

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF HEALTH

Title of Rule: Therapeutic Radiation Machines (216-RICR-40-20-5)

Rule Identifier: 216-RICR-40-20-5

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: September 26, 2023

End of Public Comment: October 26, 2023

Rulemaking Authority:

R.I. Gen. Laws § 23-1.3-5

Summary of Rulemaking Action:

These amendments are being proposed as the existing regulations were written in the 1990s, with only minor amendments (specifically the inclusion of electronic brachytherapy devices) in 2009. The state-of-the-art for therapeutic radiation machines has evolved over the past thirty years to a point where the radiation control program cannot effectively regulate some of the newer technology. These proposed amendments would allow for effective regulation of all current technology and has provisions to address future technological advances in therapeutic radiation machines. These proposed amendments will allow the program to properly achieve its goals of properly protecting patients, the general public and occupationally exposed workers from unnecessary exposure to the harmful effects of ionizing radiation.

Please see Additional Documentation for amendments.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 26, 2023 by contacting the appropriate party at the address listed below:

Zachary Garceau
Department of Health
3 Capitol Hill
Providence, RI 02908
zachary.garceau@health.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

In development of this rule, consideration was given to:

1)Alternative approaches;

2)Overlap or duplication with other statutory and regulatory provisions; and

3)Significant economic impact on small business

No alternative approach, duplication or overlap was identified based on available information. RIDOH has determined that the benefits of the rule justify its costs.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.