

Pennsylvania Medical Practice Act  
63 P.S. § 422.1 et seq.  
Regulations of the State Board of Medicine  
49 PA. CODE, Chapters 16, 17 and 18.

The provisions of this Subchapter J issued under sections 8 and 13.3(c) of the Medical Practice Act of 1985 (63 P. S. § § 422.8 and 422.13c(c)), unless otherwise noted.

The provisions of this Subchapter J adopted August 2, 2013, effective August 3, 2013, 43 Pa.B. 4329, unless otherwise noted.

§ 18.601. Purpose.

This subchapter implements section 13.3 of the act (63 P. S. § 422.13c), regarding perfusionists.

§ 18.602. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

ABCP—The American Board of Cardiovascular Perfusion.

Accredited perfusion program approved by the Board—A perfusion program accredited by a Nationally-recognized accrediting agency approved by the Board.

CAAHEP—The Commission on Accreditation of Allied Health Education Programs.

Extracorporeal circulation—The diversion of a patient's blood through a heart-lung machine or similar device that assumes the functions of the patient's heart, lungs, kidneys, liver or other organ.

Hour of continuing education—At least 50 minutes of instruction, including relevant question and answer sessions, in an approved course of continuing education or an equivalent time that an online or correspondence course would be presented live.

Nationally-recognized accrediting agency approved by the Board—CAAHEP or other organization for which the Board publishes notice that the organization is approved by the Board as an accrediting agency for perfusionist programs.

Nationally-recognized certifying agency approved by the Board—ABCP or other organization for which the Board publishes notice that the organization is approved by the Board as a certifying agency for perfusionists.

Out-of-State perfusionist—An individual who holds a current license as a perfusionist in another state, the District of Columbia or a territory of the United States or has obtained certification by a certifying agency approved by a Nationally-recognized accrediting agency.

Perfusion—The functions necessary for the support, treatment, measurement or supplementation of the cardiovascular system or other organs, or a combination of those functions, and for ensuring the safe management of physiologic functions by monitoring and

analyzing the parameters of the systems under the supervision of a physician licensed under the act or the Osteopathic Medical Practice Act (63 P. S. § § 271.1—271.18).

Perfusionist—An individual who is licensed to practice perfusion by the Board or the State Board of Osteopathic Medicine.

Ventricular assist device—

(i) A mechanical device used to partially or completely replace the function of a failing heart through connections to the heart and great vessels that may be located intracorporeally or extracorporeally.

(ii) The term includes a device that is placed intravascularly or extravascularly and provides support through direct means or through counterpulsation.

§ 18.603. Application for perfusionist license.

(a) An applicant for a license to practice as a perfusionist shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, for a license to practice as a perfusionist and pay the fee in § 16.13(l) (relating to licensure, certification, examination and registration fees) for application for a perfusionist license.

(b) The Board may issue a license to practice as a perfusionist to an applicant who:

(1) Demonstrates that the applicant holds a current certification by a certifying agency approved by a Nationally-recognized accrediting agency approved by the Board.

(2) Demonstrates that the applicant has graduated from an accredited perfusion program approved by the Board.

(3) Demonstrates that the applicant is at least 18 years of age and of good moral character.

(4) Demonstrates that the applicant has obtained professional liability insurance as required under section 13.3(k) of the act (63 P. S. § 422.13c(k)).

(5) Otherwise complies with this subchapter.

(c) The Board may deny an application for licensure as a perfusionist upon the grounds for disciplinary action in § 18.609 (relating to disciplinary action for licensed perfusionists).

§ 18.604. Application for temporary graduate perfusionist license.

(a) An applicant for a temporary graduate perfusionist license shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, and pay the fee in § 16.13(l) (relating to licensure, certification, examination and registration fees) for an application for a temporary graduate perfusionist license.

(b) The Board may grant a temporary graduate perfusionist license, which authorizes the license holder to practice only under the supervision and direction of a perfusionist licensed under the act, to an applicant who:

(1) Demonstrates that the applicant is eligible for and has applied to sit for the examination of a certifying agency approved by a Nationally-recognized accrediting agency approved by the Board.

(2) Demonstrates that the applicant has graduated from an accredited perfusion program approved by the Board.

(3) Demonstrates that the applicant is at least 18 years of age and of good moral character.

(4) Demonstrates that the applicant has obtained professional liability insurance as required under section 13.3(k) of the act (63 P. S. § 422.13c(k)).

(5) Otherwise complies with this subchapter.

(c) The Board may deny an application for a temporary graduate perfusionist license upon the grounds for disciplinary action in § 18.609 (relating to disciplinary action for licensed perfusionists).

(d) A temporary graduate perfusionist license expires 2 years after the date of issuance and may not be renewed.

(e) A temporary graduate perfusionist license expires upon notice to the Board that the holder has failed the Nationally-recognized certifying agency's certification examination. The holder of a temporary graduate perfusionist license who fails the examination shall immediately cease practicing and return the license to the Board.

#### § 18.605. Application for temporary provisional perfusionist license.

(a) An applicant for a temporary provisional perfusionist license shall submit, on forms made available by the Board, a completed application, including the necessary supporting documents, and pay the fee in § 16.13(l) (relating to licensure, certification, examination and registration fees) for application for a temporary provisional perfusionist license.

(b) The Board may grant a temporary provisional perfusionist license to an applicant who:

(1) Demonstrates that the applicant holds a current license in good standing under the laws of another state, the District of Columbia or a territory of the United States that includes certification by a certifying agency approved by a Nationally-recognized accrediting agency.

(2) Demonstrates that the applicant has graduated from an accredited perfusion program approved by the Board.

(3) Demonstrates that the applicant is at least 18 years of age and of good moral character.

(4) Demonstrates that the applicant has obtained professional liability insurance as required under section 13.3(k) of the act (63 P. S. § 422.13c(k)).

(5) Otherwise complies with this subchapter.

(c) The Board may deny an application for temporary provisional perfusionist licensure upon the grounds for disciplinary action in § 18.609 (relating to disciplinary action for licensed perfusionists).

(d) A temporary provisional perfusionist license expires 1 year after the date of issuance and may not be renewed.

#### § 18.606. Registration of temporary emergency perfusionist service.

(a) An out-of-State perfusionist shall register with the Board prior to providing temporary emergency perfusionist service in this Commonwealth in accordance with section 13.3(j) of the act (63 P. S. § 422.13c(j)).

(b) The out-of-State perfusionist or another person acting on behalf of the out-of-State perfusionist shall submit, on forms made available by the Board, a completed registration form with the questions fully answered which shall be verified by the out-of-State perfusionist by personal or electronic signature. The completed registration form shall be submitted by electronic means, including computer-to-computer, computer-to-facsimile machine or e-mail transmission.

(c) Although not limited to a single procedure or single patient or group of related patients, an out-of-State perfusionist may provide temporary emergency perfusionist services in this Commonwealth for no longer than 72 hours.

(d) An out-of-State perfusionist may not provide temporary emergency perfusionist service in this Commonwealth more than once without being licensed in accordance with § 18.603, § 18.604 or § 18.605 (relating to application for perfusionist license; application for temporary graduate perfusionist license; and application for temporary provisional perfusionist license).

(e) A registration for an out-of-State perfusionist is not complete unless the health care facility licensed by the Department of Health has submitted the certification required under section 13.3(j)(1)(ii) of the act to the Board by electronic means, including computer-to-computer, computer-to-facsimile machine or e-mail transmission.

#### § 18.607. Biennial registration of perfusionist license.

(a) The license of a perfusionist expires biennially on December 31 of each even-numbered year in accordance with § 16.15 (relating to biennial registration; inactive status and unregistered status). A perfusionist may not practice after December 31 of an even-numbered year unless the perfusionist has completed the biennial registration process and the Board has issued a renewed registration.

(b) As a condition of biennial registration, a perfusionist shall:

(1) Submit a completed application, including payment of the biennial registration fee in § 16.13(l) (relating to licensure, certification, examination and registration fees), for application for biennial registration of a perfusionist license.

(2) Disclose on the application a license to practice as a perfusionist in another state, district, territory, possession or country.

(3) Disclose on the application disciplinary action pending before or taken by the appropriate health care licensing authority in another jurisdiction since the most recent application for biennial registration, whether or not licensed to practice in that other jurisdiction.

(4) Disclose on the application pending criminal charges and a finding or verdict of guilt, admission of guilt, plea of nolo contendere, probation without verdict, disposition instead of trial or accelerated rehabilitative disposition in a criminal matter since the most recent application for biennial registration.

(5) Verify on the application that the licensed perfusionist has complied with the continuing education requirements mandated under section 13.3(n) of the act (63 P. S. § 422.13c(n)) during the biennial period immediately preceding the period for which registration is sought in accordance with § 18.610 (relating to continuing education for licensed perfusionists).

(6) Verify on the application that, if practicing as a perfusionist in this Commonwealth, the licensee maintains professional liability insurance coverage in accordance with section 13.3(k) of the act.

§ 18.608. Inactive and expired status of perfusionist license; reactivation of inactive or expired license.

(a) A perfusionist license will become inactive if the licensee requests in writing that the Board place the license on inactive status. The Board will provide written confirmation of inactive status to the licensee at the licensee's last known address on file with the Board.

(b) A perfusionist license will be classified as expired if the licensee fails to register the license by the expiration of the biennial registration period on December 31 of each even-numbered year. The Board will provide written notice to a licensee who fails to make biennial registration by sending a notice to the licensee's last known address on file with the Board.

(c) A perfusionist whose license has become inactive or expired may not practice as a perfusionist in this Commonwealth until the license has been reactivated.

(d) To reactivate an inactive or expired license, the licensee shall apply on forms made available by the Board and fully answer the questions. The licensee shall:

(1) Include the documentation required under § 18.610(b) (relating to continuing education for licensed perfusionists) for the immediately preceding biennium, which may be completed during the current biennium. Unless waived by the Board under section 13.3(n)(4) of the act (63 P. S. § 422.13c(n)(4)), the Board will not reactivate a license until the required continuing education for the preceding biennium has been successfully completed.

(2) Pay the current biennial registration fee and the reactivation application fee in § 16.13(l) (relating to licensure, certification, examination and registration fees).

(3) Verify that the licensee did not practice as a perfusionist in this Commonwealth while the license was inactive or expired except as provided in subsection (e).

(e) A licensee who has practiced with an inactive or expired license and who cannot make the verification required under subsection (d)(3) shall also pay the fees required under this

subsection. Payment of a late fee does not preclude the Board from taking disciplinary action for practicing as a perfusionist without a currently registered license.

(1) A licensee whose license was active at the end of the immediately preceding biennial registration period and who practiced after the license became inactive or expired shall pay a late fee of \$5 for each month or part of a month from the beginning of the current biennium until the date the reactivation application is filed.

(2) A licensee whose license has been inactive or expired since before the beginning of the current biennium shall pay the biennial registration fee for each biennial registration period during which the licensee practiced and shall pay a late fee of \$5 for each month or part of a month from the first date the licensee practiced as a perfusionist in this Commonwealth after the license became inactive or expired until the date the reactivation application is filed.

#### § 18.609. Disciplinary action for licensed perfusionists.

(a) A licensed perfusionist, including a perfusionist holding a temporary graduate license or a temporary provisional license, is subject to disciplinary action under section 41 of the act (63 P. S. § 422.41). Following a final determination subject to the right of notice, hearing and adjudication and the right of appeal in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), the Board may impose a corrective action in section 42 of the act (63 P. S. § 422.42).

(b) Unprofessional conduct includes:

- (1) Engaging in conduct prohibited under § 16.110 (relating to sexual misconduct).
- (2) Performing an act in a health care profession in a fraudulent, incompetent or negligent manner.
- (3) Violating a provision of the act or this chapter setting a standard of professional conduct.
- (4) Engaging in health care practice beyond the licensee's authority to practice.
- (5) Representing oneself to be a physician, physician assistant, certified registered nurse practitioner or other health care practitioner whose profession the perfusionist is not licensed to practice.
- (6) Practicing while the licensee's ability to do so is impaired by alcohol, drugs, physical disability or mental instability.
- (7) Revealing personally identifiable facts obtained as the result of a practitioner-patient relationship without the prior consent of the patient, except as authorized or required under statute or regulation.
- (8) Failing to provide supervision as required under section 13.3(e)(2) of the act (63 P. S. § 422.13c(e)(2)) of a perfusion student or failing to provide supervision as required under section 13.3(e)(3) of the act of a perfusion graduate who is not otherwise licensed by the Board to perform perfusion in this Commonwealth.

(c) Immoral conduct includes:

(1) Misrepresenting or concealing a material fact in obtaining a license issued by the Board or renewal, reactivation or reinstatement thereof.

(2) Being convicted of a crime involving moral turpitude, dishonesty or corruption in the courts of the Commonwealth, the United States, another state, the District of Columbia, a territory of the United States or another country.

(3) Committing an act involving moral turpitude, dishonesty or corruption.

This section cited in 49 Pa. Code § 18.603 (relating to application for perfusionist license); 49 Pa. Code § 18.604 (relating to application for temporary graduate perfusionist license); and 49 Pa. Code § 18.605 (relating to application for temporary provisional perfusionist license).

§ 18.610. Continuing education for licensed perfusionists.

(a) Credit hour requirements. A licensed perfusionist shall satisfy the following continuing education credit hour requirements.

(1) As a condition for biennial registration, a licensee shall complete at least 30 hours of continuing education applicable to the practice of perfusion, including at least 10 hours of category I continuing education. A licensee is not required to complete continuing education during the biennium in which the licensee is first licensed.

(2) Except when reactivating an inactive license, when the Board has granted a waiver or when ordered by the Board, continuing education credits may be used to satisfy the continuing education credit hour requirements only for the biennial period in which the credits were earned. An hour of continuing education may not be used to satisfy the requirement of paragraph (1) for more than 1 biennium.

(3) A licensee may request a waiver of the continuing education credit hour requirements because of serious illness, military service or other demonstrated hardship by submitting a request for waiver with supporting documentation to the Board at least 90 days prior to the end of the biennial registration period for which the waiver is sought. The Board may grant the waiver request in whole or in part and may extend the deadline by which the credit hour requirements shall be met.

(4) A licensee may be subject to disciplinary sanction as provided in section 41 of the act (63 P. S. § 422.41), including the suspension or revocation of the license, imposition of a civil penalty or other corrective measure as determined by the Board if the licensee either submits false information to the Board regarding completion of the continuing education credit hour requirements to complete biennial registration or fails to complete the continuing education hour requirements and practices as a perfusionist after the end of the biennial period.

(b) Documentation of continuing education. Continuing education shall be documented in the following manner.

(1) Proof of attendance at an ABCP-approved perfusion meeting consists of a certified record issued by the provider, including:

(i) The name of the participant.

- (ii) The name of the provider.
  - (iii) The date or dates of the course.
  - (iv) The name of the course.
  - (v) The number of hours of continuing education credit.
- (2) Proof of a perfusion-related publication consists of the complete citation reference to the book, chapter or paper in a professional publication.
- (3) Proof of presentation at an ABCP-approved or international perfusion meeting consists of a copy of the program agenda.
- (4) Proof of participation in an ABCP knowledge base survey consists of a letter from ABCP.
- (5) Proof of reading or viewing medical journals, audio-visual or other educational materials consists of a list of the complete citation reference for the materials read or reviewed.
- (6) Proof of participation in a perfusion-related self-study module or electronic forum consists of a copy of the printed completion document supplied by the provider.
- (7) Proof of participation in a perfusion-related journal club consists of the meeting agenda with topic and date.
- (8) Proof of completion of an academic course consists of a copy of the official college or university transcript.
- (9) Proof of presentation of a perfusion topic at a meeting that is not approved by ABCP consists of a copy of the meeting agenda.
- (10) Proof of participation as a clinical or didactic instructor in an accredited program consists of a letter of confirmation of the instructor's status from the program director.
- (11) Proof of participation in a site visitors' workshop or as an official site visitor consists of a letter from ABCP.
- (c) Proof of completion of continuing education. A licensee shall retain proof of completion of continuing education for 5 years after completion of the continuing education or after the completion of the biennial registration period for which the continuing education was required, whichever is later.
- (d) Verification of compliance. The Board may audit licensees to verify compliance with continuing education requirements. A licensee shall submit proof of continuing education activities upon request by the Board.
- (e) Continuing education activities. Credit for continuing education may be earned in the following activities.
- (1) Category I continuing education may be earned by:

(i) Attendance at an ABCP-approved perfusion meeting. One continuing education credit may be earned for each hour of continuing education.

(ii) Publication of a perfusion-related book, chapter or paper in a professional publication. Five continuing education credits may be earned for each publication.

(iii) Presentation at an ABCP-approved or international, National, regional, state or local perfusion meeting. Five continuing education credits may be earned for each presentation. Two credits may be earned for each poster presentation or exhibit.

(iv) Completion of an ABCP knowledge base survey. Five continuing education hours may be earned for completing the continuing education activity. The activity may only be counted for credit once in a biennial period.

(2) In addition to category I, continuing education may also be earned by:

(i) Reading or viewing medical journals, audio-visual or other educational materials. One continuing education credit may be earned for each medical journal, audio-visual or other educational material read or viewed with a maximum of ten credits biennially.

(ii) Participation in perfusion-related self-study modules or electronic forums. One continuing education credit may be earned for each 50- to 60-minute period of the activity with a maximum of ten credits biennially.

(iii) Participation in a perfusion-related journal club. One continuing education credit may be earned for each 50- to 60-minute period of the activity, with a maximum of ten credits biennially.

(iv) Completion of a science or health care-related academic course at a regionally accredited college or university. One continuing education credit may be earned biennially.

(v) Presentation of a perfusion topic at a meeting that is not approved by ABCP. One continuing education credit may be earned biennially.

(vi) Working as a clinical or didactic instructor in an accredited school of perfusion. Two continuing education credits may be earned for teaching a single course with a maximum of four credits biennially.

(vii) Participation in a site visitors' workshop or as an official site visitor for perfusion program accreditation. Five continuing education credits may be earned for participation in a site visitor's workshop or as an official site visitor for perfusion program accreditation. The activity may only be counted for credit once in a biennial period.

(3) Continuing education credit may not be earned in a course in office management.

§ 18.611. Professional liability insurance coverage for licensed perfusionists.

(a) A licensed perfusionist shall maintain a level of professional liability insurance coverage as required under section 13.3(k) of the act (63 P. S. § 422.13c(k)).

(b) Proof of professional liability insurance coverage may include:

(1) A certificate of insurance or copy of the declaration page from the insurance policy setting forth the effective date, expiration date and dollar amounts of coverage.

(2) Evidence of a plan of self-insurance approved by the Insurance Commissioner of the Commonwealth under regulations of the Insurance Department in 31 Pa. Code Chapter 243 (relating to medical malpractice and health-related self-insurance plans).

(c) A license that was issued in reliance upon a letter from the applicant's insurance carrier indicating that the applicant will be covered against professional liability effective upon the issuance of the applicant's license as permitted under section 13.3(k)(2) of the act will become inactive as a matter of law 30 days after the date of issuance of the license if the licensee has not provided proof of professional liability insurance coverage and will remain inactive until the licensee provides proof of insurance coverage.

(d) A licensee who does not have professional liability insurance coverage as required under section 13.3(k) of the act may not practice as a perfusionist in this Commonwealth.

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