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The registration fee is increased from \$60 to \$72 for a biennial registration. The registration renewal period is changed from August-September to July-September in odd-numbered years. The training course review fee is raised from \$100 to \$200. A notification fee for courses to be held is increased from \$25 to \$50.

Training organizations are required to resubmit course information every five years. Third-party certification organizations are required to resubmit program information every five years.

Additional grounds for denial of registration and discipline are added, including fraud in obtaining registration, criminal history, and discipline in another jurisdiction. Additional grounds for denial or revocation of approval for a training course are added, including submission of false information, falsification of training records, and physical or sexual abuse or harassment of a student or instructor.

Notice of Intended Action was published in the May 19, 2010, Iowa Administrative Bulletin as **ARC 8761B**. No comments were received. The adopted amendments are identical to those published under Notice.

The State Board of Health adopted these amendments on July 14, 2010.

These amendments will become effective on September 15, 2010.

These amendments are intended to implement Iowa Code chapter 135K.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [26.2, 26.4, 26.5, 26.8] is being omitted. These amendments are identical to those published under Notice as **ARC 8761B**, IAB 5/19/10.

[Filed 7/14/10, effective 9/15/10]

[Published 8/11/10]

[For replacement pages for IAC, see IAC Supplement 8/11/10.]

ARC 8982B

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Pursuant to the authority of Iowa Code section 136C.3, the Department of Public Health hereby amends 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," and Chapter 45, "Radiation Safety Requirements for Industrial Radiographic Operations," Iowa Administrative Code.

Items 1, 9, 21, 32, and 62 amend rules to reflect current federal regulations. Items 5 and 6 add electronic brachytherapy devices to subrule 38.8(1). Item 7 adds the radioactive material fee schedule to rule 641—38.8(136C) and includes a general license registration fee. Item 8 clarifies payment requirements to obtain permits for radioactive material shipments. Item 10 resolves comment #1 in Nuclear Regulatory Commission (NRC) letter to the Department dated 9/16/2009. Item 31 corrects the location of values for Sulfur-35. Item 33 clarifies the requirement for assay of doses. Item 63 ensures proper training is completed prior to the examination. The remaining items amend the rules to meet NRC compatibility requirements.

Notice of Intended Action was published in the May 19, 2010, Iowa Administrative Bulletin as **ARC 8762B**. Comments were received from one individual. Most of the changes suggested cannot be made because the changes would not be compatible with federal requirements. However, subparagraph 41.2(34)"b"(2) in Item 36 has been changed as a result of the comments. Subparagraph 41.2(34)"b"(2) now reads as follows:

"(2) Rubidium-82 radiopharmaceuticals from strontium-82/rubidium-82 generators shall measure the strontium-82 and strontium-85 concentration before the first patient use of the day."

PUBLIC HEALTH DEPARTMENT[641](cont'd)

These amendments were adopted by the State Board of Health on July 14, 2010.

These amendments will become effective on September 15, 2010.

These amendments are intended to implement Iowa Code chapter 136C.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 38 to 41, 45] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 8762B**, IAB 5/19/10.

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[For replacement pages for IAC, see IAC Supplement 8/11/10.]

ARC 8983B**PUBLIC HEALTH DEPARTMENT[641]****Adopted and Filed**

Pursuant to the authority of Iowa Code section 135M.4, the Department of Public Health hereby amends Chapter 109, "Prescription Drug Donation Repository Program," Iowa Administrative Code.

The rules in Chapter 109 describe the requirements for medical facilities and pharmacies to accept and dispense donated prescription drugs and supplies and the eligibility criteria for individuals to receive donated prescription drugs and supplies. The rule in Item 2 allows the Department of Public Health to be a local repository for the Prescription Drug Donation Repository Program in disaster and emergency situations.

Notice of Intended Action was published in the May 19, 2010, Iowa Administrative Bulletin as **ARC 8765B**. No comments were received. The adopted amendments are identical to those published under Notice.

The State Board of Health adopted these amendments on July 14, 2010.

These amendments will become effective on September 15, 2010.

This rule is intended to implement Iowa Code chapter 135M.

The following amendments are adopted.

ITEM 1. Reserve rules **641—109.12** and **641—109.13**.

ITEM 2. Adopt the following new rule 641—109.14(135M):

641—109.14(135M) Prescription drug donation repository in disaster emergencies. The following are the requirements for the department to receive and distribute prescription drugs and supplies in preparation for a disaster emergency proclaimed by the governor or in preparation for a public health disaster.

109.14(1) The department may receive prescription drugs and supplies directly from the prescription drug donation repository contractor and dispense prescription drugs and supplies through licensed personnel during or in preparation for a disaster emergency proclaimed by the governor pursuant to Iowa Code section 29C.6 or during or in preparation for a public health disaster as defined in 2009 Iowa Code Supplement section 135.140, subsection 6.

109.14(2) The department may receive and distribute prescription drugs and supplies as defined in Iowa Code section 135.142 to any Iowan who has been a victim of a disaster emergency proclaimed by the governor.

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