician assistants meeting specified criteria and for the regulation of their practice. Under that act, a physician assistant is authorized to perform certain medical services under the supervision of a physician and surgeon, subject to certain exceptions.

This bill would revise the definition of licentiates of the healing arts to also include a physician assistant who is licensed pursuant to the Physician Assistant Practice Act and who practices under the supervision of a qualified physician and surgeon, as provided. *The bill would require a physician assistant who is issued a licentiate permit to meet specified continuing education requirements.* The bill would also require the supervising physician and surgeon to have, or be exempt from having, a certificate or permit to perform the functions that he or she is supervising, as provided.

This bill would also allow a physician and surgeon to delegate to a licensed physician assistant procedures using ionizing radiation, including, but not limited to, ~~fluoroscopy~~ *fluoroscopy*. The bill would commencing January 1, 2011, specify training requirements that must be met in order for a physician assistant to be delegated this task as of January 1, 2011.

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 114850 of the Health and Safety Code
- 2 is amended to read:
- 3 114850. As used in this chapter:
- 4 (a) "Department" means the State Department of Public Health.
- 5 (b) "Committee" means the Radiologic Technology
- 6 Certification Committee.
- 7 (c) "Radiologic technology" means the application of X-rays
- 8 on human beings for diagnostic or therapeutic purposes.
- 9 (d) "Radiologic technologist" means any person, other than a
- 10 licentiate of the healing arts, making application of X-rays to
- 11 human beings for diagnostic or therapeutic purposes pursuant to
- 12 subdivision (b) of Section 114870.
- 13 (e) "Limited permit" means a permit issued pursuant to
- 14 subdivision (c) of Section 114870 to persons to conduct radiologic
- 15 technology limited to the performance of certain procedures or the

1 application of X-ray to specific areas of the human body, except  
2 for a mammogram.

3 (f) “Approved school for radiologic technologists” means a  
4 school that the department has determined provides a course of  
5 instruction in radiologic technology that is adequate to meet the  
6 purposes of this chapter.

7 (g) “Supervision” means responsibility for, and control of,  
8 quality, radiation safety, and technical aspects of all X-ray  
9 examinations and procedures.

10 (h) (1) “Licentiate of the healing arts” means a person licensed  
11 under the provisions of the Medical Practice Act, the provisions  
12 of the initiative act entitled “An act prescribing the terms upon  
13 which licenses may be issued to practitioners of chiropractic,  
14 creating the State Board of Chiropractic Examiners and declaring  
15 its powers and duties, prescribing penalties for violation thereof,  
16 and repealing all acts and parts of acts inconsistent herewith,”  
17 approved by electors November 7, 1922, as amended, the  
18 “Osteopathic Act,” or a person licensed under the Physician  
19 Assistant Practice Act (Chapter 7.7 (commencing with Section  
20 3500) of Division 2 of the Business and Professions Code) who  
21 practices under the supervision of a qualified physician and surgeon  
22 pursuant to the act and pursuant to Division 13.8 of Title 16 of the  
23 California Code of Regulations.

24 (2) In order to supervise a physician assistant in performing the  
25 functions authorized by this chapter, a physician and surgeon shall  
26 either hold, or be exempt from holding, a certificate or permit  
27 required to perform the functions being supervised.

28 (3) A physician and surgeon may delegate to a licensed  
29 physician assistant procedures using ionizing radiation, including,  
30 but not limited to, ~~fluoroscopy~~ *fluoroscopy*. As of January 1, 2011,  
31 a physician assistant delegated the use of ionizing radiation shall  
32 demonstrate successful completion of 40 hours of total coursework,  
33 including radiation safety and protection, ~~provided by an~~  
34 ~~organization or program accredited by the Accreditation Council~~  
35 ~~for Continuing Medical Education (ACCME) or by the American~~  
36 ~~Academy of Physician Assistants using ACCME standards.~~  
37 ~~Documentation of recognized by the department. Documentation~~  
38 ~~of completed coursework shall be kept on file at the practice site~~  
39 ~~and available to the department upon request. Notwithstanding~~  
40 any other provision of law, the department shall accept applications

1 for a licentiate permit from a licensed physician assistant who  
2 meets the requirements of this section.

3 *(4) A licensed physician assistant who is issued a licentiate*  
4 *permit pursuant to the requirements of this section shall, in the*  
5 *two years preceding the expiration date of the permit, earn 10*  
6 *approved continuing education credits.*

7 (i) “Certified supervisor or operator” means a licentiate of the  
8 healing arts who has been certified under subdivision (e) of Section  
9 114870 or 107115 to supervise the operation of X-ray machines  
10 or to operate X-ray machines, or both.

11 (j) “Student of radiologic technology” means a person who has  
12 started and is in good standing in a course of instruction that, if  
13 completed, would permit the person to be certified a radiologic  
14 technologist or granted a limited permit upon satisfactory  
15 completion of any examination required by the department.  
16 “Student of radiologic technology” does not include any person  
17 who is a student in a school of medicine, chiropractic, podiatry,  
18 dentistry, dental radiography, or dental hygiene.

19 (k) “Mammogram” means an X-ray image of the human breast.

20 (l) “Mammography” means the procedure for creating a  
21 mammogram.