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 Economic Impact Statement must be attached to this Form and address the factors below. A PDF document containing this executed Form and the Economic Impact Statement must be filed with any proposed rule, if required by the aforementioned statute.

AGENCY NAME	CONTACT PERSON		TELEPHONE NUMBER
Missippi State Department of Health	Mitchell Adcock		601-576-7847
ADDRESS	CITY	STATE	ZIP
570 East Woodrow Wilson	Jackson	MS	39216
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
Ingrid.williams@msdh.ms.gov	15-21 Subpart 78 Division of Radiological Health-Regulations for Control of Radiation		

Specific Legal Authority Authorizing the promulgation of Rule: Section 45-14-31	Reference to Rules repealed, amended or suspended by the Proposed Rule: SEE ATTACHED

SIGNATURE	TITLE
Mitchell Adcock	Mitchell Adcock, Chief Administrative Officer
DATE 5/25/16	PROPOSED EFFECTIVE DATE OF RULE 30 days after filing

1. Describe the need for the proposed action:

   Amend the fee schedule for providing better protection and safety to members of the public from sources of radiation.

2. Describe the benefits which will likely accrue as the result of the proposed action:

   These regulation amendments will benefit Mississippi citizens experiencing any exposure to radiation sources. Benefits will include, but are not limited to, better and safer work environment at licensed and registered facilities that use sources of radiation, strengthening interaction with the public, educating the public on radiation safety, maintaining quality assurance and calibration of equipment, and ensuring compliance and compatibility with federal regulations.

3. Describe the effect the proposed action will have on the public health, safety, and welfare:

   The proposed action will provide for better overall health, safety, and welfare of radiation workers at licensed and registered facilities and for our citizens.

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:

   There will be no additional cost to other state or local government entities. There will be no increase in paperwork and no effect on state or local revenues.

5. Estimate the cost or economic benefit to all persons directly affected by the proposed action:

   The benefit to our state will be to continue to provide a quality safety program, from industry, medical facilities, environment, and our citizens. Without the proposed action, it could bring the state under federal rules and payments for fees that would increase by 75% or more.

6. Provide an analysis of the impact of the proposed rule on small business: See 5 above.
   a. Identify and estimate the number of small businesses subject to the proposed regulation:

      30 radioactive material licensees; 1000 x-ray tubes

   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:

      The Mississippi State Department of Health is the licensing authority for the industry that uses sources of radiation and the costs associated with the regulation amendment will be absorbed in the current budget.

   c. State the probable effect on impacted small businesses:

      The MSDH has not received any indications from any licensed or registered facilities that they will close their business because of the proposed amendment.

   d. Describe any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation including the following regulatory flexibility analysis:
      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:

   The MSDH believes that citizens of Mississippi should be afforded a health and safety program to regulate the uses of sources of radiation. There are no less intrusive or less costly alternative methods to achieving the purpose of the proposed regulations. If we do not conduct our program and be compatible with federal rules, our program could be taken over by federal agencies such as the Nuclear Regulatory Commission and costs to our licensees could be increased by 75% or more.

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 cost to providers will not be significantly different if the proposed rule is not adopted.

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:

   It has been determined that there are no less costly methods for achieving the purpose of the proposed rule. The schedule of fees was determined by calculating the costs of our division to conduct inspections of sources of radiation and to license, amend, and register the facilities.

9. Describe reasonable alternative methods, where applicable, for achieving the purpose of the proposed action which were considered by the agency:

   There are no other reasonable alternative methods. By not adopting the proposed action our division will not be able to conduct the inspections and licensing actions required by federal and state standards.

10. State reasons for rejecting alternative methods that were described in #9 above:

    Not applicable.

11. Provide a detailed statement of the data and methodology used in making estimates required by this subsection:

    Fees were determined using a calculation of different sources of radiation users and providing that service. Calculations included time to conduct activity (FTE hourly costs), cost of travel, IT support, equipment, calibration, supervisory approval, administrative review, training, and overhead.

Attachment

Regulations for the Control of Radiation

Rule 1.1.18