

## NOTICE OF PUBLIC HEARING

Chapter DHS 157  
Clearinghouse Rule Number 22-015

NOTICE IS HEREBY GIVEN that the Department of Health Services (“the Department”) will hold a public hearing on a permanent rule to consider amendments to ch. DHS 157, relating to radiation protection requirements for radiation producing machines and radioactive materials.

### HEARING INFORMATION

---

#### Date and Time

Thursday, June 16, 2022  
10:00 AM to 12:00 PM

#### Physical Location:

1 West Wilson Street, Room B155  
Madison, WI 53702

#### Virtual Location:

Join from a PC, Mac, iPad, iPhone or Android device:  
Please click this URL to join.

#### URL:

<https://dhs.wi.zoomgov.com/j/1616493330?pwd=VEpsN201OWxWaGNEWHNBSTF5NEpnZz09>

Meeting ID: 161 649 3330

Passcode: 051190

Or join by phone: Dial (for higher quality, dial a number based on your current location):

Meeting ID: 161 649 3330

Passcode: 051190

#### Dial by your location

+1 669 254 5252 US (San Jose)

+1 646 828 7666 US (New York)

+1 551 285 1373 US

+1 669 216 1590 US (San Jose)

Meeting ID: 161 649 3330

Find your local number:

<https://dhs.wi.zoomgov.com/u/ab0CTU529>

### ANALYSIS AND TEXT OF THE RULE

---

Analysis of the rule and the proposed rule text may be accessed at:

[https://docs.legis.wisconsin.gov/code/misc/chr/lc\\_ruletext/cr\\_22\\_015\\_rule\\_text\\_filed\\_with\\_lc\\_clearinghouse.pdf](https://docs.legis.wisconsin.gov/code/misc/chr/lc_ruletext/cr_22_015_rule_text_filed_with_lc_clearinghouse.pdf)

**PLEASE NOTE:** The most recent proposed rule text may also be obtained by accessing:

Active Rulemaking Projects: <https://www.dhs.wisconsin.gov/rules/active-rulemaking-projects.htm>

### ACCESSIBILITY

---

**English**

---

The Department of Health Services is an equal opportunity employer and service provider. If you need accommodations because of a disability or need an interpreter or translator, or if you need this material in another language or in an alternate format, you may request assistance to participate by contacting Chris Gjestson at 1-608-590-2855. You must make your request at least 7 days before the activity.

### **Spanish**

The Department of Health Services es una agencia que ofrece igualdad en las oportunidades de empleo y servicios. Si necesita algún tipo de acomodaciones debido a incapacidad o si necesita un interprete, traductor o esta información en su propio idioma o en un formato alterno, usted puede pedir asistencia para participar en los programas comunicándose con Chris Gjestson al número 1-608-590-2855. Debe someter su petición por lo menos 7 días de antes de la actividad.

### **Hmong**

The Department of Health Services yog ib tus tswv hauj lwm thiab yog ib qhov chaw pab cuam uas muab vaj huam sib luag rau sawv daws. Yog koj xav tau kev pab vim muaj mob xiam oob qhab los yog xav tau ib tus neeg pab txhais lus los yog txhais ntaub ntawv, los yog koj xav tau cov ntaub ntawv no ua lwm hom lus los yog lwm hom ntawv, koj yuav tau thov kev pab uas yog hu rau Chris Gjestson ntawm 1-608-590-2855. Koj yuav tsum thov qhov kev pab yam tsawg kawg 7 hnuab ua ntej qhov hauj lwm ntawd.

---

## **FISCAL ESTIMATE-ECONOMIC IMPACT ANALYSIS**

The fiscal estimate and economic impact analysis for the rule is available at:

[https://docs.legis.wisconsin.gov/code/misc/chr/lc\\_ruletext/cr\\_22\\_015\\_fiscal\\_estimate\\_and\\_economic\\_impact\\_analysis.pdf](https://docs.legis.wisconsin.gov/code/misc/chr/lc_ruletext/cr_22_015_fiscal_estimate_and_economic_impact_analysis.pdf)

---

## **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

Comments may be provided at the hearing, or submitted to the Department until the end of business July 11, 2022, by:

1. Accessing the Department's Administrative Rules website:  
Active Rulemaking Projects: <https://www.dhs.wisconsin.gov/rules/active-rulemaking-projects.htm>
2. Submitting a comment through the Wisconsin State Legislature's website:  
[https://docs.legis.wisconsin.gov/code/chr/all/cr\\_22\\_015](https://docs.legis.wisconsin.gov/code/chr/all/cr_22_015).
3. Mailing written comments to:  
Chris Gjestson  
Division of Public Health  
P.O. Box 2659  
Madison, WI 53701-2659  
[Christopher.Gjestson@dhs.wisconsin.gov](mailto:Christopher.Gjestson@dhs.wisconsin.gov)

---

## **INITIAL REGULATORY FLEXIBILITY ANALYSIS**

The proposed rule will have a minimal effect on small businesses, as defined under s. 227.114. It is estimated that the proposed license fee changes would apply to 21 small businesses and total \$22,750. The small business types include: three licenses for medical use, 14 licenses for gauges used in construction and materials testing, zero licenses for research and development, three licenses for gauges used in manufacturing (systems controls or quality assurance), one license for other limited scope of radioactive material (water treatment). There is expected to be little to no fiscal impact to x-ray registrants from the proposed requirements. Licensee and registrants will have to report to the department certain radiation exposure events and maintain procedures documenting the implementation of the radiation safety program and equipment maintenance; similar to what is currently required. The types of professional skills needed for compliance are dependent on the type of use and include specialized medical practitioners, medical physicists, skilled technicians, and trained operators.

---

## **SMALL BUSINESS REGULATORY REVIEW COORDINATOR**

Jackson Keuler

---

Office of Legal Counsel  
P.O. Box 7850  
Madison, WI 53707-7850  
1-608-266-0387  
[Jackson.Keuler@dhs.wisconsin.gov](mailto:Jackson.Keuler@dhs.wisconsin.gov)

**AGENCY CONTACT PERSON**

---

Chris Gjestson  
Division of Public Health  
P.O. Box 2659  
Madison, WI 53701-2659  
1-608-590-2855  
[Christopher.Gjestson@dhs.wisconsin.gov](mailto:Christopher.Gjestson@dhs.wisconsin.gov)

**APPROVAL**

---

Approved on: \_\_\_\_\_

By: \_\_\_\_\_

Karen Timberlake, Secretary-designee