



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB2492

Introduced 2/17/2005, by Rep. Rosemary Mulligan

SYNOPSIS AS INTRODUCED:

New Act

Creates the Ultrasound Administration Act. Requires a person that issues an order or a referral for the administration of an ultrasound upon a pregnant woman to be licensed to practice medicine in all of its branches, licensed as an advanced practice nurse, or licensed as a certified nurse midwife. Provides that an order or referral for the administration of an ultrasound shall not be issued for entertainment purposes or for any other purpose which is not warranted by the condition of the patient as determined by the treating physician, advanced practice nurse, or certified nurse midwife. Provides that any person, except a person authorized to issue an order or a referral pursuant to the Act, who administers an ultrasound upon a pregnant woman without an order or referral, shall be guilty of a Class A misdemeanor.

LRB094 09490 RXD 39741 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Ultrasound Administration Act.

6 Section 5. Legislative findings.

7 (a) The U.S. Food and Drug Administration defines
8 ultrasound imaging as a diagnostic medical procedure that uses
9 high frequency sound waves to produce diagnostic images, or
10 sonograms, of organs, tissues, or blood flow inside the body.

11 (b) Ultrasound imaging has numerous legitimate uses,
12 including, but not limited to, diagnosing pregnancy,
13 determining fetal age, diagnosing congenital abnormalities,
14 evaluating the position of the placenta, and determining
15 multiple pregnancies.

16 (c) Women are sometimes exposed to ultrasound when it is
17 not medically indicated or medically supervised. Facilities
18 for performing fetal ultrasound for the purpose of providing
19 parents with "keepsake videos", using the latest ultrasound
20 technology to produce high-resolution images of babies
21 developing in the womb, are gaining nationwide popularity. At
22 these facilities, ultrasounds may be performed by individuals
23 who do not have the appropriate medical training or
24 supervision. These facilities often perform ultrasounds
25 without the order or referral of a medical professional. In
26 addition, women are sometimes exposed to the ultrasound for
27 longer than the time specified by the U.S. Food and Drug
28 Administration for fetal monitoring.

29 (d) The U.S. Food and Drug Administration has disapproved
30 of the promotion, sale, or lease of ultrasound equipment for
31 making "keepsake" fetal videos. This practice is also
32 discouraged by the American Institute of Ultrasound in

1 Medicine.

2 Section 10. Unauthorized ultrasound administration. A
3 person shall not issue an order or referral for the
4 administration of an ultrasound upon a pregnant woman unless he
5 or she is: (i) licensed to practice medicine in all of its
6 branches as provided under the Illinois Medical Practice Act of
7 1987, (ii) licensed to practice as an advanced practice nurse
8 as provided under the Nursing and Advanced Practice Nursing
9 Act, or (iii) licensed to practice as a certified nurse midwife
10 as provided under the Nursing and Advanced Practice Nursing
11 Act.

12 Section 15. Ultrasound administration; other purposes. An
13 order or referral for the administration of an ultrasound
14 subject to this Act shall not be issued for entertainment
15 purposes or for any other purpose which is not warranted by the
16 condition of the patient as determined by the treating
17 physician, advanced practice nurse, or certified nurse
18 midwife.

19 Section 20. Violation. Any person, except a person
20 authorized to issue an order or a referral pursuant to this
21 Act, who administers an ultrasound upon a pregnant woman
22 without an order or referral, shall be guilty of a Class A
23 misdemeanor.