



Protecting, Maintaining and Improving  
the Health of All Minnesotans



**JULY 2009**

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## ***Fee Increase effective July 1, 2009***

X-ray equipment fees have increased. For more information and to download updated registration forms, please visit our website. To review the full House Bill 1362, visit <http://www.house.leg.state.mn.us>, click on Bills Search and Status, enter 1362.

## ***Fees and Inoperable equipment***

There was some confusion with the article from June 2009 bulletin, Fees and Inoperable equipment. Facilities that are marked Temporarily Inactive will be charged \$100 for the facility base fee. These facilities only have inoperable equipment. If your facility has operable and inoperable equipment, please disregard this notice.

## ***Proposed Therapy Rule online***

A second draft of the proposed Minnesota Rule, Chapter 4733, Radiation Therapy, is on our website home page. Between July 20, 2009 and September 20, 2009, written comments, questions, and requests for more information on these possible rules should be directed to:

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## ***Radiation Therapy Advisory Group***

The MDH will be hosting a Radiation Therapy Advisory Group on July 15, 2009. Participants have been notified. If you have any comments that you would like to be addressed, please send them to [Susan.McClanahan@state.mn.us](mailto:Susan.McClanahan@state.mn.us).

## ***Advisory Groups***

In this bulletin, there are several references to Advisory Group Meetings. The role of the advisory committee is to advise MDH on the ongoing development of rules. Radiation Therapy is proposed to be withdrawn from Minnesota Rule 4732, and made into a separate rule 4733. MDH would like to take advantage of the reopening of rule 4732 to address language clarification and technology issues. It is not the intent of MDH to do a complete overhaul of the rule, but to make some minor adjustments. Please email any rule suggestions to [health.xray@state.mn.us](mailto:health.xray@state.mn.us).

## ***Service Providers Advisory Group***

The MDH will be hosting a Service Provider Advisory Group on August 5, 2009. Medical Service Providers will meet from 9:00 - 11:00 am, and Dental Service Providers will meet from 1:00 - 3:00 pm. Participants have been notified, however, if you would like to be a participant or if you have any comments that you would like to be addressed, please send them to [Kimberly.Pappas@state.mn.us](mailto:Kimberly.Pappas@state.mn.us).



Chapter 4732 is available at the Minnesota Bookstore for \$13.95 plus shipping and tax. Call 651.297.3000 or 1.800.657.3757 or order online at [www.comm.media.state.mn.us/bookstore/bookstore.asp](http://www.comm.media.state.mn.us/bookstore/bookstore.asp)

## Occupational Exposure

The recently released report (#160) of The National Council on Radiation Protection and Measurements (NCRP) provides information on the occupational exposure to medical workers that have been badged in the years 2003-2006.

Medical workers in hospitals and large clinics where fluoroscopy is performed account for 70% of all occupational exposure in the medical field.

81% of all workers with recordable doses received less than 1 mSv (100 mRem) and 96% of all workers received less than 5 mSv (500 mRem.) The total average annual effective dose for all medical workers was 0.75 mSv (75 mRem.)

NCRP 160 looked at the annual average occupational exposure for several specialties that MDH does not require for badging, because their exposure totals are typically less than the 10% of 5 Rem (500 mRem) threshold that is established in Minnesota Rule 4732.0440. These are low and actually less than the *public* limit for ionizing radiation:

Chiropractic: 0.42 mSv (42 mRem)  
Podiatry: 0.28 mSv (28 mRem)  
Osteopathic: 0.26 mSv (26 mRem)  
Dental: 0.37 mSv (37 mRem)  
Veterinary: 0.28 mSv (28 mRem)

## Limited Scope exam results

Results of passing totals (70%) from the Limited Scope X-ray Operator Exam:

MN 2nd Quarter:

- Core 64%, Chest 58%, Extremities 51%, Skull 41%, Spine 61% and Podiatry 46%

National 2nd Quarter:

- Core 58%, Chest 47%, Extremities 49%, Skull 41%, Spine 52% and Podiatry 52%

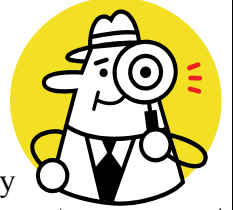
MN Year to Date:

- Core 63%, Chest 53%, Extremities 51%, Skull 41%, Spine 55% and Podiatry 39%

National Year to Date:

- Core 57%, Chest 45%, Extremities 47%, Skull 40%, Spine 51% and Podiatry 49%

## Inspector's Corner



### HIPAA Privacy Rule

Inspectors encounter facilities that have concerns over HIPAA privacy when inspectors are present. Inspectors are **not** subject to the HIPAA privacy rule. Below is a quote from the HIPAA CMS letter of March 14, 2003:

*The HIPAA Privacy Rule also provides that Protected Health Information may be used and disclosed without the authorization of the subject of that information for health oversight activities that are authorized by law. Examples are **inspection, licensure and other activities necessary for the appropriate oversight of entities subject to government regulatory programs for which health information is necessary for determining compliance with program standards.** (See 45 CFR 164.512(d)).*

If there are specific concerns, these should be addressed with the inspector prior to the facility's inspection date.

To view the entire letter, go to: <http://www.cms.hhs.gov/SurveyCertificationGenInfo/downloads/SCLetter03-15.pdf>.

## Bone Density Advisory Group

The MDH will be hosting a Bone Density Advisory Group on July 21, 2009. Participants have been notified. If you have any comments that you would like to be addressed, please send them to [Kimberly.Pappas@state.mn.us](mailto:Kimberly.Pappas@state.mn.us).

## CAT Scan Advisory Group

The MDH will be hosting a Cat Scan (CT) Advisory Group on September 9, 2009. Participants have been notified. If you would like to be a participant or if you have any comments that you would like to be addressed, please send them to [Kimberly.Pappas@state.mn.us](mailto:Kimberly.Pappas@state.mn.us).

To receive bulletins by email, please submit your request to [Kelly.Sabanjo@state.mn.us](mailto:Kelly.Sabanjo@state.mn.us). For past bulletins, visit our website at [www.health.state.mn.us/xray](http://www.health.state.mn.us/xray), click on Publications.

