

Chapter 359

(House Bill 218)

AN ACT concerning

Physician Assistants – Performance of X-Ray Duties

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

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

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

Article – Health Occupations

14–306.

(e) **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN [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
 - (iii) Extremities, anterior-posterior and lateral, not including the head[.]; 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; and
 - (iii) 1. By an individual who, before October 1, 2002, has:

[1.] 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; and

[2.] 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

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.

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

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

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

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

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

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

2. THE ADVANCED DUTIES SET FORTH IN A DELEGATION AGREEMENT UNDER THIS SUBPARAGRAPH SHALL BE LIMITED TO NONFLUOROSCOPIC X-RAY PROCEDURES OF THE EXTREMITIES, ANTERIOR-POSTERIOR AND LATERAL, NOT INCLUDING THE HEAD.

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

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

Approved by the Governor, May 2, 2013.