

FOREWORD

This rule set contains the Michigan Administrative Rules that pertain to the control and use of radiation machines and of machine-produced ionizing radiation for any purpose. The following narrative briefly describes the events leading to the promulgation of and current authority for these rules.

The former Michigan Department of Health began radiation health and safety activities in the mid-1940s as a natural extension of its industrial hygiene program. Beginning with routine response to requests from industry, staff personnel developed a self-initiated system of studies of usage of x-ray machines, accelerators, and radionuclides. Through the mid-1950s, activities included radon concentration studies in Michigan's Upper Peninsula mines, x-ray safety education through Michigan State College, and a radioactive fallout sampling survey in cooperation with the U.S. Public Health Service and the U.S. Atomic Energy Commission.

In February 1958, Michigan became one of the first states with administrative rules regulating all sources of ionizing radiation by means of registration and compliance investigations. Under those early rules, which were titled *Regulations Governing the Use of Radioactive Isotopes, X-Radiation, and All Other Forms of Ionizing Radiation*, the former Department of Health conducted a comprehensive radiological health program that included periodic investigations of facilities using any type of x-ray machine or electronic device that produced x-rays. These facilities included hospitals, offices and clinics of the healing arts, educational institutions, and industries. General, limited health physics oversight of radioactive materials, including specific regulation of radium sources, was also performed.

In 1972, the Legislature passed a comprehensive radiation control law, 1972 PA 305. This law specifically provided a statutory basis and authority for administrative rules pertaining to ionizing radiation. In 1978, the authority for the rules was superseded by the enactment of Part 135 (Radiation Control) of the *Public Health Code*, 1978 PA 368. Part 135 (Radiation Control) has been amended by 1980 PA 522, 1982 PA 403, 1989 PA 56, 1992 PA 88, 1994 PA 100, 2012 PA 556 and 2015 PA 517.

The *Ionizing Radiation Rules*, in what was then named the Michigan Department of Public Health, became effective on December 3, 1975, superseding rules that had been in effect since 1958. Since then, the following revisions were made to the rules:

- On March 9, 1979, Part 4 addressing the registration of radiation machines was revised to its present form.
- On November 12, 1993, Part 14 was added to the rules, establishing comprehensive administrative rules pertaining to mammography.
- On December 5, 2007, R 325.5396 addressing hand-held portable dental x-ray machines was added to Part 9 - Dental X-Ray Installations.
- On June 8, 2011, Part 15 governing the use of computed tomography (CT) was added to the rules.
- On April 17, 2013, Part 14 was revised. Revisions to the mammography rules included adding specific rules for stereotactic breast biopsy machines.

The *Ionizing Radiation Rules Governing the Use of Radiation Machines* became effective on May 25, 2016. This rule set separated rules specific to radiation machines from rules covering radioactive materials.

The *Ionizing Radiation Rules* as well as the *Ionizing Radiation Rules Governing the Use of Radiation Machines* were developed by adopting appropriate standards from several documents, including reports of the National Council on Radiation Protection and Measurements, Suggested State Regulations for Control of Radiation, Performance Standards for Ionizing Radiation Emitting Products of the U.S. Department of Health and Human Services, and accreditation standards of the American College of Radiology. Standards for which

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no precedent was found were developed with a background of many years of regulatory experience in radiological health and with the advice of the former Michigan Department of Public Health's Radiation Advisory Board.

Executive Order 1994-1 transferred the Radiation Advisory Board from the responsibility of the governor to the responsibility of the Director of the Michigan Department of Public Health.

As a result of several executive orders, the radiation machine registration and compliance program is now in the Michigan Department of Licensing and Regulatory Affairs:

- Executive Order 1996-1 transferred the radiation program from the Michigan Department of Public Health into two other departments. Pursuant to that Executive Order and Executive Order 1996-2, radiation machine registration and compliance regulatory activities became the responsibility of the Radiation Safety Section in the Michigan Department of Consumer & Industry Services. Radioactive material regulatory activities became the responsibility of the Michigan Department of Environmental Quality.
- Executive Order 2003-18 transferred the Radiation Safety Section and its radiation machine registration and compliance regulatory activities from the former Michigan Department of Consumer & Industry Services to the Michigan Department of Community Health.
- Executive Order 2011-4 transferred the Radiation Safety Section and its radiation machine registration and compliance regulatory activities from the Michigan Department of Community Health to the Michigan Department of Licensing and Regulatory Affairs.