

(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

transmitters shall cooperate reasonably with duly authorized FCC representatives in the resolution of interference.

§ 95.2525 MedRadio interference.

(a) To reduce interference and make the most efficient use of the authorized facilities, MedRadio transmitters must share the spectrum in accordance with § 95.2559.

(b) MedRadio operations must not cause harmful interference to, and 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 other authorized stations operating in the 413–419 MHz, 426–432 MHz, 438–444 MHz, 451–457 MHz, and 2360–2400 MHz bands. MedRadio programmer/control transmitters must have the ability to operate in the presence of primary and secondary users in the 413–419 MHz, 426–432 MHz, 438–444 MHz, 451–457 MHz, and 2360–2400 MHz bands.

§§ 95.2527–95.2529 [Reserved]

§ 95.2531 Permissible MedRadio uses.

MedRadio programmer/control transmitters may be operated only for the uses set forth in this section.

(a) 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) MedRadio programmer/control transmitters may be operated for the purposes of testing and demonstrating MedRadio operation to health care professionals.

§ 95.2533 Prohibited MedRadio uses.

MedRadio Service transmitters must not be operated for uses other than those set forth in § 95.2531.

(a) Voice communications are prohibited in the MedRadio Service.

(b) 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.

(c) 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 a part of the same Medical Micropower Network (MMN). Wireless retransmission of information to a receiver that is not part of the same MMN 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 a MedRadio programmer/control transmitter of another MMN to coordinate transmissions, so as to avoid interference between the two MMNs.

(d) Medical body-worn transmitters may relay only information in the 2360–2400 MHz band to a MedRadio programmer/control transmitter or another medical body-worn transmitter device that is part of the same Medical Body Area Network (MBAN). A MedRadio programmer/control transmitter must not be used to relay information in the 2360–2400 MHz band to other MedRadio programmer/control transmitters. Wireless retransmission of all other information from an MBAN transmitter to a receiver that is not a part of the same MBAN shall be performed using other radio services that operate in spectrum outside of the 2360–2400 MHz band. Notwithstanding the above restriction, a MedRadio programmer/control transmitter in the 2360–2400 MHz band may communicate with another MedRadio programmer/control transmitter in the 2360–2400 MHz band to coordinate transmissions so as to avoid interference between the two MBANs.