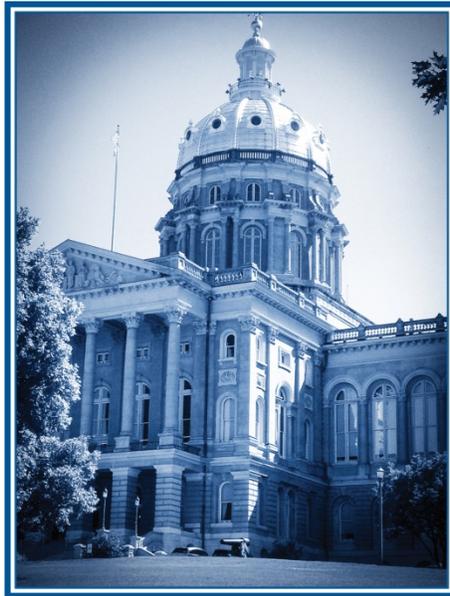

IOWA DEPARTMENT OF PUBLIC HEALTH

CHAPTER 42
PERMIT TO OPERATE IONIZING RADIATION
PRODUCING MACHINES OR ADMINISTER
RADIOACTIVE MATERIALS
REGULATORY GUIDE



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**IDPH REGULATORY GUIDE FOR
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ADMINISTER RADIOACTIVE MATERIALS
TABLE OF CONTENTS**

| | | |
|-----------|---------------------------------------------------------------------------------------------------------------|----------|
| 1. | Introduction | 3 |
| 1.1 | GENERAL | 3 |
| 1.2 | PURPOSE OF GUIDE | 3 |
| 1.3 | APPLICABLE REGULATIONS | 3 |
| 1.4 | AS LOW AS REASONABLY ACHIEVABLE (ALARA) PHILOSOPHY | 3 |
| 2. | FILING AN APPLICATION | 3 |
| 2.1 | INITIAL APPLICATION FEES | 4 |
| 2.2 | COMBINING PERMITS | 4 |
| 3. | RENEWAL OF PERMIT TO PRACTICE | 4 |
| 3.1 | RENEWAL FEES | 4 |
| 3.2 | CONTINUING EDUCATION REQUIREMENTS | 5 |
| 3.3 | CE PROBATION STATUS..... | 5 |
| 4. | REINSTATEMENT OF A PERMIT..... | 6 |
| 4.1 | REINSTATEMENT PROCEDURE..... | 6 |
| 4.2 | POSSIBLE PENALTY FOR WORKING WITH EXPIRED PERMIT..... | 7 |
| 5. | APPROPRIATE CLINICAL PRACTICE..... | 7 |
| 6. | RULES OF CONDUCT, SELF-REPORTING REQUIREMENTS, AND ENFORCEMENT ACTIONS FOR ALL PERMIT HOLDERS..... | 7 |
| 6.1 | RULES OF CONDUCT..... | 7 |
| 6.2 | SELF-REPORTING..... | 7 |
| 7. | FORMAL EDUCATION..... | 8 |

1. INTRODUCTION

1.1 GENERAL

The Iowa Department of Public Health (IDPH) regulates permit requirements for individuals who operate or use ionizing radiation producing machines or administer radioactive materials on or to human patients or human research subjects for diagnostic or therapeutic purposes. This chapter establishes minimum formal education standards and examination, continuing education, and disciplinary procedures. Chapter 641 IAC 42.

1.2 PURPOSE OF GUIDE

This guide is designed to expand upon the definitions found in Public Health 641 IAC 42 and to guide those holding permits in general radiography, nuclear medicine imaging, radiation therapy, radiologist assistant, limited radiography, bone densitometry and podiatric radiography the appropriate clinical practice for operating ionizing radiation producing machines and/or administer radioactive materials. **This guide will only address those clinical practices related to operation of equipment and/or administering radioactive materials to ensure the lowest possible radiation exposure to patient, self, and others.** Permit holders should be aware of requirements governing their non-radiation related work duties.

1.3 APPLICABLE REGULATIONS

In addition to 641 IAC 42, other regulations pertaining to the permits to operate ionizing radiation producing machines or administer radioactive materials are found in Chapters 38, 40, and 41 of the Iowa Administrative Code 641. To view these rules you may go to <http://idph.iowa.gov/radiological-health>.

1.4 AS LOW AS REASONABLY ACHIEVABLE (ALARA) PHILOSOPHY

Paragraph 641 IAC 40.1(3) states "...In addition to complying with the requirements set forth in this Chapter, every reasonable effort should be made to maintain radiation exposures and releases of radioactive material in effluents to unrestricted areas as low as is reasonably achievable (ALARA)." As a permit holder, you should consider the ALARA philosophy in all aspects of your profession.

The success of an ALARA program depends on the cooperation of each person who works at your facility. Management should make a formal policy commitment to the ALARA philosophy and implement that commitment with adequate resources. A Radiation Safety Committee composed of individuals who have special expertise in radiation producing machines and radioactive materials is required by 641-41.2(9) to review uses for safety and ALARA considerations.

The Committee, the Radiation Safety Officer (RSO) (*if needed*), and management are required to audit facility operations of all radiation emitting equipment and materials. In addition to being a member of the Committee, the RSO serves as a technical consultant to the Committee and is responsible for the day-to-day operations of the radiation safety program.

2. FILING AN APPLICATION

The following are exempt from obtaining a permit as required by Chapter 42 [641 IAC 42.3(1)]:

- a. A licensed physician.
- b. A licensed physician's assistant.
- c. A licensed chiropractor.
- d. A licensed dentist.
- e. A licensed dental hygienist.

- f. A licensed podiatrist.
- g. An individual certified by the dental board in dental radiography.
- h. A student as a part of the student's formal education.

All others must apply for a permit to practice with the IDPH. Applications can be filled out and fees paid for online via debit/credit card at <https://dphregprograms.iowa.gov/PublicPortal/Iowa/IDPH/common/index.jsp>. Printable directions on how to maneuver through the online portal can be found at <https://idph.iowa.gov/regulatory-programs/Permits-to-practice> for your convenience. For assistance navigating the Licensing Portal, please contact the Regulatory Programs Help Desk at 855-824-4357 or email ADPEREHreg@idph.iowa.gov. If an applicant would rather not use the online portal they may download a paper copy of the application and submit it with check or money order payment. The paper application can be found at <https://idph.iowa.gov/regulatory-programs/Permits-to-practice>.

2.1 INITIAL APPLICATION FEES

Current initial application fees are as follows:

- a. General Radiologic Technologist, General Nuclear Medicine Technologist, Radiation Therapist, Radiologist Assistant, and Limited Radiologic Technologist (Chest, Extremities, Spine) all have initial application fees of \$100.
- b. Permit to practice as an X-ray Equipment Operation in either Podiatric Radiography or Bone Densitometry have initial application fees of \$40.

2.2 COMBING PERMITS

An individual applying for an initial permit in more than one classification at the same time (*General Radiologic Technologist, Nuclear Medicine Technologist, or Radiation Therapist*) shall combine classifications on one permit by:

- a. Indicating each classification on the appropriate completed application;
- b. Submitting the required documentation for each classification as outlined in each classification section; and
- c. Submitting a nonrefundable \$150 application fee.

Permit holders (*General Radiologic Technologist, Nuclear Medicine Technologist, or Radiation Therapist*) can add a classification to an existing permit by:

- a. Completing the appropriate application;
- b. Submitting the required documentation as outlined in the section specific to the classification to be added; and
- c. Submitting a nonrefundable \$40 fee.

3. **RENEWAL OF PERMIT TO PRACTICE**

Permits to practice are issued for a period of one (1) year. **An application for the renewal should be filed at least 30 days before the expiration date.** This will ensure that the permit to practice does not expire. **Permit holders are NOT allowed work at any time while their permit is expired.** Renewal can be completed via the online portal

(<https://dphregprograms.iowa.gov/PublicPortal/Iowa/IDPH/common/index.jsp>) or through the use of a paper *Application for State of Iowa Permit to Practice*. (See *Filing an Application* section)

3.1 RENEWAL FEES

Renewal fees are as follows:

- a. General Radiologic Technologist, General Nuclear Medicine Technologist, Radiation Therapist, Radiologist Assistant, and Limited Radiologic Technologist (Chest, Extremities, Spine) all have renewal fees of \$75.

- b. Permit to practice as an X-ray Equipment Operation in either Podiatric Radiography or Bone Densitometry have renewal fees of \$40.
- c. An individual renewing a combined classification permit must submit the appropriately completed renewal application and submit a nonrefundable \$110 renewal fee.

3.2 CONTINUING EDUCATION REQUIREMENTS

To ensure that permit holders maintain a high level of knowledge, Continuing Education is required to for each classification of permit as follows:

- a. *General Radiologic Technologist* - Report 24.0 hours of continuing education obtained within the biennium indicated on the individual's permit.
- b. *General Nuclear Medicine Technologist* - Report 24.0 hours of continuing education obtained within the biennium indicated on the individual's Permit.
- c. *Radiation Therapist* -Report 24.0 hours of continuing education obtained within the biennium indicated on the individual's permit.
- d. *Radiologist Assistant* - Report 50.0 hours of continuing education obtained within the biennium indicated on the individual's permit. Radiologist assistant permit holders must obtain at least one-half of the required continuing education in subject areas specific to radiography. The remainder may be earned as physician credit hours.
- e. *Limited Radiologic Technologist (Chest, Spine, Extremities)* - Report 12.0 hours of continuing education obtained within the biennium indicated on the individual's permit.
- f. *Podiatric Radiography or Bone Densitometry* - Report 4.0 hours of continuing education obtained within the biennium indicated on the individual's Permit.
- g. *Combined Permit* - Report a total of 24.0 hours of continuing education obtained within the biennium indicated on the individual's permit. If the permit includes the radiologist assistant classification, then the individual must submit a total of 50.0 hours of continuing education obtained within the biennium indicated on the individual's permit.

The CE Requirements are linked to a two-year period (biennium) that is defined in relation to the permit's expiration date. The biennium begins on the first day of the expiration month. The biennium extends for two years to the end of the month prior to the expiration month. Biennium dates are identified on the annual permit and are printed on the ***RADI ID Wallet Card*** after renewal complete.

An example of this would be that if your expiration date is June 30, 2020 then your CE biennium date would end on May 31, 2020. Permits need to be renewed every year but the biennium date is every two years or every other year.

All CE credits must be completed between these dates. The renewal of the permit will continue on an annual basis, with the CE Requirements being reported every other year. The end of one biennium will mark the beginning of the next biennium. **Credits earned in one biennium cannot be carried forward into the next biennium.**

Actual CE certificates DO NOT need to be sent in to the IDPH at the time of renewal. CE Certificates DO need to be held for at least three (3) years in case a permit holder is audited to determine CE reporting accuracy.

For CEs to be accepted by the IDPH they must have been approved by RCEEM acceptable to the ARRT (*American Society of Radiologic Technologist, American College of Radiology, Radiologic Society of North America, Society of Nuclear Medicine and Molecular Imaging-Technologist Section..*). For a full list of ARRT acceptable RCEEMs please see the ARRT Continuing Education Requirements document: https://www.arrt.org/docs/default-source/governing-documents/continuing-education-requirements.pdf?sfvrsn=c39e02fc_40

3.3 CE PROBATION STATUS

Any permit holder who applies for the permit renewal, but who fails to meet the IDPH CE Requirements for their specific permit within the previous biennium or is non-compliant at the time of renewal, will automatically be assigned to a “CE Probation” status. This will include any permit holder who submitted CE compliance documentation and the documentation is incomplete.

The CE probation period will begin on the first day of the expiration month and extend until the last day of the following sixth month. During the CE probation period, permit holders will be allowed to complete the credits that they were lacking during the biennium with no additional penalty credits. When the CE probation credits are completed, the permit holder must submit the completed certificates of the CEs to the Program Planner. When CE compliance is confirmed, the CE Probation status will be removed. If the individual is not in compliance with the CE Probation Requirements by the end of the probation period, the permit will be suspended until the requirements of the Probationary Period is met. Eligibility to reinstate will follow the existing policies as noted in 641 IAC Chapter 42 of the IDPH Code.

All CE probation credits must meet the IDPH’s definition of acceptable continuing credit. In addition to the CE credits that are required during the first 6 months of the next biennium for removal from probation status, an additional 24 CE credits must be completed by the end of the new biennium in order to remain in compliance with the requirements. **CE credits used to satisfy the probation requirements cannot be used for the next biennium requirements.**

Examples of CE Probation Status for a Biennium Not in Compliance

Example #1 –

24 credits required between 6/1/2017 and 5/31/2019.

June 1, 2019 – A permit holder with a June birth month reported 19 CE credits of the 24 required for the past biennium (lacking 5 credits) and paid the annual renewal fee. Placed on CE probation status.

November 30, 2019 – The R.T. completed a total of 5 CE probation credits. Removed from CE probation status.

May 31, 2021– During the 2019-2021 biennium (in addition to the probation CE Requirements) the permit holder must complete an additional 24 credits of CE and pay the annual renewal fee to renew their permit to practice.

Example #2 –

24 credits required between 6/1/2017 and 5/31/2019.

June 1, 2019 – A permit holder with a June birth month reported 19 CE credits of the 24 required for the past biennium (lacking 5 credits) and paid the annual renewal fee. Placed on CE probation status.

June 18, 2019 – The R.T. completed a total of 5 CE probation credits. Removed from CE probation status.

May 31, 2021– During the 2019–2021 biennium (in addition to the probation CE Requirements) the permit holder must complete an additional 24 credits of CE and pay the annual renewal fee to renew their permit to practice. The 5 CEs completed to meet the requirements of the 2017–2019 biennium CANNOT be used as part of the required 24 CEs of the 2019–2021 biennium.

4. REINSTATEMENT OF A PERMIT

4.1 REINSTATEMENT PROCEDURE

If a permit holder allows their permit to expire the following reinstatement processes must be followed:

- a. The permit holder must fill out a Reinstatement Application either online or complete a paper version of the application (see Filing an Application section)
- b. Pay the appropriate Reinstatement Fee:
 - i. General Radiologic Technologist, General Nuclear Medicine Technologist, Radiation Therapist, Radiologist Assistant, and Limited Radiologic Technologist (Chest, Extremities, Spine) all have reinstatement fees of \$150.
 - ii. Permit to practice as an X-ray Equipment Operation in either Podiatric Radiography or Bone Densitometry have reinstatement fees of \$75.

Those permit holders who allowed their permits to expire may be asked to provide the IDPH information as to:

- a. Were they working in the State of Iowa during that time?
- b. If so, where and who is their supervisor/manager?
- c. Approximately how many days and how many exams did they perform during the time their permit was expired?

4.2 POSSIBLE PENALTY FOR WORKING WITH EXPIRED PERMIT

Those permit holders who work with an expired permit in the State of Iowa face the following possible disciplinary actions:

- a. Confidential Letter of Warning
- b. Notice of Warning and Civil Penalty
- c. Probation of Permit
- d. Suspension of Permit
- e. Revocation of Permit

5. APPROPRIATE CLINICAL PRACTICE

It is expected that radiologic technologists who hold a permit issued by the Iowa Department of Public Health (IDPH) will only provide healthcare functions in which they have adequate training and/or qualifications. The Bureau of Radiological Health regulates activities related to ionizing radiation, and does not directly regulate activities that are not directly a part of the imaging procedure. Other agencies may regulate these non-imaging activities, and it is important that the individual technologist and facility ensure that they understand any other regulatory requirements that may exist for those activities before performing them.

IDPH recommends that radiologic technologists consult their employing facility's policies and procedures regarding the training requirements for individuals who are allowed to provide other non-imaging study activities. In the event that the radiologic technologist will be asked to these activities (suturing, IV injections, IV port access...) it is recommended that the medical director for the facility be consulted to determine the appropriateness of these activities and what training should be required of the individuals asked to perform these activities.

For a suggestions of Practice Standards and Scope of Practice for each modality the IDPH recommends visiting the ASRT's *The Practice Standards for Medical Imaging and Radiation Therapy at* <https://www.asrt.org/main/standards-and-regulations/professional-practice/practice-standards-online>.

6. RULES OF CONDUCT, SELF-REPORTING REQUIREMENTS, AND ENFORCEMENT ACTIONS FOR ALL PERMIT HOLDERS

6.1 RULES OF CONDUCT

These are mandatory standards of minimally acceptable professional conduct intended to promote the protection, safety, and comfort of patients. Any individual who fails to meet or allows any other individual to fail to meet the following standards may be subject to enforcement actions such as Enforcement actions may include, but are not limited to, denial, probation, suspension or revocation of a permit, directed corrective action, and civil penalty. For a detailed list of the IDPH's Rules of Conduct please see 641-42.22(136), 42.22(1) in the Chapter 42 Iowa Code (<https://www.legis.iowa.gov/docs/ACO/chapter/641.42.pdf>).

6.2 SELF-REPORTING

All permit holders shall:

- a. submit a report to the IDPH within five days of the final disposition of all criminal proceedings, convictions, or military court-martials involving alcohol or illegal drug use while operating as a permit holder, sex-related infractions, or patient-related infractions in any state, territory, or country.
- b. submit a written report to the IDPH within five days of the initial charge and within five days of the final disposition of any disciplinary action brought against the individual in connection with a certificate or license issued from a certifying or licensing entity, or any disciplinary action brought against the individual by an employer or patient.

7. FORMAL EDUCATION

Each of the different permits require their own specific education before the IDPH will issue a permit to practice in the State of Iowa. The specifics of the required formal education can be found in 641 IAC 42.30(136C), 641 IAC 42.31(136C), 641 IAC 42.32(136C), and 641 IAC 42.33(136C) in the Iowa Code. (<https://www.legis.iowa.gov/docs/ACO/chapter/641.42.pdf>).