

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Committee

3 Representative Rodriguez, A. M. offered the following:

4  
5 **Amendment (with title amendment)**

6 Between lines 293 and 294, insert:

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

9 404.031 Definitions.—As used in this chapter, unless the  
10 context clearly indicates otherwise, the term:

11 (21) "Useful beam" means that portion of the radiation  
12 emitted from a radiation machine through the aperture of the  
13 machine's beam-limiting device which is designed to focus the  
14 radiation on the intended target in order to accomplish the  
15 machine's purpose when the machine's exposure controls are in a  
16 mode to cause the system to produce radiation.

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17 Section 5. Subsection (7) is added to section 404.22,  
18 Florida Statutes, to read:

19 404.22 Radiation machines and components; inspection.—

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

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

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

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

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

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

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

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54 **T I T L E A M E N D M E N T**

55 Between lines 23 and 24, insert:

56 amending s. 404.031, F.S.; defining the term "useful beam;"  
57 amending s. 404.202, F.S.; providing requirements for the  
58 maintenance, operation, and modification of certain radiation  
59 machines; providing conditions for the authorized exposure of  
60 human beings to the radiation admitted from a radiation machine;