

AMENDED IN SENATE APRIL 28, 2010

**SENATE BILL**

**No. 1237**

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**Introduced by Senator Padilla**  
*(Coauthor: Senator Alquist)*

February 19, 2010

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An act to add Section 115111 to the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1237, as amended, Padilla. Radiation control: health facilities and clinics: records.

Under existing law, the State Department of Public Health licenses and regulates health facilities and clinics, as defined.

Under existing law, the Radiation Control Law, the department licenses and regulates persons that use devices or equipment utilizing radioactive materials. Under existing law the department may also require registration and inspection of sources of ionizing radiation, as defined. Violation of these provisions is a crime.

This bill would, *commencing January 1, 2012*, require health facilities and clinics, as specified, that use ~~ionizing radiation~~ *computed tomography* for diagnostic purposes to record the dose of radiation used during the administration of the radiation on the radiology ~~film~~. *Because image, if technologically feasible, and to record the dose of radiation in the patient's medical record. This bill would not require small and rural hospitals, as defined, or hospitals and clinics that are located in an area that is designated as a medically underserved area pursuant to federal law, to comply with these requirements until January 1, 2013.*

*This bill would, commencing January 1, 2012, require physicians or other practitioners, facilities, or other entities, that furnish diagnostic*

*magnetic resonance imaging, computed tomography, and nuclear medicine services to be accredited by an organization that is approved by the federal Centers for Medicare and Medicaid Services.*

*Because this bill expands the definition of a crime, it would impose a state-mandated local program.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 115111 is added to the Health and Safety  
2 Code, to read:  
3 115111. ~~Health facilities~~*(a) Except as provided in subdivisions*  
4 *(b) and (c), commencing January 1, 2012, general acute care*  
5 *hospitals, acute psychiatric hospitals, and special hospitals*  
6 *licensed pursuant to Article 1 (commencing with Section 1250)*  
7 *of Chapter 2 of Division 2, clinics licensed pursuant to Article 1*  
8 *(commencing with Section 1200) of Chapter 1 of Division 2, and*  
9 *clinics exempt from licensure pursuant to Section 1206 that use*  
10 ~~ionizing radiation~~ *computed tomography for diagnostic purposes*  
11 *shall record the dose of radiation used during the administration*  
12 *of the radiation on the radiology ~~film~~ image and in the patient's*  
13 *medical record.*  
14 *(b) The requirement specified in subdivision (a) shall be limited*  
15 *to computed tomography machines for which it is technologically*  
16 *feasible to record the dose of radiation directly or through the use*  
17 *of added software or features.*  
18 *(c) Small and rural hospitals, as defined in Section 124840, and*  
19 *health facilities and clinics specified in subdivision (a) that are*  
20 *located in an area that is designated as a medically underserved*  
21 *area pursuant to federal law, shall not be required to comply with*  
22 *the requirements of subdivision (a) until January 1, 2013.*  
23 *(d) Commencing January 1, 2012, physicians or other*  
24 *practitioners, facilities, or other entities that furnish diagnostic*  
25 *magnetic resonance imaging, computed tomography, and nuclear*

1 *medicine services, including positron emission tomography, shall*  
2 *be accredited by an organization that is approved by the federal*  
3 *Centers for Medicare and Medicaid Services.*

4 SEC. 2. No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 the only costs that may be incurred by a local agency or school  
7 district will be incurred because this act creates a new crime or  
8 infraction, eliminates a crime or infraction, or changes the penalty  
9 for a crime or infraction, within the meaning of Section 17556 of  
10 the Government Code, or changes the definition of a crime within  
11 the meaning of Section 6 of Article XIII B of the California  
12 Constitution.

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