

WASTE MANAGEMENT AND RADIATION CONTROL BOARD

Executive Summary Repeal of Rule R313-27 August 15, 2016

What is the issue before the Board?	<p>The Board is being asked to approve, for publication in the <i>Utah Bulletin</i> and commencement of a 30-day public comment period, the repeal of Rule R313-27, "Medical Use Advisory Committee." This item was presented at the July 14, 2016 Board meeting and action was postponed until Scott Anderson, Division Director, could be present to respond to questions from the Board.</p>
What is the historical background or context for this issue?	<p>R313-27 was adopted by the Radiation Control Board in its final meeting in June 2015. This rule requires the Board to appoint a Medical Use Advisory Committee to review any rule or other policy that affects the medical use of radiation and to make a recommendation to the Board on the proposed rule. The rule establishes the makeup of the committee and requires the committee to report to the Board prior to any Board action on a rule related to the medical use of radiation.</p> <p>The Attorney General's Office (memorandum from Craig Anderson, Assistant Attorney General) has determined that the Radiation Control Board did not have the authority to promulgate R313-27. A copy of the memorandum was provided in the July 14, 2016 Board packet.</p>
What is the governing statutory or regulatory citation?	<p>Section 19-6-104 of the Utah Code Annotated provides rulemaking authority to the Board.</p>
Is Board action required?	<p>Yes.</p>
What is the Division Director's recommendation?	<p>The Director recommends that the Board authorize publication of the draft repeal of R313-27 in the <i>Utah Bulletin</i> for a 30-day public comment period.</p>
Where can more information be obtained?	<p>For more information, please contact Ralph Bohn at (801) 536-0212 or rbohn@utah.gov</p>