

Medical License Regulatory Modifications

RADIATION CONTROL, RADIOACTIVE MATERIALS UNIT

ATTENTION

The Minnesota Department of Health (MDH) Radiation Control Unit is aware that because of the current restricted access to medical facilities and travel restrictions, some medical institutions are having difficulties complying with the timeliness of certain equipment and leak testing requirements.

[Minnesota session laws 2020, Chapter 74, article 1, section 13](#) issued on April 15, 2020, allows the Commissioner of Health to temporarily delay, waive, or modify Minnesota Rules, Chapter 4731 that governs the health care-based use of radioactive materials.

MDH supports health care facilities' efforts to protect public health and offers the following guidance for licensees to assure the continuity of radiation safety during COVID-19-related restrictions. This is a fluid situation and this notice is subject to change.

Requirements for Implementation

The Radioactive Materials Unit will provide direction and guidance to the licensees who meet the needs of [Minnesota session laws 2020, Chapter 74, article 1, section 13](#).

If a licensee uses the relief for regulatory requirements for medical licensee's recurring equipment testing, source leak testing, and safety training under Minnesota Rules, 4731.4420, item B subitems (2) and (3) (dose activity measurement equipment tests); 4731.4421, item A (survey instrument calibration); 4731.4424, item B, subitem (2) (source leak testing); 4731.4441, item A (inpatient safety training); 4731.4453, item A (brachytherapy safety training); 4731.4466 item E (remote afterloader and gamma stereotactic radiosurgery safety training); 4731.4468, subpart 1 (dosimetry system calibration); 4731.4470, subpart 1, item C and D (remote afterloader full calibration); 4731.4471 subpart 1, item C (gamma stereotactic radiosurgery unit full calibration); and 4731.4477, subpart 1 (gamma stereotactic radiosurgery unit 5 year inspection), the licensee must:

- Document which rule parts are being extended due to COVID-19 restrictions
- Document a plan to come into compliance within 60 days after the termination of the peacetime emergency declared in Executive Order 20-01
- Show compliance within 60 days after the termination of the peacetime emergency declared in Executive Order 20-01
- Make the documentation available to the MDH Radioactive Materials Unit inspectors upon the next inspection

Situations Not Included in this Modification

This modification only applies to the specific rule parts indicated in this document. This regulatory relief does not include initial or post maintenance equipment testing, initial source leak testing, or initial safety training.

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08/24/20

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