



Oregon

Theodore R. Kulongoski, Governor

STP

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Department of Human Services

Health Services

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December 22, 2004



TO: Interested Persons

FROM: Edwin L. Wright *EJW*

RE: Proposal Rule Revision Divisions 333-100 to 333-121

The purpose of the proposed rule changes is to revise and update dental and fluoroscopic X-ray operator rules, X-ray training hours, dose limit for Mammography, darkroom and safelights, exposure table updates in OAR 333-106-0045, re-numbering of OAR 333-106-0045 and updating of tables regarding therapy in OAR 333-106-0512. These revisions also maintain our compatibility with Nuclear Regulatory Commission regulations for radioactive materials. Additional changes utilize guidance from the Suggested State Regulations (SSR) for the Control of Radiation published by the Conference of Radiation Control Program Directors (CRCPD). Proposed rule changes are available at www.ohd.hr.state.or.us/rps/propchanges.cfm.

The second public hearing for this rule revision is scheduled for Thursday, February 3, 2005, at the Portland State Office Building, 800 NE Oregon Street, Room 120C from 7:00 p.m. to 9:00 p.m. (Registration will start at 6:00 p.m.).

If you have any questions, please call J. Robert Rapcinski for information to X-ray rules at 503-731-4014 ext. 676, or Edwin Wright for all other proposed changes at 503-731-4014 ext. 679.

Enclosures: Notice of Proposed Rulemaking Hearing
Statement of Need and Fiscal Impact

"Assisting People to Become Independent, Healthy and Safe"
An Equal Opportunity Employer

STP-006 Template

RIDS- SP08



SISP Review Complete

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form.

Department of Human Services, Health Services, Radiation Protection Services

333

Agency and Division

Administrative Rules Chapter Number

Christina Hartman

(503) 731-4405

Rules Coordinator

Telephone

800 NE Oregon Street, Suite 930, Portland, OR 97232

Address

February 3, 2005

7:00 pm

Portland State Office Building, Suite 120C
800 NE Oregon Street, Portland, OR

Jana Fussell

Hearing Date

Time

Location

Hearings Officer

Are auxiliary aids for persons with disabilities available upon advance request? Yes No

RULEMAKING ACTION

ADOPT:

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Rules in 333-121

AMEND:

Rules in 333-100, 333-101, 333-106 and 333-116

REPEAL:

Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Amend and Renumber: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 453.605 through 453.807

Stat. Auth.:

Other Authority

ORS 453.605 through 453.807

Stats. Implemented:

RULE SUMMARY

To revise and update dental, fluoroscopy and PET/CT rules to meet current trends and emerging technologies in these fields. Also, to update and maintain compatibility with Nuclear Regulatory Commission regulations for radioactive materials, a requirement of our Agreement State status. Additional changes utilize guidance from the Suggested State Regulations for the Control of Radiation published by the Conference of Radiation Control Program Directors.

333-100 General Provisions: Add new definitions.

333-101 Registration of Radiation Machines, General License Radioactive Materials, Licensing of Radiation Services, and Accreditation of Hospital Radiology Inspectors: Change the number of training hours for x-ray vendors.

333-106 X-rays in the Healing Arts: Revise training requirements for dental assistants, revise operator qualifications for fluoroscopic equipment, addition to Table 3 for f-speed film, add PET/CT training requirements, change to average glandular dose for mammography, and minor changes to mammography quality assurance requirements.

333-116 Use of Radionuclides in The Healing Arts: Change training requirements for PET authorized users and nuclear pharmacists, add training requirements for PET/CT operators, and implement required NRC changes from 10 CFR 35 to maintain Agreement State compatibility.

333-121 Licensing and Radiation Safety Requirements for Irradiators: New section for large irradiators.

ORS 183.335(2)(b)(G) requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

February 4, 2005 at 5:00 p.m.
Last Day for Public Comment

Christina Hartman
Signature and Date

12/15/04

Christina Hartman
Printed name

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday. ARC 920-2003

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Human Services, Health Services

333

Agency and Division

Administrative Rules Chapter Number

In the Matter of:

Adopting Oregon Administrative Rules in 333-121 and amending Oregon Administrative Rules in 333-100, 333-101, 333-106, and 333-116.

Statutory Authority: ORS 453.605 through 453.807

Other Authority:

Statutes Implemented: ORS 453.605 through 453.807

Need for the Rule(s):

To revise and update dental, fluoroscopy and PET/CT rules to meet current trends and emerging technologies in these fields. To update and maintain compatibility with Nuclear Regulatory Commission regulations for radioactive materials, a requirement of our Agreement State status. Additional changes utilize guidance from the Suggested State Regulations for the Control of Radiation published by the Conference of Radiation Control Program Directors.

Documents Relied Upon:

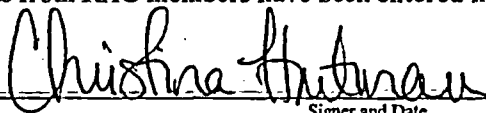
10 CFR 35, the Suggested State Regulations from the Conference of Radiation Control Program Directors; and comments received from professional boards and educational institutions.

Fiscal and Economic Impact:

The fiscal impact of these revisions will be limited to those individuals directly involved in dental, fluoroscopy and PET/CT. Dental technicians may see a slight decrease resulting from the elimination of classroom hours required. Training requirements for X-ray vendors is being reduced. Fluoroscopy users will have increased training requirements due to an increase in the number of topics added to the training curriculum. The cost for this additional training should be under \$300.00 per student. Additional PET/CT training could cost up to \$1000.00 per person for x-ray technicians seeking this qualification.

Changes to Division 116 should result in a reduction of cost to hospitals and nuclear pharmacists. Additional training requirements for PET/CT training could cost up to \$800.00 per person for nuclear medicine technicians seeking this qualification.

Administrative Rule Advisory Committee consulted?: Yes, the Radiation Advisory Committee (RAC). Draft copies of the rules have been distributed to members of the RAC. Comments from RAC members have been entered into the final draft rules.

 12/15/01

Signer and Date

Christina Hartman

Printed name

Oregon

Department of Human Services
Health Services-Public Health
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Portland, OR 97293-0450

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FIRST CLASS



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