

HOUSE BILL 218

J2
HB 634/12 – HGO

3lr1308

By: **Delegate George**
Introduced and read first time: January 21, 2013
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Physician Assistants – Performance of X-Ray Duties**

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

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 14–306(e) and 15–302(c)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

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

15 **Article – Health Occupations**

16 14–306.

17 (e) **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN [An]**
18 individual may perform X-ray duties without a license only if the duties:

19 (1) Do not include:

20 (i) Computerized or noncomputerized tomography;

21 (ii) Fluoroscopy;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (iii) Invasive radiology;

2 (iv) Mammography;

3 (v) Nuclear medicine;

4 (vi) Radiation therapy; or

5 (vii) Xerography[.];

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

7 (i) Chest, anterior-posterior and lateral;

8 (ii) Spine, anterior-posterior and lateral; or

9 (iii) Extremities, anterior-posterior and lateral, not including
10 the head[.]; AND

11 (3) Are performed:

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

14 (ii) In the medical office of the physician who delegates the
15 duties; and

16 (iii) 1. By an individual who, before October 1, 2002, has:

17 [1.] A. Taken a course consisting of at least 30 hours of
18 training in performing X-ray procedures approved by the Maryland Radiological
19 Society in consultation with the Maryland Society of Radiologic Technologists; and

20 [2.] B. Successfully passed an examination based on
21 that course that has been approved by the Maryland Radiological Society in
22 consultation with the Maryland Society of Radiologic Technologists; OR

23 2. BY A LICENSED PHYSICIAN ASSISTANT WHO HAS
24 COMPLETED A COURSE THAT INCLUDES ANTERIOR-POSTERIOR AND LATERAL
25 RADIOGRAPHIC STUDIES OF EXTREMITIES ON AT LEAST 20 SEPARATE PATIENTS
26 UNDER THE DIRECT SUPERVISION OF THE DELEGATING PHYSICIAN OR
27 RADIOLOGIST USING A MINI C-ARM OR SIMILAR LOW-LEVEL RADIATION
28 MACHINE TO PERFORM NONFLUOROSCOPIC X-RAY PROCEDURES, IF THE
29 DUTIES:

1 **A. INCLUDE ONLY THE X-RAY PROCEDURES**
2 **DESCRIBED IN PARAGRAPH (2)(III) OF THIS SUBSECTION; AND**

3 **B. ARE PERFORMED PURSUANT TO A**
4 **BOARD-APPROVED DELEGATION AGREEMENT THAT INCLUDES A REQUEST TO**
5 **PERFORM ADVANCED DUTIES UNDER § 15-302(C)(2) OF THIS ARTICLE.**

6 15-302.

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

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

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

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

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

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

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

34 (3) Notwithstanding paragraph (1) of this subsection, a primary
35 supervising physician shall obtain the Board's approval of a delegation agreement
36 before the physician assistant may administer, monitor, or maintain general

1 anesthesia or neuroaxial anesthesia, including spinal and epidural techniques, under
2 the agreement.

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