

ADDITIONAL NOTICE OF PUBLIC RULES HEARINGS

DATE: Thursday, February 2, 2012
TIME: 10:00 A.M.
PLACE: 8TH FLOOR LARGE CONFERENCE ROOM
OHIO DEPARTMENT OF HEALTH (ODH)
246 N. HIGH STREET
COLUMBUS, OHIO 43215

In addition to the three public hearings already announced and in accordance with Chapter 119 of the Revised Code (R.C.), the Public Health Council (PHC) will conduct five Bureau of Radiation Protection (BRP) rules hearings at its February 2, 2012 meeting. The PHC meeting will begin at 10:00 a.m. in the 8th Floor Large Conference Room of the Ohio Department of Health, 246 N. High Street, Columbus 43215; the public hearings will commence soon thereafter. The BRP hearings are listed below and will be numbered Hearing #4 through Hearing #8.

HEARING #4: By authority of R.C. Section 3748.04 and to satisfy five-year review requirements, the PHC proposes to amend Ohio Administrative Code (O.A.C.) rules 3701-72-01 to 3701-72-04. These rules pertain to licensing and education programs for limited scope general x-ray machine operators, radiographers, radiation therapy technologists and nuclear medicine technologists. Some changes add language to: 1) allow all categories of applicants to take the state examination any number of times with the specification that a GXMO applicant must pass the examination within a one-year period of completing the requisite didactic training; 2) allow licensees to complete non-classroom continuing education; 3) allow the Department to accept electronic payments and license renewal applications; and 4) specify that clinical training modules must be conducted in a laboratory setting using digital equipment.

HEARING #5: By authority of R.C. Section 3748.04, the PHC proposes to amend O.A.C. rule 3701:1-38-03. This rule pertains to application and renewal of registrations for handlers of radiation-generating equipment. Some changes 1) enable the Department to close out incomplete applications when applicants are not responsive to requests for more information; 2) allow facilities with outstanding penalty fees to handle x-ray equipment as long as the original registration fee is paid and the facility meets compliance with applicable x-ray rules; and 3) update references and delete redundancies.

HEARING #6: By authority of R.C. 3748.04, the Public Health Council proposes to adopt new O.A.C. rules 3701:1-43-01 to 3701:1-43-19. These rules set radiation safety standards and licensing requirements for Technologically Enhanced Naturally Occurring Radioactive Material (TENORM). Suggestions for state regulations from the Council of Radiation Control Program Directors (CRCPD) were utilized in drafting these rules.

HEARING #7: By authority of R.C. 3748.04, the Public Health Council proposes to rescind current and adopt new O.A.C. rule 3701:1-65-05. This rule addresses diagnostic radiation-generating equipment requirements. The proposed changes from the current version of the rule are being made to coincide with the Code of Federal Regulations and suggested state regulations regarding x-ray field and image receptor requirements.

HEARING #8: By authority of R.C. 3748.04, the Public Health Council proposes to create new Chapter 3701:1-68 to separate non-medical radiation-generating equipment rules from medical radiation-generating equipment rules. In doing so, parts of Chapter 3701:1-66 that pertain to non-medical radiation-generating equipment are being moved to the new chapter

and rules 3701:1-66-12, 3701:1-66-13, and 3701:1-66-17 are proposed for rescission.

At the hearings, people affected by the proposed actions may appear and be heard in person, by an attorney, or both; may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence tending to show that the proposed rules, if adopted or effectuated, will be unreasonable or unlawful. To aid in getting visitors through building security, both persons intending to testify at the hearing and those simply intending to observe are encouraged to pre-register by mail (ODH Rules, Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215); by phone [(614) 466-4882], or by e-mail (odhrules@odh.ohio.gov).

Copies of the proposed rules are available on the Register of Ohio website (ODH has a link to that website at www.odh.ohio.gov/rules/pending.aspx), or from the Office of the General Counsel (contact information listed above). Please FAX [(614) 564-2509], mail, or e-mail any written comments before 5:00 p.m. on February 1, 2012.