

TITLE 32: ENERGY
CHAPTER II: ILLINOIS EMERGENCY MANAGEMENT AGENCY
SUBCHAPTER b: RADIATION PROTECTION

PART 410
REGISTRATION REQUIREMENTS FOR DIAGNOSTIC IMAGING SPECIALISTS
AND THERAPEUTIC RADIOLOGICAL PHYSICISTS

Section

- 410.10 Policy and Scope
- 410.20 Education/Experience Requirements for Diagnostic Imaging Specialists and Therapeutic Radiological Physicists
- 410.30 Approval of Application and Application/Registration Fees
- 410.35 Suspension and Revocation of Registration as an Approved Diagnostic Imaging Specialist or a Therapeutic Radiological Physicist
- 410.40 Radiation Installations and Classifications (Repealed)
- 410.50 Inspection Procedures (Repealed)
- 410.60 Choice of Type of Inspector and Inspection Schedule (Repealed)
- 410.65 Inspection Fees (Repealed)
- 410.70 Separate Installation (Repealed)
- 410.80 Change in Operator (Repealed)
- 410.ILLUSTRATION A New Facility Filing Anniversary Date (Class C Facility Used As An Example) (Repealed)
- 410.ILLUSTRATION B Existing Facility Filing Anniversary Date (Class B Facility Used As An Example) (Repealed)

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: Adopted at 8 Ill. Reg. 23209, effective November 19, 1984; amended at 9 Ill. Reg. 17821, effective November 5, 1985; amended at 10 Ill. Reg. 13265, effective July 29, 1986; amended at 13 Ill. Reg. 342, effective January 30, 1989; amended at 14 Ill. Reg. 13638, effective August 13, 1990; amended at 17 Ill. Reg. 17953, effective October 4, 1993; amended at 20 Ill. Reg. 9570, effective July 5, 1996; amended at 23 Ill. Reg. 332, effective December 18, 1998; amended at 23 Ill. Reg. 14501, effective January 1, 2000; recodified from the Department of Nuclear Safety to the Illinois Emergency Management Agency at 27 Ill. Reg. 13641; amended at 33 Ill. Reg. 2245, effective January 23, 2009.

Section 410.10 Policy and Scope

This Part implements the provisions of the Radiation Protection Act of 1990 [420 ILCS 40] regarding approval and registration of individuals responsible for implementing a comprehensive radiation protection program for Class D facilities as defined in 32 Ill. Adm. Code 320.

Specifically this Part:

- a) Establishes standards and procedures the Agency will apply for approving individuals as diagnostic imaging specialists and/or therapeutic radiological physicists; and
- b) Establishes standards and procedures to be applied by the Agency when withdrawing its approval of a diagnostic imaging specialist and/or therapeutic radiological physicist.

(Source: Amended at 33 Ill. Reg. 2245, effective January 23, 2009)

Section 410.20 Education/Experience Requirements for Diagnostic Imaging Specialists and Therapeutic Radiological Physicists

- a) Diagnostic imaging specialists and therapeutic radiological physicists responsible for implementing comprehensive radiation protection programs shall be approved by the Agency in accordance with Section 410.30 of this Part.
- b) Diagnostic Imaging Specialist. Individuals seeking approval as a diagnostic imaging specialist must possess the knowledge, training and experience to apply principles of radiological physics to diagnostic x-ray applications. Individuals seeking such approval shall meet any one of the criteria set forth in this subsection (b).

	<u>Education and/or Certification</u>		<u>Experience</u>
1)	Certification by the American Board of Radiology, American Board of Medical Physics or Canadian College of Medical Physics, in radiological physics or diagnostic radiological physics	and	experience included in certification.
2)	Certification by the American Board of Health Physics, by the College, or one of the Boards listed in subsection (b)(1) of this Section, in Therapeutic radiological physics	and	6 months of experience in diagnostic x-ray, which shall include quality assurance and survey experience.

- | | | | |
|----|---|-----|---|
| 3) | Doctorate (Ph. D.) or Master's (MS/MA) degree in health physics, medical radiological physics or physics | and | 1 year of applied x-ray radiation protection experience of which 6 months shall include quality assurance and survey experience in diagnostic x-ray. |
| 4) | Bachelor's (BS/BA) degree in health physics, medical radiological physics or physics | and | 2 years of applied x-ray radiation protection experience of which 6 months shall include quality assurance and survey experience in diagnostic x-ray. |
| 5) | Mater's (MS/MA) or Bachelor's (BS/BA) degree in physical or life science, mathematics, or other equivalent degree as determined by the Department | and | 3 years of applied x-ray radiation protection experience of which 1 year shall include quality assurance and survey experience in diagnostic x-ray. |

AGENCY NOTE: A degree that is not readily identifiable as meeting the requirements of this Part may be referred to the State Board of Higher Education for a determination of the degree classification.

- c) Therapeutic Radiological Physicist. Individuals seeking approval as a therapeutic radiological physicist must possess the knowledge, training and experience to measure ionizing radiation, evaluate safety techniques, advise regarding radiation protection needs and apply the principles of radiological physics to clinical radiation therapy. To meet these criteria, a therapeutic radiological physicist shall meet either of the criteria set forth in this subsection (c).

Education and/or
Certification

Experience

- 1) Certification by the American Board of Radiology, the American Board of Medical Physics or Canadian College of Medical Physics, in therapeutic radiological physics, roentgen ray and gamma ray physics, x-ray and radium physics, or radiological physics and experience included in certification.
 - 2) Doctorate (Ph.D.) or Master's (MS/MA) degree in physics, biophysics, radiological physics or health physics and 1 year of full-time training in radiological physics and also 1 year of full-time work experience under the supervision of a therapeutic radiological physicist at a medical institution.
- d) To meet the work experience requirements of subsection (c)(2) of this Section, the individual shall have performed the tasks specified in 32 Ill. Adm. Code 360.120(c), (d) and (e) under the supervision of an individual meeting the requirements of subsection (c) of this Section during the year of work experience.
- e) An individual previously holding a designation as a diagnostic imaging specialist and/or a therapeutic radiological physicist, and previously approved by the former Illinois Department of Nuclear Safety as a qualified inspector, shall remain approved as a diagnostic imaging specialist and/or therapeutic radiological physicist, unless approval is removed for cause pursuant to this Part.

(Source: Amended at 33 Ill. Reg. 2245, effective January 23, 2009)

Section 410.30 Approval of Application and Application/Registration Fees

- a) An applicant for approval by the Agency as a diagnostic imaging specialist and/or therapeutic radiological physicist shall submit a complete and legible application on a form prescribed and furnished by the Agency. Each applicant shall pay an application fee of \$200 that will serve as a registration fee for the remainder of the calendar year. The application fee is non-refundable.
- b) Upon initial application to the Agency, and as a condition for approval as a diagnostic imaging specialist and/or a therapeutic radiological physicist, an applicant shall submit verification of access to instruments that will enable the individual to perform measurements and tests in accordance with Agency

standards.

- c) The Agency shall provide written notification to the applicant concerning the status of the application within 4 weeks after receipt of the application and required fee. If approval is granted, the applicant shall receive a "Notice of Approval" and the individual's name and address shall be entered in the record of persons approved as diagnostic imaging specialists and/or as therapeutic radiological physicists.
- d) Individuals approved by the Agency as diagnostic imaging specialists and/or as therapeutic radiological physicists shall continue to remain approved unless approval is removed for cause pursuant to this Part.
- e) All approved diagnostic imaging specialists and/or therapeutic radiological physicists shall pay an annual non-refundable registration fee of \$150. The fee shall be due and payable within 60 days after the date of billing. Failure to remit the appropriate registration fee after 60 days shall cause the Agency to remove the individual's name from the record specified in subsection (c) of this Section. If an individual's name is removed from this record, the Agency shall not accept radiation machine evaluations or the establishment and oversight of equipment-related quality assurance practices performed on or after the date the individual's name was removed.
- f) If an individual's name has been removed from the record of approved diagnostic imaging specialists and/or therapeutic radiological physicists due solely to nonpayment of the fee prescribed in this Section, that individual's name shall be reinstated automatically upon payment of and receipt by the Agency of the prescribed fee.
- g) If the registration of a diagnostic imaging specialist or therapeutic radiological physicist has been revoked pursuant to Section 410.35 of this Part, the Agency shall consider the petition for reinstatement and the reasons for revocation before approving a new application.

(Source: Amended at 33 Ill. Reg. 2245, effective January 23, 2009)

Section 410.35 Suspension and Revocation of Registration as an Approved Diagnostic Imaging Specialist or a Therapeutic Radiological Physicist

- a) The Agency may act to suspend or revoke an individual's registration as an approved diagnostic imaging specialist and/or therapeutic radiological physicist and remove the individual's name from the record of approval for any one or a combination of the following causes:

- 1) Making a material misstatement or misrepresentation in the application for approval as a diagnostic imaging specialist and/or a therapeutic radiological physicist if such misstatement or misrepresentation would impair the Agency's ability to assess and evaluate the applicant's qualifications for approval under this Part;
 - 2) Evading or violating the Radiation Protection Act of 1990 or an Agency regulation or order, or aiding another person in evading or violating a statute, regulation or order;
 - 3) Exhibiting significant or repeated incompetence in the performance of evaluations of radiation machines or the establishment and oversight of equipment-related quality assurance practices;
 - 4) Providing to the Agency, or to a Class D registrant, false or misleading information in any of the records required by 32 Ill. Adm. Code 320.70;
 - 5) Providing to the Agency, or to a Class D registrant, under his/her diagnostic imaging specialist and/or therapeutic radiological physicist identification number or signature, a radiation machine evaluation report that he or she did not personally perform;
 - 6) Failing to pay a civil penalty assessed by the Agency;
 - 7) Failing to repay an educational loan guaranteed by the Illinois Student Assistance Commission as provided in 20 ILCS 3310/80; or
 - 8) Failing to meet child support orders as provided in 5 ILCS 100/10-65.
- b) The Agency may revoke the registration of an individual as an approved diagnostic imaging specialist and/or therapeutic radiological physicist for repetitive activities initially resulting in suspension.
- c) If, based upon any of the grounds stated in subsection (a), the Agency determines that action is necessary to suspend or revoke the registration of an approved diagnostic imaging specialist and/or therapeutic radiological physicist and to remove the individual's name from the record of approved individuals, the Agency shall first notify the individual of the reason for its action and the proposed length of a suspension or revocation and shall provide an opportunity for a hearing in accordance with 32 Ill. Adm. Code 200. An opportunity for a hearing shall be provided before the Agency takes final action to suspend or revoke an individual's registration.

- d) An individual whose registration has been suspended shall be reinstated upon completion of the duration of the suspension period.
- e) An individual whose registration has been revoked for reasons other than non-payment of fees shall have his/her name removed from the record. The individual may seek reinstatement to the record by filing a petition for reinstatement and a new application with the Agency. The petition and application for reinstatement may only be accepted for consideration by the Agency after the specified revocation period has ended. The individual shall be afforded a hearing in accordance with 32 Ill. Adm. Code 200 if the reinstatement petition and application are denied.
- f) Any of the causes for suspension or revocation specified in subsections (a)(1) through (5) of this Section may also be used as the grounds for the assessment of civil penalties pursuant to Section 36 of the Radiation Protection Act of 1990.

(Source: Amended at 33 Ill. Reg. 2245, effective January 23, 2009)

Section 410.40 Radiation Installations and Classifications (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

Section 410.50 Inspection Procedures (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

Section 410.60 Choice of Type of Inspector and Inspection Schedule (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

Section 410.65 Inspection Fees (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

Section 410.70 Separate Installation (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

Section 410.80 Change in Operator (Repealed)

(Source: Repealed at 23 Ill. Reg. 14501, effective January 1, 2000)

**Section 410.ILLUSTRATION A NEW FACILITY FILING ANNIVERSARY DATE
(Class C Facility Used As An Example) (Repealed)**

(Source: Repealed at 17 Ill. Reg. 17953 effective October 4, 1993)

Section 410.ILLUSTRATION B Existing Facility Filing Anniversary Date (Class B Facility Used As An Example) (Repealed)

(Source: Repealed at 17 Ill. Reg. 17953, effective October 4, 1993)