

A bill for an act

relating to health; authorizing the use of certain handheld portable x-ray systems in facilities; proposing coding for new law in Minnesota Statutes, chapter 144.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [144.1215] AUTHORIZATION TO USE CERTAIN HANDHELD PORTABLE X-RAY SYSTEMS.

Subdivision 1. Definition; handheld portable x-ray system. For purposes of this section, "handheld portable x-ray system" means an x-ray system that is designed to be hand-carried and is for handheld use without a fixed mounting or stand.

Subd. 2. Use authorized. (a) A facility may use a handheld portable x-ray system if the system:

(1) has been approved for use by the United States Food and Drug Administration and is being used at the facility in a manner consistent with that approval;

(2) has at least five years of use history recognized by the Food and Drug Administration; and

(3) utilizes a backscatter shield that:

(i) is composed of a leaded polymer or a substance with a substantially equivalent protective capacity;

(ii) has at least 0.25 millimeters of lead or lead-shielding equivalent; and

(iii) is permanently affixed to the handheld portable x-ray system.

(b) A facility is prohibited from using a handheld portable x-ray system if the system's backscatter shield is broken or not permanently affixed to the system.

2.1 (c) The commissioner shall not limit the use of a handheld portable x-ray system  
2.2 solely to situations in which it is impractical to transfer the patient to a stationary x-ray  
2.3 system.

2.4 (d) Notwithstanding Minnesota Rules, part 4732.0880, subpart 2, item C, the tube  
2.5 housing and the position-indicating device of a handheld portable x-ray system may  
2.6 be handheld during an exposure.

2.7 Subd. 3. **Training required; training records.** A facility at which a handheld  
2.8 portable x-ray system is used must ensure that all operators of the handheld portable  
2.9 x-ray system at the facility are trained in the safe and effective use of the system. An  
2.10 operator of a handheld portable x-ray system must complete training in the use of the  
2.11 system before using the system for the first time. The facility must maintain records of  
2.12 the training required under this subdivision, and training records must be available to the  
2.13 commissioner for review.

2.14 Subd. 4. **Exemptions from certain shielding requirements.** A facility that uses a  
2.15 handheld portable x-ray system according to this section is exempt from the following  
2.16 requirements for the system:

2.17 (1) shielding requirements in Minnesota Rules, part 4732.0365, item B;

2.18 (2) requirements for the location of the x-ray control console or utilization of a  
2.19 protective barrier in Minnesota Rules, part 4732.0800, subpart 2, item B, subitems (2)  
2.20 and (3); and

2.21 (3) a requirement for visual indication from an operator's protected position at an  
2.22 x-ray control in Minnesota Rules, part 4732.0800, subpart 2, item C.