



August 11, 2023

Michigan Department of Labor and Equal Opportunity  
MIOASHA, Technical Services Division, Standards and  
Freedom of Information Act Section  
530 West Allegan Street  
P.O. Box 30643  
Lansing, MI 48909-8143

On behalf of The American Registry of Radiologic Technologists (ARRT), I appreciate the opportunity to comment on the Ionizing Radiation Rules Governing the Use of Radiation Machines.

As a national certification organization, ARRT develops and administers standards to assess the qualifications of technologists who work in medical imaging and radiation therapy. We provide credentials to more than 350,000 Registered Technologists nationwide; approximately 11,000 of them live and work in Michigan. We were founded in 1922 and operate as a nonprofit credentialing organization.

We respectfully recommend several changes to your document.

### **References to Medical X-Radiation**

Consider changing references from “medical x-radiation technology” to “medical radiologic technology” and references from “medical x-radiation technologist” to “medical radiologic technologist.” Doing so will align Michigan’s terminology with that of professional societies and national credentialing organizations.

### **Rule 333.5742 Credentialing Requirements (iv)—CCI – Registered Cardiovascular Invasive Specialist (RCIS)**

We recommend that anyone who maintains a RCIS certification also maintain a medical radiography certification. The American Society of Radiologic Technologists (ASRT) practice standards consider cardiac and interventional radiography to be postprimary modalities. In other words, candidates must first earn a primary radiography certification before they may pursue the postprimary RCIS credential. Therefore, all individuals wishing to use the RCIS credential must meet the same minimum requirements that people who hold ARRT Cardiovascular Interventional Radiography, Cardiac Interventional Radiography, and Vascular Interventional Radiography credentials must meet.





### **Rule 333.5743 Limited Diagnostic Radiography Requirements**

We recommend inserting the following language:

(6) All limited diagnostic radiographers are required to pass the ARRT Limited X-Ray Machine Operator exam with a minimum score of 75.

Because no standardized education programs for limited diagnostic radiography exist, education programs vary greatly. ARRT's standardized test, which is available for state use, ensures that limited radiographers meet minimum training and competency standards.

### **Rule 333.5209 Exemptions**

We recommend inserting the following language:

A nuclear medicine technologist who, under the supervision of an authorized user, utilizes sealed and unsealed radioactive materials for diagnostic, treatment, and research purposes.

We believe that explicitly excluding nuclear medicine technologists from this rule will clarify both:

- Nuclear medicine's role in the health care team
- The use of radioactive materials by nuclear medicine technologists for diagnostic, treatment and research purposes

In Michigan, no department or agency regulates the profession of nuclear medicine technology--nor does the practice of nuclear medicine technology fall under the purview of any federal agency. This explicit exemption will allow nuclear medicine technologists operating within their scope of practice to continue to perform procedures.

Please contact me at (651) 687-0048, ext. 3121, if I can provide further information. We look forward to hearing your updates on this matter.

Sincerely,

A handwritten signature in black ink that reads "Liana Watson". The signature is fluid and cursive.

Liana Watson, CEO  
DM, R.T.(R)(M)(S)(BS)(ARRT), RDMS, RVT, FASRT, PMP, CAE  
[Liana.watson@arrt.org](mailto:Liana.watson@arrt.org)





## American Society of Radiologic Technologists

August 14, 2023

Bart Pickelman  
Director  
Department of Labor and Economic Opportunity  
Michigan Occupational Safety and Health Administration (MiOSHA)  
530 West Allegan Street  
P.O. Box 30643  
Lansing, Michigan 48909

Re: Administrative Rules for Ionizing Radiation Rules Governing the Use of Radiation machines  
(Rule Set 2023-8 LE)

Dear Director Pickelman,

The American Society of Radiologic Technologists represents more than 156,000 medical imaging technologists and radiation therapists across the nation, including 4,748 medical imaging professionals in Michigan. Our main mission as an organization is to advocate for patient safety by ensuring that only technologists who have achieved nationally recognized standards in education and clinical competencies are performing diagnostic and therapeutic procedures involving ionizing and nonionizing radiation.

With that mission in mind ASRT respectfully submits these comments regarding the “IONIZING RADIATION RULES GOVERNING THE USE OF RADIATION MACHINES”

**Recommendation 1:** All references to “medical x-radiation technology” be changed to “medical radiologic technology” and all references to “medical x-radiation technologist” to be changed to “medical radiologic technologist”.

**Reason 1:** This change will align Michigan regulations with terminology across professional societies and national credentialing organizations.

**Recommendation 2:** Under Rule 333.5742 Credentialing Requirements (iv) CCI – Registered Cardiovascular Invasive Specialist (RCIS) ASRT recommends that any individual maintaining an RCIS certification must also maintain a primary medical radiography certification.

**Reasoning 2:** According to the ASRT Practice Standards, cardiac and interventional radiography is a post-primary modality—meaning an individual must first receive their medical radiography certification prior to the RCIS credential being recognized as a post-primary certification. Therefore, all individuals wishing to use the RCIS credential must meet the same minimum requirements that ARRT (CV), (CI) and (VI) must meet.

**Recommendation 3:** Rule 333.5743 Limited Diagnostic Radiography Requirements insert the following language (6) *All limited diagnostic radiographers are required to pass the ARRT Limited X-Ray Machine Operator exam with a minimum score of 75.*

**Reasoning 3:** Currently, there is no standardized education programs for limited diagnostic radiography, so education programs vary greatly. The standardized test that is available for states to use through ARRT ensures that limited radiographers meet the minimum training standards without relying on inconsistent training throughout the state.

**Recommendation 4:** R 333.5209 Exemptions.

*(f) A nuclear medicine technologist who, under the supervision of an authorized user, utilizes sealed and unsealed radioactive materials for diagnostic, treatment, and research purposes.*

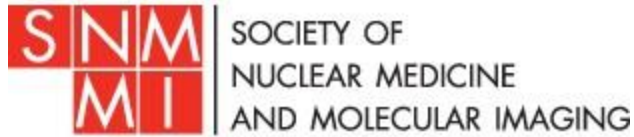
**Reasoning:** ASRT believes explicitly excluding nuclear medicine from this rule will offer clarity around nuclear medicine's role in the health care team, and they use of radioactive materials for diagnostic, treatment and research purposes. In the state of Michigan, there is no department or agency that already regulates the profession of nuclear medicine technology, nor does the practice of nuclear medicine technology fall under the purview of any federal agency. This explicit exemption will allow nuclear medicine technologists operating within their scope of practice to continue to practice.

ASRT appreciates the work that the Department of Labor and Economic Opportunity and Michigan Occupational Safety and Health Administration has done to ensure that Michigan patients receive the highest quality care from radiologic technologists who meet nationally recognized minimum education and training standards. If you wish to discuss the issue or have any follow-up questions, I can be reached at 505-298-4500 ext. 1350.

Sincerely,



Jason J. Bradley, B.A., R.T.(R), CAE  
Vice President, Governance and Public Policy  
ASRT



August 14, 2023

Bart Pickelman  
Director  
Department of Labor and Economic Opportunity  
Michigan Occupational Safety and Health Administration (MiOSHA)  
Technical Services Division  
Standards and Freedom of Information Act (FOIA) Section  
530 West Allegan Street  
P.O. Box 30643  
Lansing, Michigan 48909

Re: Administrative Rules for Ionizing Radiation Rules Governing the Use of Radiation Machines (Rule Set 2023-8 LE)

Dear Director Pickelman:

The Society of Nuclear Medicine and Molecular Imaging (SNMMI) and the SNMMI Technologist Section (SNMMI-TS) appreciates the opportunity to comment on the Department of Labor and Economic Opportunity (DLEO), Michigan Occupational Safety and Health Administration's (MiOSHA) proposed rule entitled "Administrative Rules for Ionizing Radiation Rules Governing the Use of Radiation Machines."

SNMMI is a non-profit, scientific, and professional organization representing the interests of more than 15,000 nuclear medicine and molecular imaging professionals globally, including physicians, scientists, pharmacists, and technologists. The SNMMI-Technologists Section (SNMMI-TS) advocates for best practices in evidence-based science that promotes the highest quality in patient care and safety. In addition, SNMMI is committed to the advancement of policy, regulation, and legislation that promotes the science, technology, and practical application of nuclear medicine and molecular imaging and strives to be a leader in the unifying, advancing, and optimizing molecular imaging. Our mission is to empower nuclear medicine and molecular imaging professionals to transform the science and practice of precision nuclear medicine for diagnosis and therapy to advance patient care.

**Background:**

SNMMI wrote to you earlier this year recommending language be included in the DLEO Rule that narrowly defines the requirements and standards of technologists administering nuclear materials for diagnostic and therapeutic procedures, as well as, strict language regarding

compliance standards. More specifically, we recommended registration and certification standards to be included as set forth under the American Registry of Radiologic Technologists (ARRT), Nuclear Medicine Technology Certification Board (NMTCB) and/or equivalent standards.

Unfortunately, despite this request, the proposed rule makes no mention of nuclear medicine and fails to include certification and/or licensing standards for nuclear medicine technologists.

**Comment:**

(1) Nuclear Medicine Exemption Language

As the proposed rule fails to mention nuclear medicine specifically, SNMMI would recommend strict exemption language be included to fully clarify that the rule does in fact exclude nuclear medicine, in order to eliminate any confusion and/or any misconstrued intent that the rule is meant to encompass nuclear medicine.

SNMMI thus recommends the following exemption language to be included in the proposed rule under: R 333.5209 Exemptions.

(f) A nuclear medicine technologist who, under the supervision of an authorized user, utilizes sealed and unsealed radioactive materials for diagnostic, treatment, and research purposes.

Nuclear medicine includes the use of radioactive materials for diagnostic, treatment, and research purposes. Under current law, nuclear medicine isn't specifically regulated by any Department, state or federal entity. By inserting this specific exemption language, you will avoid any misinterpretation of the rule and ensure that nuclear medicine technologists are able to continue to practice within their scope.

**Conclusion:**

SNMMI again appreciates the opportunity to comment, and your careful consideration of our recommendations included hereinto.

Should you have any questions, please contact Anna Marie Harrison, Senior Manager of Healthcare Policy and Regulatory Affairs at SNMMI [Aharrison@snmmi.org](mailto:Aharrison@snmmi.org).

Sincerely,



Dmitry Beyder, CNMT, MPA  
President of the SNMMI Technologist Section



Melissa Snody  
SNMMI Michigan Technologist Advocacy Group



Nichole Ozinga  
SNMMI Michigan Technologist Advocacy Group



Tina R. Brennan  
SNMMI Michigan Technologist Advocacy Group

**From:** [Misty Flowers](#)  
**To:** [Pelachyk, Daniela \(LEO\)](#)  
**Subject:** X-ray regulation meeting  
**Date:** Wednesday, August 16, 2023 12:27:54 PM

---

**CAUTION: This is an External email. Please send suspicious emails to [abuse@michigan.gov](mailto:abuse@michigan.gov)**

To whom it may concern,

I'm totally in support of being ARRT certified in order to expose a patient to radiation. It worries me the public in Michigan is unaware of the fact that when a Doctor orders an X-ray, it can be taken by a non credentialed person. I would not want my family members to get an x-ray by someone who was not certified.

I fully support changing this in Michigan.

I think we should have to apply for a license in order to work in this field.

It endangers, the patient to over exposure and a cancer risk for person being ionized.

Feel free to contact me if need be.

Misty Flowers RT(R), ARDMS  
1(269)932-5002

[Sent from Yahoo Mail for iPhone](#)



Department of Labor and Economic Opportunity, MIOSHA  
Public Hearing on Proposed Rules for Technologist Using Medical Ionizing Radiation  
August 16, 2023

**COMMENTS BY THE MICHIGAN RADIOLOGICAL SOCIETY**

My name is Ralph Lieto and I am a board-certified medical physicist and radiation safety officer, retired, with over 35 years of experience in large health care systems in Michigan. I am speaking on behalf of the Michigan Radiological Society (MRS), and I am a past-president of the MRS.

The MRS is a professional and educational organization of board-certified diagnostic radiologists, radiation oncologists, nuclear medicine physicians, medical physicists, and interventional radiologists. MRS members work with and supervise technologists who perform diagnostic and therapeutic procedures with ionizing radiation. Many of our members are involved in the education of student technologists both for their classroom and clinical training.

The MRS strongly supports the Michigan Department of Labor and Economic Opportunity (DLEO) proposing rules to establish credentialing regulations for technologists who use ionizing radiation for diagnostic and therapeutic medical purposes. MRS is disappointed that efforts for nearly 30 years have been unsuccessful. The patient in the state of Michigan deserves government's commitment that those directly administering ionizing radiation have demonstrated adequate training. Michigan is one of the minority of states that has not done this. Establishing proper credentials for technologists will be a tremendously positive step to assure the use of medical ionizing radiation is done in a manner that optimizes the patient dose and clinical objectives of the study.

MRS supports the proposed rules with following clarifications and changes:

**General** – Use the term “ionizing radiation” to replace “x-radiation”. It is the proper term and is inclusive of electron and gamma radiation used in medical applications, especially therapy.

**Purpose and Scope, Rule 5210** – This needs to clearly indicate that medical research subjects, and not just patients, are included. The proposed rules may be interpreted to exempt them by their exclusion. Such exemption would be improper and inconsistent with federal rules.

**Definitions, Rules 5206-5208** – There are outdated and missing definitions which need to be addressed. The MRS is suggesting language but strongly recommend DLEO obtain definitive language from the American Society of Radiologic Technologists (ASRT) and the American Registry of Radiologic Technologists (ARRT).

“Medical x-radiation technologist” is obsolete and should be deleted.

Revise: “Medical radiographer means an individual, other than licensed practioners, who is a registered technologist under that general supervision of licensed practioner and performs procedures using machine produced medical ionizing radiation for diagnostic and interventional purposes.”

Add: “Medical radiation therapist means an individual, other than licensed practioners, who is a registered technologist under that direct supervision of radiation oncologist and performs procedures using machine produced medical ionizing radiation for therapeutic purposes.”

Add: "Nuclear medicine technologist means an individual, other than licensed practitioners, who is a registered technologist under the general supervision of an authorized user of the U.S. Nuclear Regulatory Commission and performs procedures using medical ionizing radiation for diagnostic and therapeutic purposes."

Delete: "technology" from "Radiation therapy technology" and revise definition to be consistent with language for "Radiology", such as "branch of medicine that uses ionizing radiation machines for therapeutic purposes."

**Categories and Qualifications, Rule 5210** – Subpart Rule 5210 (c) needs clarification in the description of the three categories of conditional status after the three years following effective date of the final rules. As written, it appears that an individual who has not met active status can obtain conditional status every 3 years with a simple "statement of assurance". This should be clarified to assure it is NOT a means to circumvent requiring completion of active status criteria.

**Credentials Requirements, Rule 5211** – Add the category of "nuclear medicine technology" with the appropriate credentials from the (i) ARRT and the (ii) NMTCB (Nuclear Medicine Technology Certification Board).

**Limited Scope, Rule 5212** – This addresses limited scope operator requirements. MRS is pleased that minimum training requirements are being established for this category. However, 40 hours, or one week, of unspecified training is inadequate to work independently. As proposed, the training also does not require actual patients be imaged. The MRS supports the limited scope training recommendations of the ASRT which specifies classroom hours plus a minimum number of patient studies. This will provide prudent assurance of adequate clinical training for this category.

The MRS strongly support the inclusion of nuclear medicine technologists (NMT) in the credentialing requirements of these proposed rules. No current Nuclear Regulatory Commission (NRC) regulations or guidance specifies the credentials of persons performing duties under an Authorized User (i.e., physician named on an NRC licensee with authorized uses). This absence of specifications for supervised personnel is a well-known void, very analogous to the current situation in Michigan which can allow a clerical person or nurse to perform radiography under the supervision of a licensed practitioner. A misinformed assertion is that Michigan cannot establish NMT credentials because it is not an Agreement State. This is false! Indiana, an NRC regulated state, has had NMT licensure since 2008! It is MRS's understanding from the NRC that an NRC regulated state can establish credentials for personnel under an Authorized User as long as it does not impose on NRC's supervision rule (10 CFR 35.27).

Accordingly, inclusion of NMT in these proposed rules is permissible, justified, and assures that all areas using ionizing radiation for medical use are employing properly credentialed technologists. This change also necessitates replacing "x-radiation" with "ionizing radiation".

MRS applauds the MLEO initiative to establish technologist credentials for performing medical procedures which is decades overdue. Because of the type and significance of the recommendations and comments being made today, we request that a proposed final rule be published with a 30-45 day comment period. This request is reasonable considering these rules are an initial proposal to the regulated medical users, and it is unclear what if any medical radiation resources provided input into these proposed rules. The MRS is willing to assist the MLEO in achieving a needed final draft satisfactory to both the state and the regulated medical community.

The MRS appreciates the opportunity to comment on these proposed credentialing rules.

Respectfully submitted,

Ralph P. Lieto, MSE FAAPM FACR  
Michigan Radiological Society  
Past-President





Ronald Ray, Renee Kugler, and esteemed members of the Department:

I thank you for the opportunity to submit my testimony today regarding the Department's proposed Rules for the operation of ionizing radiation machines. My name is Jennifer Richmond, and I am the President-Elect of the Michigan Society of Radiologic Technologists (MSRT). The MSRT is the State Affiliate of the American Society of Radiologic Technologists (ASRT). I am also a radiologic technologist dual-certified in X-ray and computed tomography, and I work for a local hospital system. One of the primary missions of the MSRT as an organization is to advocate for public safety by ensuring that only technologists who have achieved nationally recognized standards in education and clinical competencies are performing diagnostic procedures involving ionizing radiation.

On behalf of the MSRT, I express its qualified support for the proposed Rules. The MSRT commends the Department of Labor and Economic Opportunity, the Michigan Occupation Safety and Health Administration, and the Radiation Safety Unit for their efforts toward this rule promulgation. This effort is undoubtedly a significant step in the right direction toward public safety and accurate reading of images for a proper diagnosis. The ASRT and the MSRT do, however, respectfully submit these recommendations, which we believe will lead to better results for patients.

**Recommendation 1:** All references to "medical x-radiation technology" be changed to "medical radiologic technology" and all references to "medical x-radiation technologist" to be changed to "medical radiologic technologist".

**Reasoning 1:** This change will align Michigan regulations with terminology across professional societies and national credentialing organizations.

**Recommendation 2:** Under Rule 333.5742 Credentialing Requirements (iv) CCI – Registered Cardiovascular Invasive Specialist (RCIS), the ASRT recommends that any individual maintaining an RCIS certification must also maintain a medical radiography certification.

**Reasoning 2:** According to the ASRT Practice Standards, cardiac and interventional radiography is a post-primary modality—meaning an individual must first receive their medical radiography certification prior to qualifying. This recognizes the RCIS credential only as a post-primary certification. Therefore, all individuals wishing to use the RCIS credential must meet the same minimum requirements that ARRT (CV), (CI), and (VI) must meet.

**Recommendation 3:** Rule 333.5743 Limited Diagnostic Radiography Requirements insert the following language: (6) All limited diagnostic radiographers are required to pass the ARRT Limited X-Ray Machine Operator exam with a minimum score of 75.

**Reasoning 3:** Currently, there are no standardized education programs for limited diagnostic radiography, so education programs vary greatly. The standardized test available for states to use through the ARRT ensures that limited radiographers meet the minimum training standards without relying on inconsistent training throughout the state.

The ASRT understands the Department does not feel it has the authority to regulate nuclear medicine. The ASRT and the MSRT urge the Department to reconsider its position regarding this matter, given the fact that a number of "non-agreement" states do indeed regulate the practice of nuclear medicine, including Michigan's neighbor, Indiana. You will hear testimony from nuclear medicine professionals and the MSRT expresses its support of their stance regarding full inclusion or full exclusion, in order to maintain clarity for nuclear medicine technologists.

Once again, the ASRT and the MSRT appreciate the work that the Department of Labor and Economic Opportunity and the Michigan Occupational Safety and Health Administration has done to ensure that Michigan patients receive the highest quality care from radiologic technologists who meet nationally recognized minimum education and training standards. If you wish to discuss the issue or have any follow-up questions, I can be reached at [JenniferAnneRichmond@gmail.com](mailto:JenniferAnneRichmond@gmail.com).

Thank you,

Jennifer Richmond  
MSRT President-Elect  
[JenniferAnneRichmond@gmail.com](mailto:JenniferAnneRichmond@gmail.com)

**From:** [Nina Sutherland](#)  
**To:** [Pelachyk, Daniela \(LEO\)](#)  
**Cc:** [Matsumoto, Shannon \(LEO\)](#)  
**Subject:** Re: Public Hearing  
**Date:** Wednesday, August 16, 2023 12:42:31 PM  
**Attachments:** [image001.png](#)

**CAUTION: This is an External email. Please send suspicious emails to [abuse@michigan.gov](mailto:abuse@michigan.gov)**

Thank you for allowing me to send in questions.

1. Understanding there would be a 3 year grace, what will be required of the medical facilities during this grace? What specifically is going to be needed in the statement of assurance for conditional status and does that get submitted to the state?
2. Due to the JRCERT and ARRT not currently accrediting Limited Radiography programs, who will be approving the program's specifically in Michigan?
3. Those that carry current ARRT registration in Michigan, what will be required for them to obtain a state of Michigan license? Will we need to retest? Will we be granted a license automatically?

I appreciate your time,  
Nina Sutherland R.T. (R ) ARRT

[Sent from Yahoo Mail for iPhone](#)

On Wednesday, August 16, 2023, 12:32 PM, Pelachyk, Daniela (LEO)  
<[PelachykD@michigan.gov](mailto:PelachykD@michigan.gov)> wrote:

Hello Nina,

Please email me your comments and questions. I want to ensure I get everything in writing.

Thank you

**Daniela Pelachyk**

*Standards Analyst, Standards and FOIA Section/TSD*



**Direct:** 517-284-7738  
**MIOSHA Main Line/Division 517 284-7740**  
[Michigan.gov/MIOSHA](https://michigan.gov/MIOSHA)  
*To help protect the safety and health of Michigan workers.*

---

**From:** Nina Sutherland <nsutherland27@yahoo.com>  
**Sent:** Wednesday, August 16, 2023 10:50 AM  
**To:** Pelachyk, Daniela (LEO) <PelachyD@michigan.gov>  
**Subject:** Public Hearing

**CAUTION: This is an External email. Please send suspicious emails to [abuse@michigan.gov](mailto:abuse@michigan.gov)**

Hi Daniela,

My name is Nina Sutherland and I was just at the public hearing today. I am wondering if you'd be able to give me a call. I just had questions regarding the new ruling and wanted clarification.

I don't mind emailing if that works better.

I am a current X-Ray technologist and appreciate and support all of your efforts. :)

Thank you,  
Nina Sutherland R.T. (ARRT)  
810-956-3046

[Sent from Yahoo Mail for iPhone](#)

## TESTIMONY OF REX MILLER

Good morning, Mr. Ray and Ms. Kugler. My name is Rex Miller. I am a two time Past President and Board Chairman of the Michigan Society of Radiographic Technologists. I have worked in the radiologic sciences for nearly 40 years and have recently retired as the radiology service manager for the College of Veterinary Medicine in the Veterinary Teaching Hospital at Michigan State University. Prior to that I worked for the Department of Radiology at the Michigan State University Clinical Center where I spent 24 years in the Magnetic Resonance Imaging department. I have also taught Magnetic Resonance Imaging at Michigan States MRI Program as well as at Lansing Community College. As Ms. Richmond testified, she was one of my students, and I am pleased she has risen to leadership in my professional organization.

The Department, MiOSHA, and the Radiation Safety Unit are to be commended for taking this significant step forward toward enhancing public safety by establishing education and training standards for those who operate sophisticated imaging machinery. By taking this step, the Department will put Michigan in line with over 40 other states, placing minimum education and training standards for operators.

I do recommend, however, the Department reconsider its position regarding its authority to regulate nuclear medicine, or in the alternative, explicitly exclude nuclear medicine and nuclear medicine technologists from the ambit of the regulations so as so avoid confusion.

I also recommend that consideration be given to the following amendments involving replacement of the word “therapeutic” with “research” as the term “therapeutic” is covered by the term “radiation therapy.”

On page 3, Rule 5206(1), delete the word “therapeutic” and insert the word “research,” so that the last clause reads:

“... involving the application of x-radiation to human beings for diagnostic and research purposes.”

Moreover, I recommend that changing “therapeutic” to “research” be used for Rule 5206(2) so that the operative language would read:

“... application of x-radiation to human beings for diagnostic and research purposes.”

And, to be consistent, I recommend replacement of the word “therapeutic” with the word “research” for Rule 5206(4), so the operative language would read:

“... applying x-radiation to human beings for diagnostic and research purposes.”

I also suggest favorable consideration be given to amendments to Rule 5210(2)(d) by removing the long list of body parts allowed for imaging for limited scope procedures. In its stead, I recommend a list of areas of the body – namely, chest, extremities, spine, skull/sinuses and

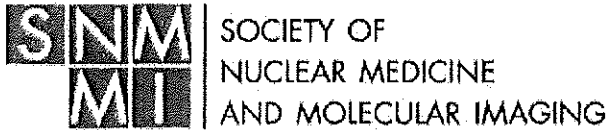


podiatric. By so doing, the Department avoids any misunderstandings and lessens the chance for any errors by omission.

Finally, I recommend amending Rule 5212(1), again dealing with limited scope, by requiring a minimum of 40 hours of clinical and didactic training to the radiologic science within the limited scope of practice.

Thank you once again for hearing my testimony and thank you for your efforts toward enhancing public safety.

If you have any questions, I will do my best to answer them or, if I cannot answer them today, find those answers for you.



August 14, 2023

Bart Pickelman  
Director  
Department of Labor and Economic Opportunity  
Michigan Occupational Safety and Health Administration (MiOSHA)  
Technical Services Division  
Standards and Freedom of Information Act (FOIA) Section  
530 West Allegan Street  
P.O. Box 30643  
Lansing, Michigan 48909

Re: Administrative Rules for Ionizing Radiation Rules Governing the Use of Radiation Machines  
(Rule Set 2023-8 LE)

Dear Director Pickelman:

The Society of Nuclear Medicine and Molecular Imaging (SNMMI) and the SNMMI Technologist Section (SNMMI-TS) appreciates the opportunity to comment on the Department of Labor and Economic Opportunity (DLEO), Michigan Occupational Safety and Health Administration's (MiOSHA) proposed rule entitled "Administrative Rules for Ionizing Radiation Rules Governing the Use of Radiation Machines."

SNMMI is a non-profit, scientific, and professional organization representing the interests of more than 15,000 nuclear medicine and molecular imaging professionals globally, including physicians, scientists, pharmacists, and technologists. The SNMMI-Technologists Section (SNMMI-TS) advocates for best practices in evidence-based science that promotes the highest quality in patient care and safety. In addition, SNMMI is committed to the advancement of policy, regulation, and legislation that promotes the science, technology, and practical application of nuclear medicine and molecular imaging and strives to be a leader in the unifying, advancing, and optimizing molecular imaging. Our mission is to empower nuclear medicine and molecular imaging professionals to transform the science and practice of precision nuclear medicine for diagnosis and therapy to advance patient care.

**Background:**

SNMMI wrote to you earlier this year recommending language be included in the DLEO Rule that narrowly defines the requirements and standards of technologists administering nuclear materials for diagnostic and therapeutic procedures, as well as, strict language regarding

compliance standards. More specifically, we recommended registration and certification standards to be included as set forth under the American Registry of Radiologic Technologists (ARRT), Nuclear Medicine Technology Certification Board (NMTCB) and/or equivalent standards.

Unfortunately, despite this request, the proposed rule makes no mention of nuclear medicine and fails to include certification and/or licensing standards for nuclear medicine technologists.

**Comment:**

(1) Nuclear Medicine Exemption Language

As the proposed rule fails to mention nuclear medicine specifically, SNMMI would recommend strict exemption language be included to fully clarify that the rule does in fact exclude nuclear medicine, in order to eliminate any confusion and/or any misconstrued intent that the rule is meant to encompass nuclear medicine.

SNMMI thus recommends the following exemption language to be included in the proposed rule under: **R 333.5209 Exemptions.**

(f) A nuclear medicine technologist who, under the supervision of an authorized user, utilizes sealed and unsealed radioactive materials for diagnostic, treatment, and **research** purposes.

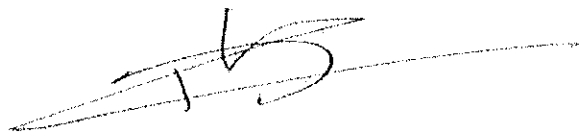
Nuclear medicine includes the use of radioactive materials for diagnostic, treatment, and research purposes. Under current law, nuclear medicine isn't specifically regulated by any Department, state or federal entity. By inserting this specific exemption language, you will avoid any misinterpretation of the rule and ensure that nuclear medicine technologists are able to continue to practice within their scope.

**Conclusion:**

SNMMI again appreciates the opportunity to comment, and your careful consideration of our recommendations included hereinto.

Should you have any questions, please contact Anna Marie Harrison, Senior Manager of Healthcare Policy and Regulatory Affairs at SNMMI [Aharrison@snmmi.org](mailto:Aharrison@snmmi.org).

Sincerely,



Dmitry Beyder, CNMT, MPA  
President of the SNMMI Technologist Section

August 16, 2023

Michigan Department of Labor and Equal Opportunity  
MIOSHA, Technical Services Division, Standards and  
Freedom of Information Act Section  
530 West Allegan Street  
P.O. Box 30643  
Lansing, MI 48909-8143

Dear Director Pickelman:

I am here to testify today on behalf on the SNMMI regarding the Administrative Rules for Ionizing Radiation Governing the Use of Radiation Machines.

SNMMI is a non-profit, scientific, and professional organization representing the interests of more than 15,000 nuclear medicine and molecular imaging professionals globally, including physicians, scientists, pharmacists, and technologists. The SNMMI-Technologists Section (SNMMI-TS) advocates for best practices in evidence-based science that promotes the highest quality in patient care and safety. In addition, SNMMI is committed to the advancement of policy, regulation, and legislation that promotes the science, technology, and practical application of nuclear medicine and molecular imaging and strives to be a leader in the unifying, advancing, and optimizing molecular imaging. Our mission is to empower nuclear medicine and molecular imaging professionals to transform the science and practice of precision nuclear medicine for diagnosis and therapy to advance patient care.

Earlier this year, the SNMMI recommended language to be included in this rule that would define the requirements and standards of technologists administering nuclear materials for diagnostic and therapeutic procedures specifically, recommending registration and certification standards to be included as set forth under the American Registry of Radiologic Technologists (ARRT), Nuclear Medicine Technology Certification Board (NMTCB) and/or equivalent standards. Unfortunately, despite this request, the proposed rule makes no mention of nuclear medicine and fails to include certification and/or licensing standards for nuclear medicine technologists.

Therefore, SNMMI would recommend strict exemption language be included in this rule to make it abundantly clear that the proposed rule does, in fact, exclude nuclear medicine.

Rule 333.5209 Exemptions

We recommend inserting the following language:

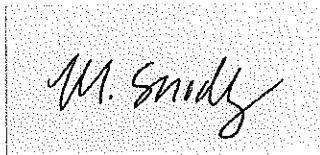
A nuclear medicine technologist who, under the supervision of an authorized user, utilizes sealed and unsealed radioactive materials for diagnostic, treatment, and research purposes.

We believe that explicitly excluding nuclear medicine technologists from the Ionizing Radiation Rules Governing the Use of Radiation Machines will allow for the continued use of radioactive materials by nuclear medicine technologists for diagnostic, treatment and research purposes.

In Michigan, no department or agency regulates the profession of nuclear medicine technology--nor does the practice of nuclear medicine technology fall under the purview of any federal agency. This explicit exemption will avoid any misinterpretation of the rule and ensure that nuclear medicine technologists are able to continue to practice within their scope.

On behalf of the SNMMI, I thank you for your time and careful consideration on this matter.

Respectfully,

A rectangular box containing a handwritten signature in black ink. The signature is written in a cursive style and appears to read "M. Snody".

Melissa Snody, BS, CNMT  
President CCSNMMI-TS  
SNMMI Michigan Technologist Advocacy Group