



TO: Health & Human Services Committee

FROM: Priti Lakhani, D.P.M.

RE: House Bill No. 2698

INTRODUCITON;

Chairman Morrison and members of the Health and Services Committee, I thank you for allowing me to testify in opposition to House Bill No. 2698. My name is Priti Lakhani. I am a podiatrist and practice here in Topeka..

EDUCATIONAL BACKGROUND:

We, members of the podiatry profession, have the feeling that our profession is not well known generally among the public. I would therefore like to mention that I'm probably a typical podiatrist who practices in Kansas. The practice of podiatry is limited to the human foot, as set forth in Kansas statutes, Chapter 60, Article 20. I graduated from Washburn University with a B.A. degree, majoring in Biology; I then attended and graduated from Podiatry school, University of Osteopathic Medicine & Health Sciences and received my doctorate in Podiatric Medicine. Podiatry school is a four-year study program. I had a two year residency at N.Y.U. and then took the Kansas examination and was licensed by the State Board of Healing Arts in 1998.

House Bill No 2698, among other things, is a bill proposed by the radiology technicians to mandate a license for all persons who operate high dosage radiation machines. We have no opposition to that part of the bill and take no stand there since it does not apply to our profession.

The bill further states (Sec 4, p.3) an *exemption* in Sec 4 (e) which states as follows: "a licensed dental hygienist or an unlicensed person working under the supervision of a licensed dentist who has been trained by a licensed dentist on the proper use of dental radiographic equipment for the purpose of providing medical imaging for dental diagnostic purposes consistent with K.S.A. 65-1422 *et, seq.* and amendments thereto."

This bill then allows, starting on p.5, Sec. 7, for an applicaoitn for registration as an X-ray technician in order to practice limited diagnostic radiography, that this technician is not licensed, but registered. In this same Section (e), it was mentioned that this technician would come under the heading of "podiatry radiography: Radiography of the foot and ankle." Thereafter, there is set forth means as to how this registration is to be accomplished.

P r i t i L a k h a n i , D . P . M . , P . A .

First of all, we believe that podiatry should be exempt from this bill exactly as the dentists have been exempt. Both professions operate a low-voltage current X-ray machine, both types of machines are similar to each other. Please refer to exhibits attached hereto: 1, 2 and 3.

EXHIBIT 1 - a list of safety procedures sent to podiatrists' offices by the Kansas Department of Health and Environment for their guidelines to podiatrists and dentists.

EXHIBIT 2 - a form from the Kansas Department of Health and Environment entitled, "Instruction for Completing Annual X-ray Registrations Form & Fee Computation." This department is in charge of registering and inspecting these machines. You'll note on this form that these persons are listed together as using the same type of machines, they being D.D.S, D.P.M. and D.V.M.

EXHIBIT 3 - a letter dated January 27, 2004, To Whom It May Concern from Keith R. Kretchmer, president, MinXray, Inc., 3611 Commercial Avenue, Northbrook, IL, 60062. Mr. Kretchmer states in paragraph 2, "The fixed x-ray output of these podiatric units is similar to the x-ray outputs of intraoral dental x-ray units."

I believe that you can understand, therefore, that the x-ray machines dentists use are similar to the x-ray machines that podiatrists use. If the dentists are exempt in using this type of low-current machine, then the podiatrists should also be exempt. Obviously, the dentists use the machine to x-ray only the mouth. but, the views we use are *repetitive* and very *specific* of the foot. Approximately 90% of the x-rays taken in our office consist of four views of the foot. This makes our assistants very good at obtaining them. Additionally, most podiatry office x-rays are taken weight bearing views after carefully positioning the patient on the equipment. Hospital machines are not typically designed to facilitate exposure of weight bearing views of the foot.

In the event that this bill would become law, this would cause a great deal of time, trouble and expense to the podiatrists. The podiatry office would either:

1. Hire a tech who is not needed, which will cause additional expense in maintaining that employee - wages and all other expenses relating to an employee.
2. If the podiatrist chooses not to hire the tech, the patient must be sent to a hospital for x-ray. This is very inconvenient, possibly painful, and causes an undue delay of at least several hours for the patient - and the doctor - and additional expense. Patients would be exposed to greater safety concerns unless hospital units could be adapted to standing views, as above mentioned.

My associates in my office are highly trained by me. They do good work and have never had a complaint concerning our use of our x-ray machine.

Dr. Harold Sauder, past president of the Kansas Podiatric Medical Association, and a member of the State Board of Healing Arts for 16 years, stated that he has never heard of a complaint from anyone with regard to podiatric x-rays.

We respectfully ask this committee to amend the bill to exempt podiatrists on the same terms and conditions that it exempts dentists. Both dentists and podiatrists are authorized to treat only a very small area of the human body.

In the event this bill does not exempt podiatrists, we are strongly opposed to it for the reasons mentioned above.

We appreciate and thank you for your consideration in this matter, and respectfully ask that the committee either exempt the podiatry profession from this bill or report it as unfavorable.

These are several podiatrists in the audience. They, as well as myself, will be pleased to answer any questions anyone may have.

Priti, Lakhani

Here is a sample of a list of safety procedures for a podiatry clinic or a dental clinic. Please use this list as a guide to design safety procedures for your particular clinic.

Radiation Safety Procedures for Podiatry and Dentists.

1. Except for the patient, only pertinent staff shall be in the exam room for the radiographic exam.
2. Any person assisting a patient in the exam room shall be recorded on the patient holder log if they are in the room during the exposure.
3. Any person helping or assisting a patient shall wear a lead apron.
4. Any staff member performing a radiographic procedure shall stand behind the protective barrier for exposures.
5. If radiation monitoring devices are used or required, instructions on proper use are necessary.
6. Gonadal shielding shall be used on patients of reproductive age unless the shielding material would interfere with the procedure.
7. If there is an exposure cord in use, the exposure must be made from a shielded location such as the hall or the darkroom.
8. Use the collimator, diaphragms or cones to collimate the useful beam to the area of interest.



Radiation Protection
Regulations

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INSTRUCTIONS FOR COMPLETING ANNUAL X-RAY REGISTRATION FORMS & FEE COMPUTATIONS

- SECTION A** Verify that the name and address that appears in both the Mailing Address block and Facility Address block are correct. If corrections need to be made, cross through incorrect information and write in correct information. For billing purposes, please provide the Federal Tax ID # (FEIN) or Social Security # for this facility in the space provided. **A SEPARATE REGISTRATION FORM MUST BE COMPLETED FOR EACH FACILITY THAT YOU OWN WHICH UTILIZES REGISTRABLE EQUIPMENT.**
- SECTION B** This registration is for "annual registration", although if you had an address change, purchased additional equipment, purchased an existing registered facility or, closed or sold a registered facility, please mark the appropriate box and provide appropriate information if you sold or purchased a registered facility.
- SECTION C** Mark only one box under "type of practice" and only one box under "type of facility".
- SECTION D** Please record the number of machines that you possess in each category. **DO NOT USE X's OR CHECK MARKS AS THESE NUMBERS ARE USED TO CALCULATE THE FEE DUE FOR THIS FACILITY.** Please list the number of machines and number of tubes at this facility on the appropriate lines. **TO CALCULATE THE FEE DUE FOR THIS FACILITY, SEE CHART BELOW. If you own multiple types of equipment, the fee needs to be calculated for EACH TYPE. For example, if your facility has 2 medical machines, 4 dental machines and an accelerator your fee will be calculated as follows: 2 medical machines = \$69.00 + 4 dental machines = \$69.00 + 1 accelerator = \$78.00 for a grand total fee due of \$216.00.**
- SECTION E** If you own any mobile x-ray systems, please provide appropriate information on a separate sheet of paper and attach to the registration form. If you do not own any mobile x-ray systems, please disregard this section.
- SECTION F** If you sold, scrapped, traded or donated any x-ray machines in the last year, please provide appropriate information in this section. If you did not sell, scrap, trade or donate any x-ray machines in the last year, please disregard this section.
- SECTION G** The person responsible for the x-ray equipment in this facility must sign and date the registration form.

Use the chart below to calculate the fee that is due for this facility and send the completed registration form and the appropriate fee made payable to the Kansas Dept. of Health & Environment to: Kansas Department of Health & Environment, Bureau of Air and Radiation, Radiation Control Program, 1008 SW Jackson, Ste. 318, Topeka, KS 66612-1366. **COMPLETED FORM & FEE MUST BE RECEIVED IN THIS OFFICE BY MARCH 1, 2004.** Within 30 days of receiving your form & fee, we will send you a new "Certificate of Registration".

FEE CALCULATION CHART

LOCATE THE NUMBER OF MACHINES AT THIS FACILITY FROM THE LIST BELOW (1 THRU 12). THEN LOCATE YOUR TYPE OF PRACTICE FROM THE LIST ON THE LEFT-HAND SIDE OF THE CHART. COME ACROSS FROM THE TYPE OF PRACTICE AND DOWN FROM THE NUMBER OF MACHINES AND THIS WILL BE YOUR FEE FOR THIS FACILITY.

LOCATE YOUR TYPE OF PRACTICE BELOW	1	2	3	4	5	6	7	8	9	10	11	12
MD, DO, DC, HOSPITALS	\$66	\$69	\$72	\$75	\$78	\$81	\$84	\$87	\$90	N/A	N/A	N/A
DDS, DPM, DVM	\$36	\$47	\$58	\$69	\$80	\$91	\$102	\$113	\$124	\$135	\$146	\$150 MAXIMUM
INDUSTRIAL, ANALYTICAL, RESEARCH OR EDUCATIONAL	\$36	\$47	\$58	\$69	\$80	\$91	\$102	\$113	\$124	\$135	\$146	\$157* (SEE NOTE BELOW)
PARTICLE AND THERAPEUTIC ACCELERATOR	\$78	\$156	\$234	\$312	\$390	\$468	\$546	\$624	\$702	\$780	\$858	\$936** (SEE NOTE BELOW)

*For industrial/analytical/research/educational facilities, add an additional \$11.00 per machine over 12 machines. Examples: 13 machines = \$157.00 + \$11.00 = \$168.00; 14 machines = \$157.00 + \$11.00 + \$11.00 = \$179.00, etc.

**For particle and therapeutic accelerator facilities, add an additional \$78.00 per machine over 12 machines. Examples: 13 machines = \$936.00 + \$78.00 = \$1,014.00; 14 machines = \$936.00 + \$78.00 + \$78.00 = \$1,092.00, etc.

MINXRAY INC

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January 27, 2004

To Whom It May Concern:

MinXray, Inc. manufactures two x-ray unit models marketed primarily to podiatrists for foot and ankle radiography. These two models are similar to each other, using the same x-ray tubehead. The models are different in the design of the stand offered, and the certified collimator supplied with the tubehead used on each model.

The MinXray P200 tubehead used on both models has a fixed x-ray output of 63 kVp at 12 mA, ideal for extremity imaging. The only technique variable available to the operator is exposure time. The fixed x-ray output of these podiatric x-ray units is similar to the x-ray outputs of intraoral dental x-ray units.

Enclosed is a brochure describing both MinXray podiatry x-ray units. Please contact us if you have any questions about these x-ray units.

Sincerely,



Keith R. Kretchmer
President

Encl.

KK-0127B