

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

165-POD 1, 7

3. Subject

Pod X-ray assistants

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The proposed rule sets forth the required course of instruction for persons who will be conducting radiography under the direct supervision of a licensed podiatric physician. Pursuant to s. 462.02 (1) (a), Stats., a person must be credentialed by the Radiography Examining Board in order to conduct radiography. However under, 462.02 (2) (f), Stats., a person conducting radiography under the direct supervision of a podiatrist who has successfully completed a course of instruction approved by the Podiatrists Affiliated Credentialing Board is exempt from the requirement. This proposed rule will identify the required course of instruction approved by the Podiatrists Affiliated Credentialing Board for persons who will be directly supervised by a podiatrist.

10. 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 will primarily affect licensed podiatrist and podiatric x-ray assistants working under the direct supervision of a licensed podiatrist. The rule was posted on the Department of Safety and Professional Service's website for 14 days in order to solicit comments from businesses, business sectors, and associations representing business, local governmental units, and other individuals that may be affected by the proposed rule. No comments were received from the public regarding the rule.

11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA.

12. 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)

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The proposed rule will not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing this rule is to give guidance within the profession for persons who seek to practice podiatric radiography, prevent the excessive use of radiation by health care professionals, and to protect the public from excessive exposure to radiation by health care professionals who use radiation in the treatment of disease or other medical conditions.

14. Long Range Implications of Implementing the Rule

There will be greater consistency in the training of persons who will be conducting podiatric radiography and greater protection of the public from excessive exposure to radiation.

15. Compare With Approaches Being Used by Federal Government

The Consumer-Patient Radiation Health & Safety Act of 1981, 42 USC 10001, et seq. establishes federal guidelines for standards of accreditation of educational programs for certain occupations that administer radiologic procedures. The standards are in place to protect the public from excessive exposure to radiation by health care professionals who use radiation in the treatment of disease or other medical conditions. The regulations are directed towards radiographers, dental hygienists, dental assistants, nuclear medicine technologists, and radiation therapy technologists. The federal statute and regulations are comparable to the proposed rule in that they both set forth course instructions for persons who administer radiologic procedures such as podiatric x-ray assistants.

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

Illinois: Technicians under the general supervision of a podiatric physician are exempt from being certified. Ill Admin. Code tit. 32 §401.30

Iowa: Iowa grants permits to podiatric X-ray equipment operators defined as one who "performs radiography of only the foot and ankle using dedicated podiatric equipment". IAC 641-42.2 (136C).

Michigan: Michigan does not regulate podiatric x-ray assistants.

Minnesota: Minnesota regulates limited x-ray operators. They may only practice medical radiography on limited regions of the body as long as he or she has successfully passed the American Registry of Radiologic Technologists (ARRT) exam, or the American Chiropractic Registry of Radiologic Technologists (ACRRT) exam. Minn. Stats. 144.121 subd. 5a.

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ATTACHMENT A

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)

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

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:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

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

- Yes No
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