MN X-ray Rules, Rule Revision Request for Comments
Interested persons or groups may submit comments or information on Minnesota Rules, Chapter 4732 possible rule revision in writing.

Comment is encouraged. All interested or affected persons, including representatives of associations and other interested groups, have an opportunity to comment on the proposed rules.

* Email comments to x-rayrules@state.mn.us
* Comments must be in writing and received by the agency contact person, Jacqueline Cavanagh. See contact information on the righthand side of this webpage.
* [Request for Comments (Cite 41 SR 61)
State Register Volume 41, Number 3, page 61](http://www.comm.media.state.mn.us/bookstore/stateregister/41_3.pdf)

**COMMENTS DUE: September 17, 2016.**

Official Notices Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The State Register also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

**Minnesota Department of Health Division of Environmental Health Request for Comments on Possible Amendments and New Rules Governing X-ray Machines and Other Sources of Ionizing Radiation; Minnesota Rules, Chapter 4732; Revisor’s ID R4418 Subject of Rules.**

The Minnesota Department of Health **requests comments on its possible amendments and new rules governing X-ray machines and other sources of ionizing radiation**. The Department is developing amendments and possible rules to update Minnesota Rules, Chapter 4732. These rules will address advances in equipment technology, scope of practice for operators of X-ray equipment, service provider responsibilities, inspection requirements, and other related things that come up as time permits. This chapter was last revised in 2008. Persons Affected. The new rules and amendments would likely affect health care facilities, health care professionals, and all authorized operators of X-ray and other ionizing radiation-producing equipment.

These affected groups include:

• health care professionals (licensed practitioners of the healing arts, medical physicists, mid-level medical professionals);

• training programs (colleges, radiologic training programs);

• radiologic accrediting organizations;

• professional organizations (medical associations and radiologic associations);

• service providers of X-ray and other ionizing radiation-producing equipment;

• licensing boards (Board of Medical Practice, Board of Nursing, Board of Dentistry, Board of Chiropractic Examiners; and

• other interested persons (patient-oriented advocacy groups).

**Statutory Authority**. Minnesota Statutes, section 144.12, paragraph (14), which authorizes the Commissioner of Health to control, by rule, by requiring the taking out of licenses or permits, or by other appropriate means, sources of radiation, and the handling, storage, transportation, use and disposal of radioactive isotopes and fissionable materials. Minnesota Statutes, section 144.121, subdivision 1, governs other aspects of regulating X-ray machines and other sources ionizing radiation such as equipment registration, inspections, limitations on practice, and variances.

**Public Comment**. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the State Register that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. **The Department will likely appoint an advisory committee to comment on the possible rules**. The Department is interested in whether local units of government might be required to adopt or amend an ordinance or other regulation to implement these rules and therefore requests that local units provide us with relevant information about their ordinances. In addition, the Department is interested in comments addressing the cumulative effect of any possible new rules governing X-ray machines and other sources of ionizing radiation.

**Rules Drafts**. The **Department has not yet drafted the possible rules and is seeking feedback on the goals and objectives that should inform the drafting of these rules from interested persons and stakeholders.**

**Agency Contact Person**. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to:

Jacqueline Cavanagh at Minnesota Department of Health, 625 N. Robert Street, Saint Paul, MN 55164. Phone: (651) 201-4151, Fax: (651) 201-4606, and e-mail: jacqueline.cavanagh@state.mn.us.

**Alternative Format**. Upon request, this information can be made available in an alternative format, such as large print, Page 62 Minnesota State Register, Monday 18 July 2016 (Cite 41 SR 62) Official Notices braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**NOTE**: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

**Dated: July 18, 2016** Tom Hogan, Division Director Environmental Health Division Minnesota Department of Health.