

# DEPARTMENT OF HEALTH



## PROPOSED CHANGES TO REGULATIONS.

**Radiological Health Program, Registration & Inspection Fee for Dental & Medical Equipment.**

**7 AAC 19. Radiation Sources and Radiation Protection.  
7 AAC 80. Fees for Department Services.**



**PUBLIC REVIEW DRAFT.  
September 27, 2023.**

**COMMENT PERIOD ENDS: November 16, 2023.**

**Please see the public notice for details about how to  
comment on these proposed changes.**

**Notes to reader:**

1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

**Title 7. Health and Social Services.**

7 AAC is amended by adding a new chapter to read:

**Chapter 19. Registration and Inspection of Dental Radiological Equipment.**

**Section**

10. Registration of dental radiological equipment
20. Inspection of dental radiological equipment
30. Registration and inspection forms; review of completed forms
900. Definitions

**7 AAC 19.010. Registration of dental radiological equipment.** (a) To register dental radiological equipment, an owner or lessee of the equipment shall submit a completed inspection form, adopted by reference in 7 AAC 19.030(b).

(b) Upon receipt of a completed inspection form, the department will issue a registration certificate to the owner or lessee of the equipment if it meets the requirements of AS 44.29.020(d), this section, and 7 AAC 19.020. The owner or lessee of the equipment shall ensure that the registration certificate is retained and made available upon request.

(c) The owner or lessee of dental radiological equipment that is registered under this section shall notify the department in writing not later than 30 days after the equipment is sold, relocated, or no longer in use. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register\_\_\_\_\_)

**Authority:** AS 18.05.040 AS 44.29.020

**7 AAC 19.020. Inspection of dental radiological equipment.** (a) The owner or lessee of dental radiological equipment must have that equipment inspected by the department not later than six years from the date that the equipment was first registered with the department under 7 AAC 19.010. The owner or lessee of dental radiological equipment must have that equipment inspected by the department again at least once during every six-year period following the initial inspection.

(b) A vendor or service provider of dental radiological equipment must meet or exceed the routine standards applicable to dental radiological equipment in the *Suggested State Regulations for the Control of Radiation, Part F*, published by the Conference of Radiation Control Program Directors, Inc., April 2015 edition, adopted by reference.

(c) A facility that meets the requirements of AS 44.29.020(d) and this section will be issued a registration certificate by the department indicating the date by when the equipment must be inspected again. The department will issue a certificate to the owner or lessee of the dental radiological equipment.

(d) An owner or lessee of dental radiological equipment shall maintain records that document compliance with the requirements of AS 44.29.020(d), 7 AAC 19.010, and this section. The records shall be made available to the department or its designee for inspection. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register\_\_\_\_\_)

**Authority:** AS 18.05.040 AS 44.29.020

**7 AAC 19.030. Registration and inspection forms; review of completed forms.** (a) A registration certificate may not be issued unless the information gathered during a department-led inspection meets the requirements of AS 44.29.020(d), and of 7 AAC 19.010 and 7 AAC 19.020, as applicable.

(b) The form titled *Inspection of Dental Radiological Equipment*, dated September 7, 2023, is adopted by reference. This form is established by the department for completion by the vendor or service provider that performs annual service on dental radiological equipment under 7 AAC 19.020. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register\_\_\_\_\_)

**Authority:** AS 18.05.040 AS 44.29.020

**7 AAC 19.900. Definitions.** In this chapter,

(1) "dental radiological equipment" has the meaning given in AS 44.29.020(d);

(2) "department" means the Department of Health. (Eff. \_\_\_\_/\_\_\_\_/\_\_\_\_\_,

Register \_\_\_\_\_)

**Authority:** AS 18.05.040 AS 44.29.020

**Chapter 80. Fees for Department Services.**

**7 AAC 80.030. Fee schedule and procedures.**

7 AAC 80.030(a) is amended to read:

(a) Following are the fees for the listed public health services:

SERVICE	FEE
<p><b>RADIOLOGIC HEALTH SERVICES</b></p> <p>Annual radiological equipment registration and periodic inspection and testing</p>	<p><b><u>The fee will be determined annually to cover the cost for the work; the fee will be calculated using a full production cost estimate, including personnel costs of radiological health physicists and required contracts, travel, equipment, and supplies; the full production cost will be divided by the number of devices registered in each annual estimate cycle to cover the cost for the work; the fee will be calculated separately for registering each type of device, including x-ray tubes, linear accelerators, and dental devices:</u></b></p> <p><i><u>Full production cost (annual) = personnel + contracts + travel + equipment + supplies.</u></i></p> <p><i><u>Fee per device = Full production cost ÷ number of devices registered annually.</u></i></p>

	<p><b><u>In this equation, "Equipment" means the purchase and replacement of calibration equipment necessary to perform an inspection by a radiological health physicist; "equipment" does not include an x-ray device or machine owned by a provider.</u></b></p> <p>[\$ 80 PER X-RAY TUBE LINEAR ACCELERATOR REGISTRATION AND PERIODIC INSPECTION \$500 PER MACHINE].</p>
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(Eff. 12/6/86, Register 100; am 2/3/88, Register 105; am 4/28/94, Register 130; am 8/19/98, Register 147; am 10/1/2003, Register 167; am 12/24/2006, Register 180; am 1/1/2009, Register 188; am 6/16/2016, Register 218; am 7/1/2018, Register 227; am 11/25/2022, Register 244; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 18.05.040 AS 44.29.020 AS 44.29.022