

(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 frequency 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 coordinator shall achieve a mutually satisfactory coordination agreement with the AMT 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 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 must cease operation in the band. This ITU document is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 5 1. To enforce any edition other than that specified in this section, the Federal Communications Commission must publish a document in the FEDERAL REGISTER and the material must be available to the public. 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>. "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 (e)(2) of this section.

(f) *Coordinator functions.* The MBAN frequency coordinator shall:

(1) Provide registration and coordination of MBAN operations to all eligible health care facilities on a non-discriminatory basis;

(2) Provide MBAN registration and coordination services on a not-for-profit basis;

(3) Notify the FCC of its intent to no longer serve as frequency coordinator at least six months prior to ceasing to perform these functions; and

(4) Transfer the MBAN registration data in usable form to a frequency coordinator designated by the FCC if it ceases to be the coordinator.

§§ 95.2511-95.2521 [Reserved]

§ 95.2523 MedRadio transmitter inspection.

Any non-implanted MedRadio transmitter must be made available for inspection upon request by an authorized FCC representative. Persons operating implanted or body-worn MedRadio