

## FORM 6

### South Dakota Department of Health Notice of Public Hearing to Adopt Rules

A public hearing will be held in Department of Health Robert Hayes Building Conference Room; 600 E. Capitol Avenue, Pierre, SD 57501, on August 22, 2023 at 2:00 PM (Central) to consider the amendment of proposed Administrative Rules of South Dakota numbered

§§ 44:03:01:01; 44:03:01:02; 44:03:01:04; 44:03:01:06; 44:03:01:06.01;  
44:03:01:08; 44:03:01:08.02; 44:03:01:08.03; 44:03:01:08.04; 44:03:01:08.05;  
44:03:01:08.06; 44:03:01:08.07; 44:03:01:08.08; 44:03:01:10; 44:03:01:10.01;  
44:03:01:10.02; 44:03:01:10.05; 44:03:01:11.01; 44:03:01:12.01; 44:03:01:12.02;  
44:03:01:14.01; 44:03:01:14.02; 44:03:01:14.03; 44:03:01:14.04

The effect of the rules will be to define the minimum regulations necessary to maintain the health and safety of patients receiving imaging procedures from radiology provider and the health and safety of the radiology provider's equipment operators.

The reason for adopting the proposed rules is to revise language, update references, adopt CFR 1020.30-1020.33 which all manufacturers of radiation equipment are required to meet by the FDA, include technological advances in radiation imaging equipment, more accurately defines which personnel are required to use radiation monitoring devices, provides requirements for monitoring of pregnant radiation equipment operators, require a fixed control booth area for all fixed radiation equipment, and improve radiation equipment operator training, competency, and knowledge of radiation imaging acquisition and radiation safety.

Persons interested in presenting amendments, data, opinions, and arguments for or against the proposed rules may appear in-person at the hearing, or mail or e-mail them to the South Dakota Department of Health, Office of Licensure and Certification, 600 East Capitol Avenue, Pierre, SD 57501 or by going to <http://rules.sd.gov>. The deadline to submit any such written comments for consideration by the Department is September 1, 2023.

After the written comment period, the Department of Health will consider all written and oral comments it receives on the proposed rules. The Department of Health may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

For Persons with Disabilities: This hearing will be located at a physically accessible place. Please contact the Department of Health at least 48 hours before the public hearing if you have special needs for which special arrangements can be made by calling 605-773-3361.

Copies of the proposed rules may be obtained without charge from the South Dakota Department of Health, 600 East Capitol Avenue, Pierre, SD 57501 or <http://rules.sd.gov>.

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