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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Harrell) recommended the following:

Senate Amendment (with title amendment)

Between lines 289 and 290

insert:

Section 4. Subsection (21) is added to section 404.031, Florida Statutes, to read:

404.031 Definitions.—As used in this chapter, unless the context clearly indicates otherwise, the term:

(21) "Useful beam" means that portion of the radiation emitted from a radiation machine through the aperture of the



11 machine's beam-limiting device which is designed to focus the
12 radiation on the intended target in order to accomplish the
13 machine's purpose when the machine's exposure controls are in a
14 mode to cause the system to produce radiation.

15 Section 5. Subsections (7) and (8) are added to section
16 404.22, Florida Statutes, to read:

17 404.22 Radiation machines and components; inspection.—

18 (7) Radiation machines that are used to intentionally
19 expose a human being to the useful beam:

20 (a) Must be maintained and operated according to
21 manufacturer standards or nationally recognized consensus
22 standards accepted by the department;

23 (b) Must be operated at the lowest exposure that will
24 achieve the intended purpose of the exposure; and

25 (c) May not be modified in a manner that causes the
26 original parts to operate in a way that differs from the
27 original manufacturer's design specification or the parameters
28 approved for the machine and its components by the United States
29 Food and Drug Administration.

30 (8) A human being may be exposed to the useful beam of a
31 radiation machine only under the following conditions:

32 (a) For the purpose of medical or health care, if a
33 licensed health care practitioner operating within the scope of
34 his or her practice has determined that the exposure provides a
35 medical or health benefit greater than the health risks posed by
36 the exposure and the health care practitioner uses the results
37 of the exposure in the medical or health care of the exposed
38 individual; or

39 (b) For the purpose of providing security for facilities or



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40 other venues, if the exposure is determined to provide a life
41 safety benefit to the individual exposed which is greater than
42 the health risk posed by the exposure. Such determination must
43 be made by an individual trained in evaluating and calculating
44 comparative mortality and morbidity risks according to standards
45 set by the department. To be valid, the calculation and method
46 of making the determination must be submitted to and accepted by
47 the department. Limits to annual total exposure for security
48 purposes must be adopted by department rule based on nationally
49 recognized limits or relevant consensus standards.

50
51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete line 24

54 and insert:

55 effect on a certain date; amending s. 404.031, F.S.;

56 defining the term "useful beam"; amending s. 404.22,

57 F.S.; providing limitations on the maintenance,

58 operation, and modification of certain radiation

59 machines; providing conditions for the authorized

60 exposure of human beings to the radiation emitted from

61 a radiation machine; amending s. 456.013, F.S.;