



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1361

H.P. 1000

House of Representatives, March 30, 2011

### **Resolve, To Ensure Patient Safety in the Use of Certain Imaging Equipment**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative TREAT of Hallowell.  
Cosponsored by Representatives: BERRY of Bowdoinham, BOLAND of Sanford, GRAHAM  
of North Yarmouth, HINCK of Portland, LOVEJOY of Portland, TUTTLE of Sanford,  
Senator: GOODALL of Sagadahoc.

1 **Sec. 1. Review of use of cone beam computed tomography scanners.**  
2 **Resolved:** That the Advisory Committee on Radiation, as created in the Maine Revised  
3 Statutes, Title 22, section 675-A, and the Board of Dental Examiners, as established in  
4 Title 5, section 12004-A, subsection 10, referred to in this resolve as "the committee and  
5 the board," shall jointly review the licensing, required operator training and continuing  
6 education requirements and state oversight of cone beam computed tomography scanners,  
7 as used in dental offices. This review must include an assessment of whether current  
8 rules and practices relating to these scanners are sufficient to protect the public, including  
9 both child and adult patients. This review must consider the cumulative risk posed to a  
10 person from all sources of radiation to which that person is exposed over the course of  
11 that person's lifetime; and be it further

12 **Sec. 2. Demographic information. Resolved:** That the Department of Health  
13 and Human Services, Maine Center for Disease Control and Prevention, Division of  
14 Environmental Health, Radiation Control Program shall collect from all dentists who  
15 register a cone beam computed tomography scanner with the program demographic  
16 information to be determined by the program for each patient under the age of 16 who  
17 receives a cone beam computed tomography scan from October 1, 2011 to January 1,  
18 2012. This demographic information must include the diagnosis attained from the cone  
19 beam computed tomography scan. The program shall report this demographic  
20 information to the committee and the board. The committee and the board shall consider  
21 this demographic information as part of their review; and be it further

22 **Sec. 3. Participation invited. Resolved:** That in conducting their review, the  
23 committee and the board shall invite the participation of providers of dental services,  
24 dental patients, consumer representatives and experts in environmental health; and be it  
25 further

26 **Sec. 4. Recommendations. Resolved:** That the committee and the board shall  
27 develop recommendations regarding proposed rules and other guidance to improve the  
28 licensing and operation of cone beam computed tomography scanners and appropriate  
29 training and continuing education requirements for operators of these scanners; and be it  
30 further

31 **Sec. 5. Report. Resolved:** That the committee and the board shall report their  
32 findings, including any recommended legislation, to the Joint Standing Committee on  
33 Health and Human Services and the Joint Standing Committee on Labor, Commerce,  
34 Research and Economic Development no later than February 1, 2012. The Joint Standing  
35 Committee on Health and Human Services or the Joint Standing Committee on Labor,  
36 Commerce, Research and Economic Development may submit a bill to the Second  
37 Regular Session of the 125th Legislature on the subject matter of the report of the  
38 committee and the board.

39 **SUMMARY**

40 This resolve requires the Advisory Committee on Radiation and the Board of Dental  
41 Examiners to review the licensing, required operator training and continuing education

1 requirements and state oversight of cone beam computed tomography scanners, as used in  
2 dental offices. This review must include an assessment of whether current rules and  
3 practices relating to these scanners are sufficient to protect the public, including both  
4 child and adult patients. This resolve requires the Department of Health and Human  
5 Services, Maine Center for Disease Control and Prevention, Division of Environmental  
6 Health, Radiation Control Program to collect demographic information from dentists  
7 about minor patients who receive a scan from October 1, 2011 to January 1, 2012 and  
8 report this information to the committee and the board. The committee and the board  
9 shall report their findings, including any recommended legislation, to the Joint Standing  
10 Committee on Health and Human Services and the Joint Standing Committee on Labor,  
11 Commerce, Research and Economic Development no later than February 1, 2012. The  
12 Joint Standing Committee on Health and Human Services or the Joint Standing  
13 Committee on Labor, Commerce, Research and Economic Development may submit a  
14 bill to the Second Regular Session of the 125th Legislature on the subject matter of the  
15 report of the committee and the board.