

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date August 23, 2018
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) RAD 5	
4. Subject Continuing education	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165(1)(hg)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule Section RAD 5.04 is revised to comply with s. 440.03 (4m), Stats., as created by 2017 Wisconsin Act 59. Under this provision, the Board may require a credential holder to submit proof of completing continuing education programs or courses only if a complaint is made against the credential holder. Other provisions throughout ch. MTBT 5 have been revised to better organize the content of the chapter and ensure consistency with current style and format standards for drafting administrative rules and applicable Wisconsin statutes.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. The Department estimates one-time administrative costs of \$65.42. These costs may be absorbed in the agency budget.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is providing clarity and bringing the rules into conformity with the Wisconsin Statutes	
16. Long Range Implications of Implementing the Rule The long range implication of implementing the rule is clarity and conformity with the Wisconsin Statutes	

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17. Compare With Approaches Being Used by Federal Government  
None

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

32 Ill. Admin. Code 401.140 b) 4) to 6) provide the requirements for retention and production of evidence of compliance with the continuing education requirements for renewal of accreditation in the practice of medical radiation technology. All technologists accredited by the Illinois Emergency Management Agency are required to maintain proof of participation in continuing education activities. Technologists seeking renewal are required to attest they have acquired the required number of continuing education credits. Within 30 days after receipt of this attestation, the Agency may perform an audit in which the individual will be asked to provide copies of documentation. Failure to respond to the Agency's audit request or failure to provide acceptable documentation may result in a refusal to renew accreditation.

Iowa:

641 IAC 42.18 provides the requirements for production of evidence of compliance with the continuing education requirements for renewal or reinstatement of a permit to operate ionizing radiation producing machines or administer radioactive materials. A permit holder must either 1) have a current American Registry of Radiologic Technologists (ARRT) or Nuclear Medicine Technology Certification Board (NMTCB) registration that has been renewed within 60 days prior to the submission of a permit renewal application or 2) submit proof of completion of continuing education activities recognized by ARRT or NMTCB or, in the case of a podiatric x-ray equipment operator permit holder, sponsored by the American Podiatric Medical Association or the Iowa Podiatric Medical Society.

Michigan:

The State of Michigan does not license operators of x-ray machines, nor does it have any requirements relative to the licensure or credentialing of x-ray machine operators except for radiologic technologists who perform mammographic examinations (Mich Admin Code, R 333.5630). The rules require compliance with the continuing education requirements under 21 C.F.R. 900.12(a)(2), "Radiologic technologists" (2000).

A mammography facility is required to maintain records documenting the qualifications of all personnel who work at the facility, including radiologic technologists who perform mammographic examinations. The Department of Licensing and Regulatory Affairs may review these records during an inspection of the facility (Mich Admin Code, R 333.5635).

Minnesota:

Minn. Stat. 144.121, Subd. 5., provides the requirements for practicing as a limited x-ray machine operator. The statutes do not require continuing education.

19. Contact Name

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20. Contact Phone Number

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**ADMINISTRATIVE RULES**  
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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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