IOWA ADMINISTRATIVE BULLETIN

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mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.6, 481A.38, 481A.39, 481A.87 and 481A.90.

A fiscal impact summary prepared by the Legislative Services Agency pursuant to Iowa Code § 17A.4(3) will be available at http://www.legis.state.ia.us/IAC.html or at (515) 281-5279 prior to the Administrative Rules Review Committee's review of this rule making.

The following amendments are proposed.

ITEM 1. Amend subrule 108.7(2) as follows:

108.7(2) Open area. River otters may be taken statewide. Bobcats may be taken in the following counties: Adams, Appanoose, Clarke, Davis, Decatur, Des Moines, Fremont, *Harrison,* Henry, Jefferson, Lee, Lucas, Mills, *Monona,* Monroe, Montgomery, Page, *Pottawattamie,* Ringgold, Taylor, Union, Van Buren, Wapello, ~~and~~ Wayne*, and Woodbury*.

ITEM 2. Amend subrule **108.7(3)**, paragraph **"b,"** as follows:

b. Quotas. The quota for the number of river otters that may be taken is ~~400~~ *500* statewide. The quota for the number of bobcats that may be taken is ~~150~~ *200* in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches ~~400~~ *500*. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches ~~150~~ *200*. Trappers shall be allowed a 48-hour grace period after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded provided that the trapper has not reached the trapper's personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper shall not be penalized.

ITEM 3. Rescind subrule **108.9(2)**.

ARC 6711B

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"*b*."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 136B.4, 136C.3 and 136D.7, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 38, "General Provisions for Radiation Machines and Radioactive Materials," Chapter 39, "Registration of Radiation Machine Facilities, Licensure of Radioactive Materials and Transportation of Radioactive Materials," Chapter 40, "Standards for Protection Against Radiation," Chapter 41, "Safety Requirements for the Use of Radiation Machines and Certain Uses of Radioactive Materials," Chapter 42, "Minimum Certification Standards for Diagnostic Radiographers, Nuclear Medicine Technologists, and Radiation Therapists," Chapter 44, "Minimum Requirements for Radon Mitigation," and Chapter 46, "Minimum Requirements for Tanning Facilities," Iowa Administrative Code.

The following paragraphs itemize the proposed changes:

Items 1, 3, 9, and 13 amend the rules to reflect current federal regulations.

Item 2 adds an application fee for industrial radiographers. Fees are used to meet the costs of processing the application and issuing the permit card.

Item 4 adds a category for service provider registration. This category is added to clarify the categories of those required to register.

Item 5 corrects the language previously corrected elsewhere by changing the two-working-day period to a three-working-day period.

Item 6 rescinds a requirement for a permanent office in Iowa for registrants and licensees.

Item 7 adds an omitted reference.

Item 8 adds a new paragraph in order to meet the Nuclear Regulatory Commission compatibility requirements.

Items 10 and 12 amend language involving nationally tracked sources. Items 10 and 12 amend language to meet Nuclear Regulatory Commission compatibility requirements.

Item 11 corrects the address for obtaining forms.

Items 14 and 46 add clarifying language to require operators to have a current permit to practice. The permit is required by Chapter 42.

Items 16 to 21, 23 to 25, and 27 to 44 correct references to meet Nuclear Regulatory Commission compatibility requirements.

Item 22 amends the title of the studies. This change corrects language previously corrected elsewhere in Chapter 41 in order to meet the Nuclear Regulatory Commission compatibility requirements.

Item 26 rescinds a paragraph to meet Nuclear Regulatory Commission compatibility requirements.

Item 45 corrects the name of the college to meet Nuclear Regulatory Commission compatibility requirements.

Item 47 amends definitions and adds new definitions to meet FDA standards for digital mammography.

Item 48 adds language to include reinstatement for mammography certification.

Items 49 and 50 amend language to include suspension, revocation and denial of mammography certification.

Items 51 and 52 amend and adopt new language regarding the accreditation process for mammography facilities.

Item 53 adds new language for computers used for mammography interpretation.

Items 54 to 61 add and correct language for training and continuing education for physicians, physicists, and technologists involved with mammography.

Items 62 to 64 adopt new language for clarification of mammography requirements.

Item 65 changes the time requirements for retaining mammography films.

Items 66 to 68 add language for digital mammography or to specify film-screen mammography or digital mammography.

Item 69 adds language requiring the reviewing physician to sign the required audits.

Item 70 corrects language for base plus fog density tests.

Item 71 removes language allowing a different requirement before an effective date of October 28, 2002.

Item 72 adds a new paragraph for digital mammography units.

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Items 73 and 75 add new language for digital mammography units.

Item 74 clarifies language for mammography equipment evaluations.

Item 76 adopts new definitions necessary for clarification of terms in mammography.

Item 77 clarifies the type of physicist needed for the mammography evaluations.

Item 78 changes the word "withdrawal" to "suspension or revocation" for clarification of mammography disciplinary actions.

Item 79 adds a statement requiring inspections after revocation of mammography authorization.

Items 80, 84, and 86 correct references and remove a quality control responsibility for mammography physicians.

Items 81, 83, 85, and 87 add language for physicians performing stereotactically guided breast biopsies. The wording adds requirements for physicians who do not maintain the experience or education requirements. Items 81 and 83 also adopt new language to require physicians to have an Iowa medical license.

Item 82 adopts new language to require physicians to be responsible for supervision of radiologic technologists during procedures.

Item 88 rearranges wording for clarification.

Item 89 adds language for requalification in mammography.

Item 90 adds language to restrict hours to be earned for continuing education in mammography.

Item 91 amends wording for clarification and adds wording for requalification in mammography.

Item 92 adds language for additional identifiers for mammography records and corrects the type of physicist allowed.

Item 93 changes "radiation physicist" to "medical physicist" to clarify the qualifications of the individual.

Item 94 adds a new paragraph for responsibilities for a supervising stereotactic biopsy physician.

Items 95 to 97 expand language that specifies the requirements for mammography equipment.

Item 98 adds wording to clarify the qualifications of a medical physicist in mammography.

Item 99 adds wording to include all types of individuals covered under Chapter 42.

Item 100 changes the term "podiatry assistant" to "podiatric radiographer." The new term more accurately reflects the position. The amendment also clarifies definitions by specifying "advanced" CPR and by adding language to differentiate between indirect and direct supervision and adds two new definitions for "directly related" and "formally educated" for clarification.

Item 101 adds language to accurately reflect the supervision requirements for the different modalities.

Items 102, 103, 106, 109, 110, and 115 to 118 change the term "podiatry assistant" to "podiatric radiographer." The new term more accurately reflects the position.

Item 104 changes wording to make the language more uniform.

Item 105 adds the word "current" to clarify the distinction between "expired" and "current."

Items 107 and 111 add language for clarity.

Item 108 corrects a misspelled word.

Item 109 removes language requiring penalty hours for late submission of continuing education. This action follows guidelines of the national certification body.

Item 112 adds language to refer the various modalities to the proper area of the rules for training requirements. The amendment explains the requirements to be submitted for approval of a training program and includes requirements for instructors.

Item 113 changes the word "trained" to "educated" to better define the requirements for a supervising individual.

Item 114 removes a provision allowing temporary certification. The requirement for examination before certification is now uniform with other modalities.

Item 119 adds wording to clarify the fees required for radon mitigation installations.

Item 120 adds wording to require posting of instructions in tanning rooms to make the requirement uniform with other parts of Chapter 46.

These rules are subject to waiver pursuant to the Department's exemption provision contained at 641—38.3(136C). For this reason, the Department has not provided a specific provision for waiver of these particular rules.

Any interested person may make written suggestions or comments on these proposed amendments prior to the close of business on April 29, 2008. Such written materials should be directed to Chief of Bureau of Radiological Health, Iowa Department of Public Health, Lucas State Office Building, 5th Floor, 321 East 12th Street, Des Moines, Iowa 50319; fax (515)281-4529; or E-mail ccraig@idph.state.ia.us.

A public hearing will be held on April 29, 2008, at 8:30 a.m. in Fourth Floor Conference Room 415, Side 2, Iowa Department of Public Health, Lucas State Office Building, Des Moines, Iowa, at which time persons may present their views orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any person who plans to attend the public hearing and has special requirements such as those related to hearing or mobility impairments should contact the Department to advise of specific needs.

These amendments are intended to implement Iowa Code chapters 136B, 136C, and 136D.

A fiscal impact summary prepared by the Legislative Services Agency pursuant to Iowa Code § 17A.4(3) will be available at http://www.legis.state.ia.us/IAC.html or at (515) 281-5279 prior to the Administrative Rules Review Committee's review of this rule making.

The following amendments are proposed.

ITEM 1. Amend subrule 38.1(2) as follows:

38.1(2) All references to Code of Federal Regulations (CFR) in this chapter are those in effect as of ~~April 30, 2007~~ *July 9, 2008*.

ITEM 2. Amend subrule **38.8(3)** by adopting **new** paragraph **"c"** as follows:

c. A nonrefundable fee of $75 shall be submitted with each application, not associated with an agency-administered industrial radiography examination, for a trainee or trainer card issued to a radiographer's assistant or an industrial radiographer.

ITEM 3. Amend subrule 39.1(3) as follows:

39.1(3) All references to any Code of Federal Regulations (CFR) in this chapter are those in effect as of ~~April 30, 2007~~ *July 9, 2008*.

ITEM 4. Amend subrule **39.3(3)**, paragraph **"d,"** by adopting **new** subparagraph **(5)** as follows:

(5) Calibration and compliance surveys of external beam radiation therapy units.

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ITEM 5. Amend subrule **39.3(10)**, paragraph **"b,"** as follows:

b. If, for a specific case, the ~~two~~ *three*-working-day period would impose an undue hardship on the person, upon application to the agency, permission to proceed sooner may be granted.

ITEM 6. Amend subrule **39.4(20)** by rescinding paragraph **"c"** and relettering paragraph **"d"** as **"c."**

ITEM 7. Amend subrule **39.4(29)**, paragraph **"l,"** introductory paragraph, as follows:

l. Manufacture and distribution of sources or devices containing radioactive material for medical use. An application for a specific license to manufacture and distribute sources and devices containing radioactive material to persons licensed pursuant to 641—41.2(136C) for use as a calibration or reference source or for the uses listed in 641—subrules 41.2(41), ~~and~~ 41.2(43), *and 41.2(49)* will be approved if:

ITEM 8. Amend subrule **39.4(33)**, paragraph **"g,"** subparagraph **(4)**, by renumbering numbered paragraph **"6"** as **"7"** and adopting a **new** numbered paragraph **"6"** as follows:

6. A description of the physical security plan and material control and accounting plan provisions in place during decommissioning.

~~6~~ *7.* For decommissioning plans calling for completion of decommissioning later than 24 months after plan approval, the plan shall include justification for the delay based on the criteria in paragraph "i" of this subrule.

ITEM 9. Amend subrule 40.1(5) as follows:

40.1(5) All references to Code of Federal Regulations (CFR) in this chapter are those in effect on or before ~~May 3, 2006~~ *July 9, 2008*.

ITEM 10. Amend subrule **40.99(8)**, introductory paragraph, as follows:

40.99(8) Each licensee that possesses Category 1 nationally tracked sources shall report its initial inventory of Category 1 nationally tracked sources to the National Source Tracking System by ~~November 15, 2007~~ *January 31, 2009*. Each licensee that possesses Category 2 nationally tracked sources shall report its initial inventory of Category 2 nationally tracked sources to the National Source Tracking System by ~~November 30, 2007~~ *January 31, 2009*. This information may be submitted by using any of the methods identified in subrule 40.99(6). The initial inventory report must include the following information:

ITEM 11. Amend **641—Chapter 40**, **Appendix D**, section I (c), second paragraph, as follows:

NRC Forms 540, 540A, 541, 541A, 542, and 542A, and the accompanying instructions, in hard copy, may be obtained ~~from the Information and Records Management Branch,~~ *by writing or calling the* Office of Information ~~Resources Management~~ *Services*, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0111, telephone (301) 415-~~7232~~ *5877 or by visiting the NRC's Web site at http://www.nrc.gov and selecting forms from the index found on the home page*.

ITEM 12. Amend **641—Chapter 40**, **Appendix H**, as follows:

CHAPTER 40
APPENDIX H
NATIONALLY TRACKED SOURCE THRESHOLDS

The Terabecquerel (TBq) values are the regulatory standard. The curie (Ci) values specified are obtained by converting from the TBq value. The curie values are provided for practical usefulness only and are rounded after conversion.

Radioactive Material	Category 1 (TBq)	Category 1 (Ci)	Category 2 (TBq)	Category 2 (Ci)
Actinium-227	20	540	0.2	5.4
Americium-241	60	1,600	0.6	16.0
Americium-241/Be	60	1,600	0.6	16.0
Californium-252	20	540	0.2	5.4
Cobalt-60	30	810	0.3	8.1
Curium-244	50	1,400	0.5	~~15.0~~ *14.0*
Cesium-137	100	2,700	1.0	27.0
Gadolinium-153	1,000	27,000	10.0	270.0
Iridium-192	80	2,200	0.8	22.0
Plutonium-238	60	1,600	0.6	16.0
Plutonium-239/Be	60	1,600	0.6	16.0
Polonium-210	60	1,600	0.6	16.0
Promethium-147	40,000	1,100,000	400.0	11,000.0
Radium-226	40	1,100	0.4	11.0
Selenium-75	200	5,400	2.0	54.0
Strontium-90	1,000	27,000	10.0	270.0
Thorium-228	20	540	0.2	5.4
Thorium-229	20	540	0.2	5.4
Thulium-170	20,000	540,000	200.0	5,400.0
Ytterbium-169	300	8,100	3.0	81.0

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ITEM 13. Amend subrule **41.1(1)**, paragraph **"b,"** as follows:

b. All references to any Code of Federal Regulations (CFR) in this chapter are those in effect as of ~~April 30, 2007~~ *July 9, 2008*.

ITEM 14. Amend subrule **41.1(3)**, paragraph **"a,"** subparagraph **(2)**, numbered paragraph **"1,"** as follows:

1. Operators in medical facilities shall meet the requirements of 641—Chapter 42 as applicable*, and have a current permit to practice in diagnostic radiography.* The individual's permit to practice shall be posted in the immediate vicinity of the general work area and visible to the public.

ITEM 15. Amend subrule **41.2(11)**, paragraph **"a,"** subparagraph **(5)**, as follows:

(5) Require that only those individuals ~~specifically trained~~ *certified and issued a current permit to practice* in accordance with 641—Chapter 42 as a nuclear medicine technologist or a radiation therapist, as applicable, or an Iowa-licensed physician and designated by the authorized user, shall be permitted to administer radionuclides *(sealed sources only for radiation therapists)* or radiation to patients or human research subjects. For a nuclear medicine technologist or a radiation therapist, the individual's permit to practice shall be posted in the immediate vicinity of the general work area and be visible to the public.

ITEM 16. Amend subrule **41.2(31)**, paragraph **"b,"** subparagraph **(2)**, as follows:

(2) A physician who is an authorized user and who meets the requirements specified in 41.2(68) or 41.2(69) and has work experience in eluting generator systems appropriate for preparation of radioactive drugs for imaging and localization studies, measuring and testing the eluate for radionuclide purity, and processing the eluate with reagent kits to prepare labeled radioactive drugs; or before May 3, 2006, who meets the requirements of 10 CFR 35.~~920~~ *290*; or

ITEM 17. Amend subrule **41.2(33)**, paragraph **"b,"** as follows:

b. Prepared by an authorized nuclear pharmacist, a physician who is an authorized user and who meets the requirements specified in 41.2(68) *or 41.2(69)*, or an individual under the supervision of either as specified in 41.2(11);

ITEM 18. Amend subrule 41.2(67), introductory paragraph, as follows:

41.2(67) Training for uptake, dilution, and excretion studies. Except as provided in 41.2(75) ~~and 41.2(76)~~, the licensee shall require an authorized user of unsealed radioactive material for the uses authorized under 41.2(31) to be a physician who:

ITEM 19. Amend subrule **41.2(67)**, paragraph **"b,"** as follows:

b. Is an authorized user under 41.2(68) or 41.2(69), or before May 3, 2006, meets the requirements in ~~10 CFR 35.910, 35.920, or 35.930~~ *10 CFR 35.190, 35.290, or 35.390*, or meets equivalent agreement state requirements; or

ITEM 20. Amend subrule **41.2(67)**, paragraph **"c,"** subparagraph **(1)**, numbered paragraph **"2,"** introductory paragraph, as follows:

2. Work experience, under the supervision of an authorized user who meets the requirements in 41.2(67), 41.2(68), or 41.2(69), or before May 3, 2006, the requirements in ~~10 CFR 35.910, 35.920, or 35.930~~ *10 CFR 35.190, 35.290, or 35.390*, or equivalent agreement state requirements, involving:

ITEM 21. Amend subrule **41.2(67)**, paragraph **"c,"** subparagraph **(2)**, as follows:

(2) Has obtained written attestation, signed by a preceptor authorized user who meets the requirements in 41.2(67), 41.2(68), or 41.2(69), or before May 3, 2006, the requirements in ~~10 CFR 35.910, 35.920, or 35.930~~ *10 CFR 35.190, 35.290, or 35.390*, or equivalent agreement state requirements, that the individual has satisfactorily completed the requirements in 41.2(67)"a"(1) or 41.2(67)"c"(1) and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized in 41.2(31).

ITEM 22. Amend subrule **41.2(68)**, paragraph **"a,"** subparagraph **(1)**, as follows:

(1) Complete 700 hours of training and experience in basic radionuclide handling techniques and radiation safety applicable to the medical use of unsealed radioactive material for ~~uptake, dilution, and excretion~~ *imaging and localization* studies that include the topics listed in 41.2(68)"c"(1)"1" and "2"; and

ITEM 23. Amend subrule **41.2(68)**, paragraph **"b,"** as follows:

b. Is an authorized user under 41.2(69) and meets the requirements in 41.2(68)"c"(1)"2," seventh bulleted paragraph, or before May 3, 2006, meets the requirements in 10 CFR ~~35.920~~ *35.290*, or equivalent agreement state requirements; or

ITEM 24. Amend subrule **41.2(68)**, paragraph **"c,"** subparagraph **(1)**, numbered paragraph **"2,"** introductory paragraph, as follows:

2. Work experience, under the supervision of an authorized user who meets the requirements in 41.2(68) or 41.2(68)"c"(1)"2," seventh bulleted paragraph, and 41.2(69), or before May 3, 2006, meets the requirements in 10 CFR ~~35.920~~ *35.290*, or equivalent agreement state requirements, involving:

ITEM 25. Amend subrule **41.2(68)**, paragraph **"c,"** subparagraph **(2)**, as follows:

(2) Has obtained written attestation, signed by a preceptor authorized user who meets the requirements in 41.2(68) or 41.2(69) and 41.2(68)"c"(1)"2," seventh bulleted paragraph, or before May 3, 2006, meets the requirements in 10 CFR ~~35.920~~ *35.290*, or equivalent agreement state requirements, that the individual has satisfactorily completed the requirements in 41.2(68)"a"(1) or 41.2(68)"c"(1) and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under 41.2(31) and 41.2(33).

ITEM 26. Rescind subrule **41.2(68)**, paragraph **"d."**

ITEM 27. Amend subrule **41.2(69)**, paragraph **"b,"** subparagraph **(1)**, numbered paragraph **"2,"** introductory paragraph, as follows:

2. Work experience, under the supervision of an authorized user who meets the requirements in 41.2(69), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, or equivalent agreement state requirements. A supervising authorized user who meets the requirements in 41.2(69)"b," or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*(b) must also have experience in administering dosages in the same dosage category or cate-

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gories (i.e., 41.2(69)"b"(1)"2," seventh bulleted paragraph) as the individual requesting authorized user status. The work experience must involve:

ITEM 28. Amend subrule **41.2(69)**, paragraph **"b,"** subparagraph **(2)**, as follows:

(2) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(69)"a"(1) and 41.2(69)"b"(1)"2," seventh bulleted paragraph, or 41.2(69)"b"(1), and has achieved a level of competency sufficient to function independently as an authorized user for the medical uses authorized under 41.2(37). The written attestation must be signed by a preceptor authorized user who meets the requirements in 41.2(69), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, or equivalent agreement state requirements. The preceptor authorized user who meets the requirements in 41.2(69)"b," or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*(b), must have experience in administering dosages in the same dosage category or categories (i.e., 41.2(69)"b"(1)"2," seventh bulleted paragraph) as the individual requesting authorized user status.

ITEM 29. Amend subrule **41.2(70)**, paragraph **"b,"** subparagraph **(1)**, numbered paragraph **"2,"** introductory paragraph, as follows:

2. 500 hours of work experience, under the supervision of an authorized user who meets the requirements in 41.2(70), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940~~ *35.490*, or equivalent agreement state requirements at a medical institution, involving:

ITEM 30. Amend subrule **41.2(70)**, paragraph **"b,"** subparagraphs **(2)** and **(3)**, as follows:

(2) Has completed three years of supervised clinical experience in radiation oncology under an authorized user who meets the requirements in 41.2(70), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940~~ *35.490*, or equivalent agreement state requirements, as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required in 41.2(70)"b"(1)"2"; and

(3) Has obtained written attestation, signed by a preceptor authorized user who meets the requirements in 41.2(70), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940~~ *35.490*, or equivalent agreement state requirements, that the individual has satisfactorily completed the requirements in 41.2(70)"a"(1) or 41.2(70)"b"(1) and (2), and has achieved a level of competency sufficient to function independently as an authorized user of manual brachytherapy sources for the medical uses in 41.2(43).

ITEM 31. Amend subrule **41.2(71)**, paragraph **"a,"** as follows:

a. Is an authorized user under 41.2(70), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940~~ *35.490* or ~~35.941~~ *35.491*, or equivalent agreement state requirements; or

ITEM 32. Amend subrule **41.2(71)**, paragraph **"b,"** subparagraph **(3)**, as follows:

(3) Has obtained written attestation, signed by a preceptor authorized user who meets the requirements in 41.2(70) or 41.2(71), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940~~ *35.490* or ~~35.941~~ *35.491*, or equivalent agreement state requirements, that the individual has satisfactorily completed the requirements in 41.2(71)"a" and "b" and has achieved a level of competency sufficient to function independently as an authorized user of strontium-90 for ophthalmic use.

ITEM 33. Amend subrule **41.2(73)**, paragraph **"b,"** subparagraph **(1)**, numbered paragraph **"2,"** introductory paragraph, as follows:

2. 500 hours of work experience, under the supervision of an authorized user who meets the requirements in 41.2(73), or before May 3, 2006, meets the requirements in 10 CFR ~~35.960~~ *35.690*, or equivalent agreement state requirements at a medical institution, involving:

ITEM 34. Amend subrule **41.2(73)**, paragraph **"b,"** subparagraphs **(2)** and **(3)**, as follows:

(2) Has completed three years of supervised clinical experience in radiation therapy under an authorized user who meets the requirements in 41.2(73), or before May 3, 2006, meets the requirements in 10 CFR ~~35.960~~ *35.690*, or equivalent agreement state requirements, as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required by 41.2(73)"b"(1)"2"; and

(3) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(73)"a"(1) or 41.2(73)"b"(1) and (2), and 41.2(73)"c," and has achieved a level of competency sufficient to function independently as an authorized user of each type of therapeutic medical unit for which the individual is requesting authorized user status. The written attestation must be signed by a preceptor authorized user who meets the requirements in 41.2(73), or before May 3, 2006, the requirements in 10 CFR ~~35.960~~ *35.690*, or equivalent agreement state requirements for an authorized user for each type of therapeutic medical unit for which the individual is requesting authorized user status; and

ITEM 35. Amend subrule **41.2(74)**, paragraph **"b,"** subparagraph **(2)**, as follows:

(2) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(74)"a"(1) and (2) and 41.2(74)"c" or 41.2(74)"b"(1) and 41.2(74)"c," and has achieved a level of competency sufficient to function independently as an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status. The written attestation must be signed by a preceptor authorized medical physicist who meets the requirements in 41.2(74), or before May 3, 2006, the requirements in 10 CFR ~~35.961~~ *35.51*, or equivalent agreement state requirements for an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status; and

ITEM 36. Amend subrule **41.2(81)**, paragraph **"b,"** as follows:

b. Is an authorized user under 41.2(69)"a" or "b" for uses in the oral administration of less than or equal to 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131 for which a written directive is required, or oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131, or before May 3, 2006, who meets the requirements in 10 CFR ~~35.930, 35.932, or 35.934~~ *35.390, 35.392,*

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or 35.394, or meets equivalent agreement state requirements; or

ITEM 37. Amend subrule **41.2(81)**, paragraph **"c,"** subparagraph **(2)**, introductory paragraph, as follows:

(2) Has work experience, under the supervision of an authorized user who meets the requirements in 41.2(69)"a" or "b," or 41.2(82), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930, 35.932, or 35.934~~ *35.390, 35.392, or 35.394*, or equivalent agreement state requirements. A supervising authorized user who meets the requirements in 41.2(69)"b" must also have experience in administering dosages as follows: oral administration of less than or equal to 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131, for which a written directive is required; or oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131. The work experience must involve:

ITEM 38. Amend subrule **41.2(81)**, paragraph **"c,"** subparagraph **(3)**, as follows:

(3) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(81)"c"(1) and (2), and has achieved a level of competency sufficient to function independently as an authorized user for medical uses authorized under 41.2(37). The written attestation must be signed by a preceptor authorized user who meets the requirements in 41.2(69), 41.2(81), or 41.2(82), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930, 35.932, or 35.934~~ *35.390, 35.392, or 35.394*, or equivalent agreement state requirements. A preceptor authorized user who meets the requirements in 41.2(69)"b" must also have experience in administering dosages as follows: oral administration of less than or equal to 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131, for which a written directive is required; or oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131.

ITEM 39. Amend subrule **41.2(82)**, paragraph **"b,"** as follows:

b. Is an authorized user under 41.2(69)"a" or "b" for oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131, or before May 3, 2006, meets the requirements in 10 CFR ~~35.930 or 35.934~~ *35.390 or 35.394*, or meets equivalent agreement state requirements; or

ITEM 40. Amend subrule **41.2(82)**, paragraph **"c,"** subparagraph **(2)**, introductory paragraph, as follows:

(2) Has work experience, under the supervision of an authorized user who meets the requirements in 41.2(69)"a" or "b" or 41.2(82), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930 or 35.934~~ *35.390 or 35.394*, or equivalent agreement state requirements. A supervising authorized user who meets the requirements in 41.2(69)"b" must also have experience in oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131. The work experience must involve:

ITEM 41. Amend subrule **41.2(82)**, paragraph **"c,"** subparagraph **(3)**, as follows:

(3) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(82)"c"(1) and (2), and has achieved a level of competency sufficient to function independently as an authorized user for medical uses authorized in 41.2(37). The written attestation must be signed by a preceptor authorized user who meets the requirements in 41.2(69) or 41.2(82), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930 or 35.934~~ *35.390 or 35.394*, or equivalent agreement state requirements. A preceptor authorized user who meets the requirements in 41.2(69)"b" must also have experience in oral administration of greater than 33 millicuries (1.22 Gigabecquerels) of sodium iodide I-131.

ITEM 42. Amend subrule **41.2(89)**, paragraphs **"a," "b,"** and **"c,"** as follows:

a. Is an authorized user under 41.2(69), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, for uses listed in 41.2(89), or meets equivalent agreement state requirements; or

b. Is an authorized user under 41.2(70) or 41.2(73), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940 or 35.960~~ *35.490 or 35.690*, or meets equivalent agreement state requirements, and who meets the requirements in 41.2(89)"d"; or

c. Is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state under 41.2(70) or 41.2(73), or before May 3, 2006, meets the requirements in 10 CFR ~~35.940 or 35.960~~ *35.490 or 35.690*, and who meets the requirements in 41.2(89)"d"; or

ITEM 43. Amend subrule **41.2(89)**, paragraph **"d,"** subparagraph **(2)**, introductory paragraph, as follows:

(2) Has work experience, under the supervision of an authorized user who meets the requirements in 41.2(69) or 41.2(89), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, or equivalent agreement state requirements, in the parenteral administration for which a written directive is required, of either any beta emitter or any photon-emitting radionuclide with a photon energy less than 150 keV or parenteral administration of any other radionuclide for which a written directive is required. A supervising authorized user who meets the requirements in 41.2(69) or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390* must have experience in administering dosages of either any beta emitter or any photon-emitting radionuclide with a photon energy less than 150 keV or parenteral administration of any other radionuclide for which a written directive is required. The work experience must involve:

ITEM 44. Amend subrule **41.2(89)**, paragraph **"d,"** subparagraph **(3)**, as follows:

(3) Has obtained written attestation that the individual has satisfactorily completed the requirements in 41.2(89)"b" or "c," and has achieved a level of competency sufficient to function independently as an authorized user for the parenteral administration of unsealed by-product material requiring a written directive. The written attestation must be signed by a preceptor authorized user who meets the requirements in 41.2(69) or 41.2(89), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, or equivalent agreement state requirements. A preceptor authorized user who meets the requirements in 41.2(69), or before May 3, 2006, meets the requirements in 10 CFR ~~35.930~~ *35.390*, must have experience in administering dosages of either any beta emitter or any photon-emitting radionuclide with a photon energy less than 150 keV or at least three cases involving the parenteral administration of any other radionuclide for which a written directive is required.

ITEM 45. Amend subrule **41.3(6)**, paragraph **"d,"** as follows:

d. Be certified by the Canadian College of ~~Medical Physics~~ *Physicists in Medicine*; or

ITEM 46. Amend subrule **41.3(7)**, paragraph **"a,"** as follows: