

implanted or body-worn MedRadio transmitters shall cooperate reasonably with duly authorized FCC representatives in the resolution of interference.

§ 95.1209 Permissible communications.

(a) Except for the purposes of testing and for demonstrations to health care professionals, MedRadio programmer/control transmitters may transmit only non-voice data containing operational, diagnostic and therapeutic information associated with a medical implant device or medical body-worn device that has been implanted or placed on the person by or under the direction of a duly authorized health care professional.

(b) Except as provided in § 95.627(b) no MedRadio implant or body-worn transmitter shall transmit except in response to a transmission from a MedRadio programmer/control transmitter or in response to a non-radio frequency actuation signal generated by a device external to the body with respect to which the MedRadio implant or body-worn transmitter is used.

(c) MedRadio programmer/control transmitters may be interconnected with other telecommunications systems including the public switched telephone network.

(d) For the purpose of facilitating MedRadio system operation during a MedRadio communications session, as defined in § 95.627, MedRadio transmitters in the 401–406 MHz band may transmit in accordance with the provisions of § 95.627(a) for no more than 5 seconds without the communications of data; MedRadio transmitters may transmit in accordance with the provisions of § 95.627(b)(2) and (b)(3) for no more than 3.6 seconds in total within a one hour time period; and MedRadio transmitters may transmit in accordance with the provisions of § 95.627(b)(4) for no more than 360 milliseconds in total within a one hour time period.

(e) MedRadio programmer/control transmitters may not be used to relay information in the 401–406 MHz band to a receiver that is not included with a medical implant or medical body-worn device. Wireless retransmission of information intended to be transmitted by a MedRadio programmer/control

transmitter or information received from a medical implant or medical body-worn transmitter shall be performed using other radio services that operate in spectrum outside of the 401–406 MHz band.

(f) MedRadio programmer/control transmitters and medical implant transmitters may not be used to relay information in the 413–419 MHz, 426–432 MHz, 438–444 MHz, and 451–457 MHz bands to a receiver that is not part of the same Medical Micropower Network. Wireless retransmission of information to a receiver that is not part of the same Medical Micropower Network must be performed using other radio services that operate in spectrum outside of the 413–419 MHz, 426–432 MHz, 438–444 MHz, and 451–457 MHz bands. Notwithstanding the above restrictions, a MedRadio programmer/control transmitter of an MMN may communicate with the MedRadio programmer/control transmitter of another MMN to coordinate transmissions so as to avoid interference between the two MMNs.

(g) MedRadio programmer/control transmitters operating in the 413–419 MHz, 426–432 MHz, 438–444 MHz, and 451–457 MHz bands shall not transmit with a duty cycle greater than 3 percent.

[74 FR 22709, May 14, 2009, as amended at 75 FR 52477, Aug. 26, 2010; 77 FR 4269, Jan. 27, 2012]

EFFECTIVE DATE NOTE: At 77 FR 55733, Sept. 11, 2012, § 95.1209 was amended by redesignating paragraph (g) as (h) and adding a new paragraph (g), effective Oct. 11, 2012. For the convenience of the user, the added text is set forth as follows:

§ 95.1209 Permissible communications.

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(g) Medical body-worn transmitters may only relay information in the 2360–2400 MHz band to a MedRadio programmer/control transmitter that is part of the same Medical Body Area Network (MBAN). A MedRadio programmer/control transmitter may not be used to relay information in the 2360–2400 MHz band to another MedRadio programmer/controller transmitter. Wireless retransmission of information to a receiver that is

§ 95.1211

not part of the same MBAN shall be performed using other radio services that operate in spectrum outside of the 2360-2400 MHz band.

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§ 95.1211 Channel use policy.

(a) The channels authorized for MedRadio operation by this part of the FCC Rules are available on a shared basis only and will not be assigned for the exclusive use of any entity.

(b) To reduce interference and make the most effective use of the authorized facilities, MedRadio transmitters must share the spectrum in accordance with §§ 95.627 or 95.628.

(c) MedRadio operation is subject to the condition that no harmful interference is caused to stations operating in the 400.150-406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Services, or to other authorized stations operating in the 413-419 MHz, 426-432 MHz, 438-444 MHz, and 451-457 MHz bands. MedRadio stations must accept any interference from stations operating in the 400.150-406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Services, and from other authorized stations operating in the 413-419 MHz, 426-432 MHz, 438-444 MHz, and 451-457 MHz bands.

[74 FR 22709, May 14, 2009, as amended at 77 FR 4270, Jan. 27, 2012]

EFFECTIVE DATE NOTE: At 77 FR 55733, Sept. 11, 2012, §95.1211 was amended by revising paragraph (c), effective Oct. 11, 2012. For the convenience of the user, the revised text is set forth as follows:

§ 95.1211 Channel use policy.

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(c) MedRadio operation is subject to the condition that no harmful interference is caused to stations operating in the 400.150-406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Services, or to other authorized stations operating in the 413-419 MHz, 426-432 MHz, 438-444 MHz, 451-457, and 2360-2400 MHz bands. MedRadio stations must accept any interference from stations operating in the 400.150-406.000 MHz band in the Meteorological Aids, Meteorological Satellite, or Earth Exploration Satellite Serv-

47 CFR Ch. I (10-1-12 Edition)

ices, and from other authorized stations operating in the 413-419 MHz, 426-432 MHz, 438-444 MHz, 451-457, and 2360-2400 MHz bands.

§ 95.1213 Antennas.

No antenna for a MedRadio transmitter shall be configured for permanent outdoor use. In addition, any MedRadio antenna used outdoors shall not be affixed to any structure for which the height to the tip of the antenna will exceed three (3) meters (9.8 feet) above ground.

EFFECTIVE DATE NOTE: At 77 FR 55733, Sept. 11, 2012, §95.1213 was revid, effective Oct. 11, 2012. For the convenience of the user, the revised text is set forth as follows:

§ 95.1213 Antennas.

Except for the 2390-2400 MHz band, no antenna for a MedRadio transmitter shall be configured for permanent outdoor use. In addition, any MedRadio antenna used outdoors shall not be affixed to any structure for which the height to the tip of the antenna will exceed three (3) meters (9.8 feet) above ground.

§ 95.1215 Disclosure policies.

(a) Manufacturers of MedRadio transmitters operating in the 401-406 MHz band must include with each transmitting device the following statement:

“This transmitter is authorized by rule under the Medical Device Radiocommunication Service (in part 95 of the FCC Rules) and must not cause harmful interference to stations operating in the 400.150-406.000 MHz band in the Meteorological Aids (*i.e.*, transmitters and receivers used to communicate weather data), the Meteorological Satellite, or the Earth Exploration Satellite Services and must accept interference that may be caused by such stations, including interference that may cause undesired operation. This transmitter shall be used only in accordance with the FCC Rules governing the Medical Device Radiocommunication Service. Analog and digital voice communications are prohibited. Although this transmitter has been approved by the Federal Communications Commission, there is no guarantee that it will not receive interference or that any particular transmission from this transmitter will be free from interference.”

(b) Manufacturers of MedRadio transmitters operating in the 413-419 MHz, 426-432 MHz, 438-444 MHz, and 451-457 MHz bands must include with each transmitting device the following statement: