

**File Number:** H.F. 2304

**Date:** March 15, 2017

**Version:** First engrossment

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**Subject:** Authorization to use certain handheld dental x-ray equipment

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### Overview

Minnesota Rules, chapter 4732 governs the use of ionizing radiation in order to protect health and safety. Parts 4732.0305 and 4732.0306 prohibit the use of handheld diagnostic imaging devices and handheld therapy units. Other rules prohibit specific portions of radiographic systems from being hand-held during use. This bill allows the use of handheld dental x-ray equipment that has been approved by the Food and Drug Administration and utilizes a backscatter shield that meets the requirements of this section.

#### Section

**1 Authorization to use certain handheld dental x-ray equipment.** Adds § 144.1215. Allows the use of handheld dental x-ray equipment that meet the requirements of this section.

**Subd. 1. Definition; handheld dental x-ray equipment.** Defines handheld dental x-ray equipment.

**Subd. 2. Use authorized.** Allows a facility to use handheld dental x-ray equipment if the equipment has been approved for human use by the FDA and is being used consistent with that approval and uses a backscatter shield that meets the listed requirements. Prohibits use of the equipment if its backscatter shield is broken or not permanently affixed to the system. Prohibits limiting the use of handheld equipment to situations when it is impractical to transfer a patient to a stationary system. Allows the system's tube housing and position-indicating device to be handheld during exposure. Requires the equipment to be securely stored when not in use and establishes calibration requirements.

**Section**

**Subd. 3. Exemptions from certain shielding requirements.** Exempts handheld equipment from the following requirements in Minnesota Rules: shielding requirements and requirements for the location of the x-ray console or use of a protective barrier.

**Subd. 4. Compliance with rules.** Requires handheld dental x-ray equipment to otherwise comply with Minnesota Rules, chapter 4732, which governs sources of ionizing radiation.

- 2 Remedies available.** Amends § 144.99, subd. 1. Allows the Minnesota Department of Health to enforce section 144.1215 using the tools of the Health Enforcement Consolidation Act (HECA; sections 144.99 to 144.993; these sections include provisions on correction orders, administrative penalty orders, injunctive relief, cease and desist orders, actions related to licenses, contested case hearings, and penalty amounts).