

LBD00518-01-9

LATORY OR RESPIRATORY SYSTEM OR OTHER ORGANS, OR A COMBINATION OF THOSE ACTIVITIES, AND THE FUNCTIONS NECESSARY TO ENSURE THE SAFE MANAGEMENT OF PHYSIOLOGIC FUNCTIONS BY MONITORING AND ANALYZING THE PARAMETERS OF THE SYSTEMS UNDER AN ORDER AND UNDER THE SUPERVISION OF A LICENSED PHYSICIAN OR OTHER AUTHORIZED HEALTH CARE PRACTITIONER, INCLUDING:

A. THE USE OF EXTRACORPOREAL CIRCULATION, LONG-TERM CARDIOPULMONARY SUPPORT TECHNIQUES INCLUDING EXTRACORPOREAL CARBON DIOXIDE REMOVAL AND OXYGENATION, EXTRACORPOREAL MEMBRANE OXYGENATION (ECMO), AND ASSOCIATED THERAPEUTIC AND DIAGNOSTIC TECHNOLOGIES;

B. COUNTERPULSATION, VENTRICULAR ASSISTANCE, AUTOTRANSFUSION, BLOOD CONSERVATION TECHNIQUES, MYOCARDIAL AND ORGAN PRESERVATION, EXTRACORPOREAL LIFE SUPPORT, AND ISOLATED LIMB PERFUSION;

C. THE USE OF TECHNIQUES INVOLVING BLOOD MANAGEMENT, ADVANCED LIFE SUPPORT, AND OTHER RELATED FUNCTIONS;

D. THE ADMINISTRATION OF PHARMACOLOGICAL AND THERAPEUTIC AGENTS, BLOOD PRODUCTS OR ANESTHETIC AGENTS THROUGH THE EXTRACORPOREAL CIRCUIT OR THROUGH AN INTRAVENOUS LINE AS ORDERED BY A PHYSICIAN;

E. THE PERFORMANCE AND USE OF ANTICOAGULATION MONITORING AND ANALYSIS, PHYSIOLOGIC MONITORING AND ANALYSIS, BLOOD GAS AND CHEMISTRY MONITORING AND ANALYSIS, HEMATOLOGIC MONITORING AND ANALYSIS, HYPOTHERMIA, HYPERTHERMIA, HEMOCONCENTRATION AND HEMODILUTION, HEMODIALYSIS; AND

F. THE OBSERVATION OF SIGNS AND SYMPTOMS RELATED TO PERFUSION SERVICES, THE DETERMINATION OF WHETHER THE SIGNS AND SYMPTOMS EXHIBIT ABNORMAL CHARACTERISTICS, AND THE IMPLEMENTATION OF APPROPRIATE REPORTING, PERFUSION PROTOCOLS, OR CHANGES IN OR THE INITIATION OF EMERGENCY PROCEDURES.

S 6631. LICENSURE. 1. TO QUALIFY FOR LICENSURE AS A "PERFUSIONIST", AN APPLICANT SHALL FULFILL THE FOLLOWING REQUIREMENTS:

A. APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

B. EDUCATION: HAS SUCCESSFULLY COMPLETED A COURSE OF STUDY APPROVED BY THE BOARD OF REGENTS OR HAS PASSED AN EQUIVALENCY TEST. THE COMMISSIONER IS EMPOWERED TO DETERMINE WHETHER AN APPLICANT POSSESSES EQUIVALENT EDUCATION AND TRAINING IN LIEU OF ALL OR PART OF AN APPROVED PROGRAM; AND

C. EXAMINATION: HAS OBTAINED A PASSING SCORE ON EXAMINATION ACCEPTABLE TO THE DEPARTMENT OR IS ELIGIBLE FOR A WAIVER PURSUANT TO SUBDIVISION FOUR OF THIS SECTION;

D. AGE: AT THE TIME OF APPLICATION IS AT LEAST TWENTY-ONE YEARS OF AGE;

E. CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPARTMENT;

F. FEE: PAY A FEE DETERMINED BY THE DEPARTMENT FOR AN INITIAL LICENSE AND FOR EACH TRIENNIAL REGISTRATION PERIOD.

2. THE DEPARTMENT SHALL FURNISH TO EACH PERSON APPLYING FOR LICENSURE PURSUANT TO THIS ARTICLE AN APPLICATION FORM CALLING FOR SUCH INFORMATION AS THE DEPARTMENT DEEMS NECESSARY AND SHALL ISSUE TO EACH APPLICANT WHO SATISFIES THE REQUIREMENTS OF SUBDIVISION ONE OR FOUR OF THIS SECTION A CERTIFICATE OF LICENSURE AS A PERFUSIONIST FOR THE PERIOD EXPIRING DECEMBER THIRTY-FIRST OF THE FIRST ODD-NUMBERED YEAR TERMINATING SUBSEQUENT TO SUCH LICENSURE. LICENSURE SHALL BE RENEWED ON A TRIENNIAL BASIS.

3. EVERY LICENSEE SHALL APPLY TO THE DEPARTMENT FOR A RENEWAL CERTIFICATE OF LICENSURE. THE DEPARTMENT SHALL MAIL TO EVERY LICENSED PERFUSIONIST AN APPLICATION FORM FOR SUCH RENEWAL CERTIFICATE OF LICENSURE, ADDRESSED TO THE LICENSEE'S POST OFFICE ADDRESS ON FILE WITH THE DEPARTMENT. UPON RECEIPT OF SUCH APPLICATION PROPERLY EXECUTED, TOGETHER WITH

EVIDENCE OF SATISFACTORY COMPLETION OF SUCH CONTINUING EDUCATION REQUIREMENTS AS MAY BE ESTABLISHED BY THE COMMITTEE PURSUANT TO SECTION SIXTY-SIX HUNDRED THIRTY-THREE OF THIS ARTICLE, THE DEPARTMENT SHALL ISSUE A RENEWAL CERTIFICATE OF LICENSURE. LICENSURE SHALL BE RENEWED ON A TRIENNIAL BASIS.

4. APPLICANTS FOR LICENSURE MAY WAIVE THE EXAMINATION REQUIREMENT PURSUANT TO SUBDIVISION ONE OF THIS SECTION, BUT NOT THE APPLICATION FEE, IF, WITHIN FIVE YEARS PRIOR TO APPLICATION, SUCH APPLICANT HAS PASSED THE AMERICAN BOARD OF CARDIOVASCULAR PERFUSION (ABCP) EXAMINATION (PART I AND II) AND/OR IS A CLINICAL PERFUSIONIST CERTIFIED BY ABCP, OR IF SUCH APPLICANT HAS BEEN GAINFULLY EMPLOYED AS A PERFUSIONIST IN A CERTIFIED CARDIAC SURGICAL PROGRAM IN THE STATE OF NEW YORK. EFFECTIVE FIVE YEARS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, APPLICANTS WHO HAVE NEVER BEEN CERTIFIED BY ABCP AND WHO HAVE NOT APPLIED FOR LICENSURE PURSUANT TO THIS ARTICLE SHALL NOT BE ELIGIBLE FOR A WAIVER; AND ANY APPLICANT GAINFULLY EMPLOYED AS A PERFUSIONIST AND/OR CERTIFIED BY ABCP MAY PETITION THE COMMISSIONER AND THE STATE COMMITTEE FOR PERFUSION FOR A WAIVER.

S 6632. PRACTICE OF PERFUSION AND USE OF TITLE "PERFUSIONIST". ONLY A PERSON LICENSED OR EXEMPT UNDER THIS ARTICLE SHALL PRACTICE PERFUSION OR USE THE TITLE "PERFUSIONIST".

S 6633. STATE COMMITTEE FOR PERFUSION. 1. A STATE COMMITTEE FOR PERFUSION SHALL BE APPOINTED BY THE BOARD OF REGENTS UPON THE RECOMMENDATION OF THE COMMISSIONER AND SHALL ASSIST ON MATTERS OF LICENSURE AND PROFESSIONAL CONDUCT IN ACCORDANCE WITH SECTION SIXTY-SIX HUNDRED THIRTY-FIVE OF THIS TITLE. THE COMMITTEE SHALL ASSIST THE BOARD OF REGENTS FOR MEDICINE SOLELY IN MATTERS RELATING TO PERFUSION, WHICH BOARD OF REGENTS SHALL ALSO FUNCTION AS THE STATE COMMITTEE FOR PERFUSION. THE LICENSURE REQUIREMENTS FOR PROFESSIONAL PERFUSIONISTS SHALL BE WAIVED FOR THE INITIAL COMMITTEE APPOINTEES, PROVIDED THAT SUCH APPOINTEES SHALL HAVE RECEIVED NATIONAL CERTIFICATION IN THEIR SPECIALTY.

2. THE COMMITTEE SHALL CONSIST OF SEVEN INDIVIDUALS, TO BE COMPOSED OF THE FOLLOWING:

- A. FOUR LICENSED PERFUSIONISTS;
- B. TWO LICENSED PHYSICIANS SPECIALIZING IN THORACIC SURGERY; AND
- C. ONE EDUCATOR WHO HOLDS A DOCTORATE OR EQUIVALENT DEGREE IN EITHER ANATOMY, PHYSIOLOGY, PATHOLOGY, CHEMISTRY, OR MICROBIOLOGY.

S 6634. LIMITED PERMITS. PERMITS LIMITED AS TO ELIGIBILITY, PRACTICE AND DURATION, SHALL BE ISSUED BY THE DEPARTMENT TO ELIGIBLE APPLICANTS, AS FOLLOWS:

1. ELIGIBILITY. A PERSON WHO FULFILLS ALL REQUIREMENTS FOR LICENSURE AS A PERFUSIONIST EXCEPT THAT RELATING TO THE EXAMINATION SHALL BE ELIGIBLE FOR A LIMITED PERMIT.

2. LIMIT OF PRACTICE. A PERMITTEE SHALL BE AUTHORIZED TO PRACTICE AS A PERFUSIONIST ONLY UNDER THE SUPERVISION OF A LICENSED PERFUSIONIST.

3. DURATION. A LIMITED PERMIT SHALL EXPIRE ONE YEAR FROM THE DATE OF ISSUANCE OR UPON NOTICE TO THE PERMITTEE BY THE DEPARTMENT THAT THE APPLICATION FOR REGISTRATION HAS BEEN DENIED. A LIMITED PERMIT SHALL BE EXTENDED UPON APPLICATION FOR ONE ADDITIONAL YEAR, PROVIDED THAT THE PERMITTEE'S REQUEST FOR SUCH EXTENSION IS ENDORSED BY A LICENSED PERFUSIONIST WHO EITHER HAS SUPERVISED OR WILL SUPERVISE THE PERMITTEE, EXCEPT THAT SUCH EXTENSION MAY BE DENIED BY THE DEPARTMENT FOR CAUSE WHICH SHALL BE STATED IN WRITING. IF THE PERMITTEE IS AWAITING THE RESULTS OF A LICENSING EXAMINATION AT THE TIME SUCH LIMITED PERMIT EXPIRES, SUCH PERMIT SHALL CONTINUE TO BE VALID UNTIL TEN DAYS AFTER NOTIFICATION TO THE PERMITTEE OF THE RESULT OF SUCH EXAMINATION.

1 4. FEES. THE FEE FOR EACH LIMITED PERMIT SHALL BE ONE HUNDRED FIVE
2 DOLLARS.

3 S 6635. CONTINUING PROFESSIONAL EDUCATION. 1. THE DEPARTMENT SHALL:

4 A. APPROVE ONLY CONTINUING PROFESSIONAL EDUCATION PROGRAMS AS ARE
5 AVAILABLE TO ALL PERFUSIONISTS IN THIS STATE ON A REASONABLE NONDISCRI-
6 MINATORY BASIS;

7 B. ESTABLISH STANDARDS FOR CONTINUING PROFESSIONAL EDUCATION PROGRAMS,
8 INCLUDING THE SPECIFIC SUBJECT MATTER AND CONTENTS OF COURSES OF STUDY;
9 AND

10 C. ESTABLISH THE NUMBER OF CREDITS OF CONTINUING PROFESSIONAL EDUCA-
11 TION REQUIRED BY EACH APPLICANT FOR LICENSE RENEWAL. EACH CREDIT SHALL
12 REPRESENT OR BE EQUIVALENT TO FIFTY MINUTES OF ACTUAL COURSE ATTENDANCE.

13 2. IF ANY APPLICANT FOR RENEWAL OF REGISTRATION COMPLETES A NUMBER OF
14 CREDIT HOURS IN EXCESS OF THE NUMBER ESTABLISHED PURSUANT TO PARAGRAPH C
15 OF SUBDIVISION ONE OF THIS SECTION, THE EXCESS CREDITS MAY, AT THE
16 DISCRETION OF THE DEPARTMENT, BE APPLICABLE TO THE CONTINUING EDUCATION
17 REQUIREMENT FOR THE FOLLOWING LICENSURE PERIOD, BUT NOT THEREAFTER.

18 S 6636. RECIPROCITY. RECIPROCITY SHALL BE GRANTED TO ANY CURRENTLY
19 LICENSED PERFUSIONIST FROM ANOTHER STATE, PROVIDING THE REQUIREMENTS FOR
20 LICENSURE IN SUCH OTHER STATE EQUAL OR EXCEED THE REQUIREMENTS FOR
21 LICENSURE PURSUANT TO THIS ARTICLE. REQUESTS FOR RECIPROCITY SHALL BE
22 REVIEWED BY THE COMMISSIONER AND THE STATE COMMITTEE FOR PERFUSION AND A
23 LIMITED PERMIT, PURSUANT TO SECTION SIXTY-SIX HUNDRED THIRTY-FOUR OF
24 THIS ARTICLE, SHALL BE ISSUED UPON APPROVAL OF THE COMMISSIONER AND THE
25 COMMITTEE.

26 S 3. This act shall take effect on the one hundred eightieth day after
27 it shall have become a law; provided, however, that effective immediate-
28 ly, the addition, amendment and/or repeal of any rule or regulation
29 necessary for the implementation of this act on its effective date are
30 authorized and directed to be made and completed on or before such
31 effective date.