

§95.1219

shall be labeled as provided in part 2 of this chapter and shall bear the following statement in a conspicuous location on the device:

“This device may not interfere with stations authorized to operate on a primary basis in the 2360–2400 MHz band, and must accept any interference received, including interference that may cause undesired operation.”

The statement may be placed in the instruction manual for the transmitter where it is not feasible to place the statement on the device.

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(c) MedRadio transmitters shall be identified with a serial number, except that in the 2360–2400 MHz band only the MedRadio programmer/controller transmitter shall be identified with a serial number. The FCC ID number associated with a medical implant transmitter and the information required by §2.925 of this chapter may be placed in the instruction manual for the transmitter and on the shipping container for the transmitter, in lieu of being placed directly on the transmitter.

§95.1219 Marketing limitations.

Transmitters intended for operation in the MedRadio Service may be marketed and sold only for the permissible communications described in §95.1209.

§95.1221 RF exposure.

MedRadio medical implant or medical body-worn transmitters (as defined in appendix 1 to subpart E of part 95 of this chapter) are subject to the radio-frequency radiation exposure requirements specified in §§1.1307 and 2.1093 of this chapter, as appropriate. Applications for equipment authorization of implant devices operating under this section must contain a finite difference time domain (FDTD) computational modeling report showing compliance with these provisions for fundamental emissions. The Commission retains the discretion to request the submission of specific absorption rate measurement data.

§95.1223 Registration and frequency coordination in the 2360–2390 MHz Band.

(a) *Registration.* A health care facility must register all MBAN devices it proposes to operate in the 2360–2390 MHz

band with a frequency coordinator designated under §95.1225 of this chapter. Operation of these devices in the 2360–2390 MHz band is prohibited prior to the MBAN coordinator notifying the health care facility that registration and coordination (to the extent coordination is required under paragraph (c) of this section), is complete. The registration must include the following information:

(1) Specific frequencies or frequency range(s) within the 2360–2390 MHz band to be used, and the capabilities of the MBAN equipment to use the 2390–2400 MHz band;

(2) Effective isotropic radiated power;

(3) Number of control transmitters in use at the health care facility as of the date of registration including manufacturer name(s) and model numbers and FCC identification number;

(4) Legal name of the health care facility;

(5) Location of control transmitters (e.g., geographic coordinates, street address, building);

(6) Point of contact for the health care facility (e.g., name, title, office, phone number, fax number, email address); and

(7) In the event an MBAN has to cease operating in all or a portion of the 2360–2390 MHz band due to interference under §95.1211 or changes in coordination under paragraph (c) of this section, a point of contact (including contractors) for the health care facility that is responsible for ensuring that this change is effected whenever it is required (e.g., name, title, office, phone number, fax number, email address). The health care facility also must state whether, in such cases, its MBAN operation is capable of defaulting to the 2390–2400 MHz band and that it is responsible for ceasing MBAN operations in the 2360–2390 MHz band or defaulting traffic to other hospital systems.

(b) *Notification.* A health care facility shall notify the frequency coordinator whenever an MBAN control transmitter in the 2360–2390 MHz band is permanently taken out of service, unless it is replaced with transmitter(s) using the same technical characteristics as

those reported on the health care facility's registration. A health care facility shall keep the information contained in each registration current, shall notify the frequency coordinator of any material change to the MBAN's location or operating parameters, and is prohibited from operating the MBAN in the 2360–2390 MHz band under changed operating parameters until the frequency coordinator determines whether such changes require coordination with the AMT coordinator designated under §87.305 of this chapter and, if so, the coordination required under paragraph (c) of this section has been completed.

(c) *Coordination procedures.* The frequency coordinator will determine if an MBAN is within the line of sight of an AMT receive facility in the 2360–2390 MHz band and notify the health care facility when it may begin MBAN operations under the applicable procedures in (c)(1) or (2) of this section.

(1) If the MBAN is beyond the line of sight of an AMT receive facility, it may operate without prior coordination with the AMT coordinator, provided that the MBAN coordinator provides the AMT coordinator with the MBAN registration information and the AMT coordinator concurs that the MBAN is beyond the line of sight prior to the MBAN beginning operations in the band.

(2) If the MBAN is within line of sight of an AMT receive facility, the MBAN frequency coordinator shall achieve a mutually satisfactory coordination agreement with the AMT frequency coordinator prior to the MBAN beginning operations in the band. Such coordination agreement shall provide protection to AMT receive stations consistent with International Telecommunication Union (ITU) Recommendation ITU-R M.1459, "Protection criteria for telemetry systems in the aeronautical mobile service and mitigation techniques to facilitate sharing with geostationary broadcasting-satellite and mobile-satellite services in the frequency bands 1 452–1 525 and 2 310–2 360 MHz," May 2000, as adjusted using generally accepted engineering practices and standards that are mutually agreeable to both coordinators to take into account the local

conditions and operating characteristics of the applicable AMT and MBAN facilities, and shall specify when the device shall limit its transmissions to segments of the 2360–2390 MHz band or shall cease operation in the band. This ITU document is incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 and approved by the Director of Federal Register. Copies of the recommendation may be obtained from ITU, Place des Nations, 1211 Geneva 20, Switzerland, or online at <http://www.itu.int/en/publications/Pages/default.aspx>. You may inspect a copy at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). "Generally accepted engineering practices and standards" include, but are not limited to, engineering analyses and measurement data as well as limiting MBAN operations in the band by time or frequency.

(3) If an AMT operator plans to operate a receive site not previously analyzed by the MBAN coordinator to determine line of sight to an MBAN facility, the AMT operator shall consider using locations that are beyond the line of sight of a registered health care facility. If the AMT operator determines that non-line of sight locations are not practical for its purposes, the AMT coordinator shall notify the MBAN coordinator upon no less than 7 days' notice that the registered health care facility must cease MBAN operations in the 2360–2390 MHz band unless the parties can achieve a mutually satisfactory coordination agreement under paragraph (c)(2) of this section.

[77 FR 55734, Sept. 11, 2012]

EFFECTIVE DATE NOTE: At 77 FR 55734, Sept. 11, 2012, §95.1223 was added, however, this amendment does not have an effective date.

#### § 95.1225 Frequency coordinator.

(a) The Commission will designate a frequency coordinator(s) to manage the