



DELBERT HOSEMANN
Secretary of State

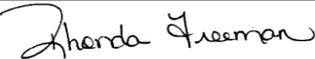
ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. An Agency is encouraged to use as much space as will adequately answer all questions. A PDF version of this executed Form must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME Board of Medical Licensure	CONTACT PERSON Rhonda Freeman	TELEPHONE NUMBER (601) 987-3079
ADDRESS 1867 Crane Ridge Drive, Suite 200-B	CITY Jackson	STATE MS
EMAIL rhonda@msbml.ms.gov	DESCRIPTIVE TITLE OF PROPOSED RULE Part 2621 Chapter 1: Limited X-Ray Machine Operator	
Specific Legal Authority Authorizing the promulgation of Rule: 73-43-11	Reference to Rules repealed, amended or suspended by the Proposed Rule: N/A	

1. Describe the need for the proposed action: MS Code 41-58-1 has been in effect for several years; however, the Board has never adopted regulations to address certain areas of concern until now. Previously, some of the directives were required by the MS Department of Health; however, with the passage of House Bill 69, Regular Session 2013, the Board was given more authority over these individuals. This rule will help clarify the requirements for a limited x-ray machine operator permit and outlines the scope of practice for these individuals.
2. Describe the benefits which will likely accrue as the result of the proposed action: This rule will assist the Board in better informing individuals of the requirements for a limited x-ray machine operator permit and their scope of practice.
3. Describe the effect the proposed action will have on the public health, safety, and welfare: This rule will help insure that individuals taking x-rays in a physician’s office or under the direction of a physician in a hospital will have the information required for a permit. It will also make individuals aware of the need of a permit to perform these tasks.
4. Estimate the cost to the agency and to any other state or local government entities, of implementing and enforcing the proposed action, including the estimated amount of paperwork, and any anticipated effect on state or local revenues: This rule should not affect the cost to this agency or any other agency. The law this rule is based on has been in effect for several years.
5. Estimate the cost or economic benefit to all persons directly affected by the proposed action: There should be no cost or economic impact because this rule is based on a law that has been in effect for several years.
6. Provide an analysis of the impact of the proposed rule on small business: There should be no impact due to this rule being based on a law that has been in effect for several years.
 - a. Identify and estimate the number of small businesses subject to the proposed regulation:
Unknown

- b. Provide the projected reporting, recordkeeping, and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record: Clinics will have to make sure employees have taken CME course and applied for permit.
- c. State the probable effect on impacted small businesses: Businesses will not get a citation for having a person performing x-rays in their office. Only qualified individuals will perform x-rays in a physician's office.
- d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis: The Board could rely on State law.
 - i. The establishment of less stringent compliance or reporting requirements for small businesses;
 - ii. The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - iii. The consolidation or simplification of compliance or reporting requirements for small businesses;
 - iv. The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
 - v. The exemption of some or all small businesses from all or any part of the requirements contained in the proposed regulations:
7. Compare the costs and benefits of the proposed rule to the probable costs and benefits of not adopting the proposed rule or significantly amending an existing rule: The Board can continue to utilize State law or the requirements and scope of practice by limited x-ray machine operators. However, these rules are condensed to address only those working in a physician's office or under the direction of a physician in a hospital. These rules are more accessible and easier to understand.
8. Determine whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rule where reasonable alternative methods exist which are not precluded by law:
9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency: The Board could continue to use State law.
10. State reasons for rejecting alternative methods that were described in #9 above: The proposed rule makes is easier to understand the requirements to practice as a LXMO.
11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection: This rule is also State law and it has been n effect for several years. The board is aware of what is required and who is eligible for an LXMO permit.

SIGNATURE		TITLE	Bureau Director
DATE	07/22/2013	PROPOSED EFFECTIVE DATE OF RULE	30 Days from final filing