

HOUSE BILL NO. 4862

May 18, 2021, Introduced by Reps. Meerman, Brann, LaGrand, Rogers, Hood, Peterson, Steckloff, Shannon, Cambensy, LaFave, Markkanen, Griffin, Steven Johnson, Fink, Beeler, Maddock, Allor, Huizenga, Yarocho, Outman and Wozniak and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 22224b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 22224b. (1) A person may provide positron emission
2 tomography scanner services without obtaining a certificate of need
3 under this part if all of the following requirements are met:
4 (a) The scanner services are provided by 1 or more of the
5 following fixed scanners:

1 (i) A whole-body positron emission tomography scanner with a
2 long axial field-of-view of greater than 130 centimeters.

3 (ii) A digital positron emission tomography and computerized
4 tomography hybrid scanner.

5 (iii) A positron emission tomography and magnetic resonance
6 imager hybrid.

7 (b) The scanner described in subdivision (a) is located in a
8 facility that is immediately adjacent to or in the same facility as
9 a radiopharmacy that meets all of the following requirements:

10 (i) Is equipped with a qualified fixed cyclotron.

11 (ii) Provides cyclotron-produced radiopharmaceuticals for use
12 in diagnostic and medical applications to an appropriately equipped
13 clinical facility.

14 (iii) Is licensed under part 177.

15 (c) Finished radiopharmaceuticals are able to be transported
16 from the radiopharmacy described in subdivision (b) to the scanner
17 described in subdivision (a) in less than 5 minutes.

18 (2) As used in this section, "qualified fixed cyclotron" means
19 a particle accelerator with a spiral beam path that is held in
20 place by an electromagnetic field perpendicular to the spiral beam
21 path that meets all of the following:

22 (a) Is capable of producing a proton beam of no fewer than 14
23 mega-electron volts on target.

24 (b) Has installed targets providing no fewer than 3 distinct
25 positron-emitting isotopes.

26 (c) No fewer than 1 target installed must produce an isotope
27 with a half-life of not more than 20 minutes.