

On January 4, 2022, the department's revised radioactive materials licensing rules in 25 TAC §289.252, §289.256, and §289.257 became effective. Copies of the revised rules are now posted to the Radiation Control Program web site in pdf (portable document format) documents. The rule changes are highlighted in blue. Copies of the rules are available at <https://www.dshs.texas.gov/radiation/ram/laws-rules.aspx>.

Many changes are minor or involve reformatting parts of the rules. For example, the term "agency" was replaced with "department" to be consistent with the Health and Safety Code 401 definition.

Several changes were made to the 25 TAC §289.252 rules to incorporate NRC rules that were not previously included and add an additional limitation. These changes include:

- Ability to require a separate license if additional site locations are more than 30 miles from the main site in §289.252(d)(4)
- Expanding the definitions and requirements of broad scope licenses in §289.252(h) and adding the appendix "Broad scope license limits (for use in subsection (h) of this section)" in §289.252(jj)(10)
- Adding a licensee reporting criterion for tests exceeding permissible concentrations of a generator elution in §289.252(x)(10)

Substantial revisions were made to many medical rules in 25 TAC §289.256 to reflect the changes in, and to maintain compatibility with, the NRC rules. These changes include:

- Adding the definition of an "associate radiation safety officer" (ARSO) in §289.256(b)(4), thereby eliminating the use of the undefined "site RSO" on medical licenses
- Adding the definition of "ophthalmic physicist" in §289.256(b)(10)
- Adding the definition of "patient intervention" in §289.256(b)(22)
- Adding to and clarifying §289.256(g) "Authority and responsibilities for the radiation protection program"
- Adding the training criteria for an associate radiation safety officer in §289.256(h)
- Amending §289.256(l) "Training for experienced RSO, teletherapy or medical physicist, authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist"

- Amending §289.256(q) "License for other medical or veterinary uses of radioactive material or a radiation source approved for medical or veterinary use that is not specifically addressed in this section"
- Expanding §289.256(r) "License amendments and notifications" to permit certain authorizations prior to receiving a license amendment by a notification process.
- Amending the requirements for permanent implant brachytherapy and revisions to written directives in §289.256(t)
- Amending §289.256(y) "Authorization for calibration, transmission, and reference sources"
- Amending §289.256(gg) "Training for uptake, dilution, and excretion studies"
- Amending §289.256(jj) "Training for imaging and localization studies"
- Amending §289.256(nn) "Training for use of unsealed radioactive material that requires a written directive"
- Revising and amending §289.256(xx) "Strontium-90 sources for ophthalmic treatments"
- Amending §289.256(zz) "Training for use of manual brachytherapy sealed sources"
- Amending §289.256(bbb) "Use of sealed sources and medical devices for diagnosis"
- Amending §289.256(ccc) "Training for use of sealed sources for diagnosis"
- Amending §289.256(ggg) "Safety procedures and instructions for remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units"
- Amending §289.256(ttt) "Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units"
- Amending §289.256(uuu) "Report and notification of a medical event"
- Adding §289.256(www) "Report and notification for an eluate exceeding permissible molybdenum-99, strontium-82, and strontium-85 concentrations"

A copy of the NRC medical rule changes along with the explanations and rule comments are in Vol 83 of the Federal Register pages 33046-33112 published on July 16, 2018. You can access the federal register document through www.govinfo.gov.

Please contact us at RAMlicensing@dshs.texas.gov with any questions.