



General Assembly

**Amendment**

January Session, 2001

LCO No. 6322

Offered by:  
SEN. HARP, 10<sup>th</sup> Dist.

To: Subst. Senate Bill No. 1024      File No. 441      Cal. No. 327

**"AN ACT CONCERNING ACCREDITATION FOR MAGNETIC  
RESONANCE IMAGING EQUIPMENT, SERVICES AND  
PERSONNEL."**

1      Strike out everything after the enacting clause and substitute the  
2      following in lieu thereof:

3      "Section 1. (NEW) (a) Any licensed health care practitioner or  
4      practitioner group operating or replacing any magnetic resonance  
5      imaging equipment or providing any magnetic resonance imaging  
6      service shall obtain magnetic resonance imaging accreditation by the  
7      American College of Radiology, or its successor organization, for all  
8      equipment, services and personnel involved with such magnetic  
9      resonance imaging activities of such practitioner or practitioner group.  
10     Such accreditation shall be obtained not later than eighteen months  
11     after the effective date of this act or eighteen months after the date on  
12     which such magnetic resonance imaging activities are first conducted,  
13     whichever is later. Upon the expiration of the applicable eighteen-  
14     month period, no magnetic resonance imaging equipment may be  
15     operated or replaced and no magnetic resonance imaging service may

16 be provided by any such practitioner or practitioner group that does  
17 not receive accreditation as required by this section. Evidence of such  
18 accreditation shall be maintained at any facility at which magnetic  
19 resonance imaging equipment is operated or replaced or at which  
20 magnetic resonance imaging service is provided and shall be made  
21 available for inspection upon request of the Department of Public  
22 Health.

23 (b) Notwithstanding the provisions of subsection (a) of this section,  
24 any licensed health care practitioner or practitioner group that is  
25 accredited as provided in subsection (a) of this section shall continue to  
26 be subject to the obligations and requirements applicable to services  
27 provided and the acquisition of equipment by such practitioner or  
28 practitioner group, including, but not limited to, any applicable  
29 certificate of need requirements as provided in chapter 368z of the  
30 general statutes and any applicable licensure requirements as provided  
31 in chapter 368v of the general statutes.

32 Sec. 2. (NEW) (a) Any office or unlicensed facility operated by a  
33 licensed health care practitioner or practitioner group at which  
34 moderate sedation/analgesia, deep sedation/analgesia or general  
35 anesthesia, as such levels of anesthesia are defined from time to time  
36 by the American Society of Anesthesiology, is administered shall be  
37 accredited by at least one of the following entities: (1) The Medicare  
38 program; (2) the Accreditation Association for Ambulatory Health  
39 Care; (3) the American Association for Accreditation of Ambulatory  
40 Surgery Facilities, Inc.; or (4) the Joint Commission on Accreditation of  
41 Healthcare Organizations. Such accreditation shall be obtained not  
42 later than eighteen months after the effective date of this act or  
43 eighteen months after the date on which moderate sedation/analgesia,  
44 deep sedation/analgesia or general anesthesia is first administered at  
45 such office or facility, whichever is later. Upon the expiration of the  
46 applicable eighteen-month period, no moderate sedation/analgesia,  
47 deep sedation/analgesia or general anesthesia may be administered at  
48 any such office or facility that does not receive accreditation as  
49 required by this section. Evidence of such accreditation shall be

50 maintained at any such office or facility at which moderate  
51 sedation/analgesia, deep sedation/analgesia or general anesthesia is  
52 administered and shall be made available for inspection upon request  
53 of the Department of Public Health. The provisions of this section shall  
54 not apply to any such office or facility operated by a practitioner  
55 holding a permit issued under section 20-123b of the general statutes.

56 (b) Notwithstanding the provisions of subsection (a) of this section,  
57 any office or unlicensed facility that is accredited as provided in  
58 subsection (a) of this section shall continue to be subject to the  
59 obligations and requirements applicable to such office or facility,  
60 including, but not limited to, any applicable certificate of need  
61 requirements as provided in chapter 368z of the general statutes and  
62 any applicable licensure requirements as provided in chapter 368v of  
63 the general statutes.

64 Sec. 3. Section 20-13c of the general statutes is repealed and the  
65 following is substituted in lieu thereof:

66 The board is authorized to restrict, suspend or revoke the license or  
67 limit the right to practice of a physician or take any other action in  
68 accordance with section 19a-17, for any of the following reasons: (1)  
69 Physical illness or loss of motor skill, including, but not limited to,  
70 deterioration through the aging process; (2) emotional disorder or  
71 mental illness; (3) abuse or excessive use of drugs, including alcohol,  
72 narcotics or chemicals; (4) illegal, incompetent or negligent conduct in  
73 the practice of medicine; (5) possession, use, prescription for use, or  
74 distribution of controlled substances or legend drugs, except for  
75 therapeutic or other medically proper purposes; (6) misrepresentation  
76 or concealment of a material fact in the obtaining or reinstatement of a  
77 license to practice medicine; (7) failure to adequately supervise a  
78 physician assistant; (8) failure to fulfill any obligation resulting from  
79 participation in the National Health Service Corps; (9) failure to  
80 maintain professional liability insurance or other indemnity against  
81 liability for professional malpractice as provided in subsection (a) of  
82 section 20-11b; (10) failure to provide information requested by the

83 department for purposes of completing a health care provider profile,  
84 as required by section 20-13j; (11) engaging in any activity for which  
85 accreditation is required under section 1 or 2 of this act without the  
86 appropriate accreditation required by section 1 or 2 of this act; (12)  
87 failure to provide evidence of accreditation required under section 1 or  
88 2 of this act as requested by the department pursuant to section 1 or 2  
89 of this act; or [(11)] (13) violation of any provision of this chapter or  
90 any regulation established hereunder. In each case, the board shall  
91 consider whether the physician poses a threat, in the practice of  
92 medicine, to the health and safety of any person. If the board finds that  
93 the physician poses such a threat, the board shall include such finding  
94 in its final decision and act to suspend or revoke the license of said  
95 physician.

96 Sec. 4. This act shall take effect July 1, 2001."