

Act [42 U.S.C. 601 et seq.] in the area served by the project.

(e) Authorization of appropriations

For the purpose of conducting projects under this section, there is authorized to be appropriated an amount not to exceed \$25,000,000 for any fiscal year.

(Pub. L. 100-485, title V, §505, Oct. 13, 1988, 102 Stat. 2404; Pub. L. 101-508, title V, §5063, Nov. 5, 1990, 104 Stat. 1388-232; Pub. L. 103-432, title II, §261(a), Oct. 31, 1994, 108 Stat. 4467; Pub. L. 104-193, title I, §112, Aug. 22, 1996, 110 Stat. 2176; Pub. L. 105-33, title V, §5515, Aug. 5, 1997, 111 Stat. 620.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (b)(3), (c)(1)(C), (2), and (d), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

CODIFICATION

Section was formerly classified to section 9910d of this title. Prior to such classification, section was set out as a note under section 1315 of this title.

Section was enacted as part of the Family Support Act of 1988, and not as part of the Community Services Block Grant Act which comprises this chapter.

AMENDMENTS

1997—Subsec. (c)(1)(C), (2). Pub. L. 105-33 which directed the amendment of Pub. L. 104-193, §112(5), was executed to that section as if the amendment were retroactive to the effective date of the amendment by Pub. L. 104-193 to reflect the probable intent of Congress. See 1996 Amendment notes below.

1996—Pub. L. 104-193, §112(1), struck out “Demonstration” before “projects” in section catchline.

Subsec. (a). Pub. L. 104-193, §112(2), (3), substituted “shall enter into agreements with” for “in each of the fiscal years 1990, 1991, and 1992, shall enter into agreements with not less than 5 nor more than 10” and “conducting projects” for “conducting demonstration projects”.

Subsec. (b)(1). Pub. L. 104-193, §112(2), struck out “demonstration” after “organization conducting a”.

Subsec. (b)(3). Pub. L. 104-193, §112(4), substituted “assistance under the program funded part A of title IV of the Social Security Act of the State in which the individual resides” for “aid to families with dependent children under part A of title IV of the Social Security Act”.

Subsec. (c)(1)(C). Pub. L. 104-193, §112(5)(A), as amended by Pub. L. 105-33, substituted “assistance under a State program funded under part A of title IV of the Social Security Act” for “aid to families with dependent children under title IV of the Social Security Act”.

Subsec. (c)(2). Pub. L. 104-193, §112(5)(B), as amended by Pub. L. 105-33, substituted “assistance under a State program funded under part A of title IV of the Social Security Act” for “aid to families with dependent children under title IV of such Act”.

Subsec. (d). Pub. L. 104-193, §112(2), (6), struck out “demonstration” after “organization participating in a” and substituted “the State program funded under part A of title IV of the Social Security Act” for “job opportunities and basic skills training program (as provided for under title IV of the Social Security Act)”.

Subsecs. (e) to (g). Pub. L. 104-193, §112(7), added subsec. (e) and struck out former subsec. (e) which related to duration of demonstration projects under this section, subsec. (f) which required evaluation of the success of each demonstration project, and subsec. (g)

which authorized appropriations for the conduct of demonstration projects for each of fiscal years 1990 to 1996.

1994—Subsec. (e). Pub. L. 103-432, §261(a)(1), substituted “6-year period” for “3-year period”.

Subsec. (f)(2). Pub. L. 103-432, §261(a)(2), substituted “January 1, 1995” for “January 1, 1993”.

Subsec. (g). Pub. L. 103-432, §261(a)(3), substituted “1991, 1992, 1993, 1994, 1995, and 1996” for “1991, and 1992”.

1990—Subsec. (a). Pub. L. 101-508, §5063(1), inserted “in each of the fiscal years 1990, 1991, and 1992,” before “shall”.

Subsec. (e). Pub. L. 101-508, §5063(2), substituted “September 30 of the fiscal year specified in the agreement described in subsection (a) of this section” for “September 30, 1989”.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-193 effective July 1, 1997, with transition rules relating to State options to accelerate such date, rules relating to claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104-193, as amended, set out as an Effective Date note under section 601 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-432, title II, §261(b), Oct. 31, 1994, 108 Stat. 4467, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1993.”

CHAPTER 107—CONSUMER-PATIENT RADIATION HEALTH AND SAFETY

Sec.

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§ 10001. Statement of findings

The Congress finds that—

(1) it is in the interest of public health and safety to minimize unnecessary exposure to potentially hazardous radiation due to medical and dental radiologic procedures;

(2) it is in the interest of public health and safety to have a continuing supply of adequately educated persons and appropriate accreditation and certification programs administered by State governments;

(3) the protection of the public health and safety from unnecessary exposure to potentially hazardous radiation due to medical and dental radiologic procedures and the assurance of efficacious procedures are the responsibility of State and Federal governments;

(4) persons who administer radiologic procedures, including procedures at Federal facilities, should be required to demonstrate competence by reason of education, training, and experience; and

(5) the administration of radiologic procedures and the effect on individuals of such procedures have a substantial and direct effect upon United States interstate commerce.

(Pub. L. 97-35, title IX, §976, Aug. 13, 1981, 95 Stat. 598.)

SHORT TITLE

Pub. L. 97-35, title IX, §975, Aug. 13, 1981, 95 Stat. 598, provided that: "This subtitle [subtitle I (§§975-983) of title IX of Pub. L. 97-35, enacting this chapter] may be cited as the 'Consumer-Patient Radiation Health and Safety Act of 1981'."

§ 10002. Statement of purpose

It is the purpose of this chapter to—

(1) provide for the establishment of minimum standards by the Federal Government for the accreditation of education programs for persons who administer radiologic procedures and for the certification of such persons; and

(2) insure that medical and dental radiologic procedures are consistent with rigorous safety precautions and standards.

(Pub. L. 97-35, title IX, §977, Aug. 13, 1981, 95 Stat. 599.)

§ 10003. Definitions

Unless otherwise expressly provided, for purposes of this chapter, the term—

(1) "radiation" means ionizing and nonionizing radiation in amounts beyond normal background levels from sources such as medical and dental radiologic procedures;

(2) "radiologic procedure" means any procedure or article intended for use in—

(A) the diagnosis of disease or other medical or dental conditions in humans (including diagnostic X-rays or nuclear medicine procedures); or

(B) the cure, mitigation, treatment, or prevention of disease in humans;

that achieves its intended purpose through the emission of radiation;

(3) "radiologic equipment" means any radiation electronic product which emits or detects radiation and which is used or intended for use to—

(A) diagnose disease or other medical or dental conditions (including diagnostic X-ray equipment); or

(B) cure, mitigate, treat, or prevent disease in humans;

that achieves its intended purpose through the emission or detection of radiation;

(4) "practitioner" means any licensed doctor of medicine, osteopathy, dentistry, podiatry, or chiropractic, who prescribes radiologic procedures for other persons;

(5) "persons who administer radiologic procedures" means any person, other than a practitioner, who intentionally administers radiation to other persons for medical purposes, and includes medical radiologic technologists (including dental hygienists and assistants), radiation therapy technologists, and nuclear medicine technologists;

(6) "Secretary" means the Secretary of Health and Human Services; and

(7) "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(Pub. L. 97-35, title IX, §978, Aug. 13, 1981, 95 Stat. 599.)

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 10004. Promulgation of standards

(a) Within twelve months after August 13, 1981, the Secretary, in consultation with the Radiation Policy Council, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, appropriate agencies of the States, and appropriate professional organizations, shall by regulation promulgate minimum standards for the accreditation of educational programs to train individuals to perform radiologic procedures. Such standards shall distinguish between programs for the education of (1) medical radiologic technologists (including radiographers), (2) dental auxiliaries (including dental hygienists and assistants), (3) radiation therapy technologists, (4) nuclear medicine technologists, and (5) such other kinds of health auxiliaries who administer radiologic procedures as the Secretary determines appropriate. Such standards shall not be applicable to educational programs for practitioners.

(b) Within twelve months after August 13, 1981, the Secretary, in consultation with the Radiation Policy Council, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, interested agencies of the States, and appropriate professional organizations, shall by regulation promulgate minimum standards for the certification of persons who administer radiologic procedures. Such standards shall distinguish between certification of (1) medical radiologic technologists (including radiographers), (2) dental auxiliaries (including dental hygienists and assistants), (3) radiation therapy technologists, (4) nuclear medicine technologists, and (5) such other kinds of health auxiliaries who administer radiologic procedures as the Secretary determines appropriate. Such standards shall include minimum certification criteria for individuals with regard to accredited education, practical experience, successful passage of required examinations, and such other criteria as the Secretary shall deem necessary for the adequate qualification of individuals to administer radiologic procedures. Such standards shall not apply to practitioners.

(Pub. L. 97-35, title IX, §979, Aug. 13, 1981, 95 Stat. 599; Pub. L. 102-54, §13(q)(13)(A), June 13, 1991, 105 Stat. 281.)

AMENDMENTS

1991—Subsecs. (a), (b). Pub. L. 102-54 substituted "Secretary of Veterans Affairs" for "Administrator of Veterans' Affairs".

§ 10005. Model statute

In order to encourage the administration of accreditation and certification programs by the States, the Secretary shall prepare and transmit to the States a model statute for radiologic procedure safety. Such model statute shall provide that—

(1) it shall be unlawful in a State for individuals to perform radiologic procedures unless