

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

**Rule making related to certification examinations for limited
radiologic technologists and continuing education requirements**

The Public Health Department hereby amends Chapter 42, “Permit to Operate Ionizing Radiation Producing Machines or Administer Radioactive Materials,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 136C.3 and 136C.12.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 136C.

Purpose and Summary

These amendments address changes made in the American Registry of Radiologic Technologists (ARRT) policies and procedures. The ARRT is recognized by national accreditation entities and regulatory bodies, including the Department, as the national certification entity for radiologic technologists, nuclear medicine technologists, radiation therapists, and radiologist assistants. The ARRT also provides the examination for limited radiologic technologists approved by the Department as eligible to take the examination. The Department tries to align rules with ARRT requirements whenever possible to reduce duplication, conflicting requirements, and burden on the regulated community.

The amendment to subparagraph 42.9(2)“c”(3) removes the requirement for limited radiologic technologists to pay a fee to the Department for the limited radiography examination administered by the ARRT through an agreement with the Department. The ARRT is now charging this fee directly to the applicant; consequently, applicants will not need to pay the Department a fee for this service.

The amendments to paragraphs 42.18(2)“b” and 42.18(2)“c” change the continuing education (CE) limitation for repeating certain CE courses. The ARRT made the change to allow a CE course to be repeated in future biennia; therefore, the Department is removing its restriction because of the conflict with ARRT requirements.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on May 18, 2022, as **ARC 6325C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the State Board of Health on July 13, 2022.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to the Department's waiver provisions contained in 641—Chapter 178.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on September 14, 2022.

The following rule-making actions are adopted:

ITEM 1. Amend subparagraph **42.9(2)“e”(3)** as follows:

(3) Each individual making application to take an examination as a limited radiologic technologist in 42.9(2)“e”(1)“1” or “3” must submit an application ~~and nonrefundable to the department each time the individual takes the examination. The individual must also submit the examination fee of \$200 to the department~~ directly to the ARRT each time the individual takes the examination.

ITEM 2. Amend paragraph **42.18(2)“b”** as follows:

b. Continuing education activities ~~that are lecture presentations~~ may not be repeated for credit in the same biennium but may be repeated across different biennia.

ITEM 3. Rescind paragraph **42.18(2)“c.”**

[Filed 7/13/22, effective 9/14/22]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 8/10/22.