

1 10A NCAC 15 .0203 is proposed for amendment as follows:

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3 **10A NCAC 15 .0203 APPLICATION FOR REGISTRATION PROCESS: GENERAL REQUIREMENTS**
4 **FOR ALL FACILITIES, RADIATION MACHINES, AND SERVICES PROVIDED**

5 (a) A person with an unregistered facility, ~~radiation~~ X-ray machine, radiation generating device, or an unregistered
6 service ~~provider, provider~~ shall apply for registration with the agency. After submitting the required application forms
7 prescribed by the agency in this Rule, registration of the first ~~radiation~~ X-ray machine, radiation generating device, or
8 registration of services provided, constitutes registration of the facility or service provider.

9 (b) All application forms in this Rule shall be completed by meeting the following requirements:

10 (1) ~~An individual with administrative control and representative of the organization of a radiation~~ The
11 owner or the individual responsible for the business operations of a facility with an X-ray machine,
12 radiation generating device, or who is responsible for providing provides radiological services, shall
13 ensure that application forms, required by the agency in this Rule, meet the following requirements:

14 (A) are accurate, complete, and contain all the information required by the application forms
15 and accompanying instructions; and

16 (B) are submitted to the agency at the e-mail address on the application for registration forms
17 or mailed to the address in Rule .0111 of this Chapter.

18 (2) Incomplete application forms or application forms submitted without the requested documentation
19 to provide ~~services,~~ radiological services will not be processed.

20 (3) The agency may require additional information at any time after submission of the application to
21 determine if the notice of registration should be issued or denied.

22 (4) Application forms can be found at <https://radiation.ncdhhs.gov/Xray/applic.htm>
23 <https://radiation.ncdhhs.gov/Xray/applic.htm> and <https://radiation.ncdhhs.gov/Xray/service.htm>.

24 (5) The owner or individual responsible for business operations can designate a responsible person or
25 persons within the organization to sign when amendments are made to forms by notifying the agency
26 in writing.

27 (c) A Business Application form shall be submitted prior to the operation of a facility or providing services in this
28 ~~State State~~, and the following additional requirements shall be met:

29 (1) The application shall be submitted by any person:

30 (A) with one or more ~~radiation machines~~ X-ray machines or radiation generating device at a
31 facility; or

32 (B) that plans to engage in radiological services listed in Paragraphs (f) and (g) of this Rule.

33 (2) The application form requires the following:

34 (A) indication if the application is for a new facility, a change of ownership, relocation of a
35 facility, or to update information by marking the corresponding checkbox;

36 (B) the legal business name, facility physical address, phone ~~number,~~ number, and type of
37 business, days and hours of operation; business;

- 1 (C) the name, title, mailing address, phone, and e-mail address of the business manager;
- 2 (D) the name of the individual on-site who is responsible for radiation protection. The training
- 3 and experience qualifying him or her to perform the job duties and responsibilities in Rule
- 4 .0211 of this Section, shall be ~~documented on the application;~~ available during inspection
- 5 or upon request by the agency;
- 6 (E) the name, title, mailing address, phone, and e-mail address for the invoice ~~contact;~~ contact;
- 7 and
- 8 ~~(F) description of facility use;~~
- 9 ~~(G) description of service provider equipment;~~
- 10 ~~(H)~~(F) dated and signed by the owner or the individual ~~with administrative control;~~ and
- 11 responsible for business operations.
- 12 ~~(I) identify equipment forms included with the application form by marking the corresponding~~
- 13 ~~checkbox.~~

14 (d) ~~A Radiation~~ An X-ray Machine Application or Radiation Generating Devices Application form shall be submitted
 15 in accordance with Rule .0204(c)(1) through (5) of this Section, for the type of ~~radiation~~ X-ray machine or radiation
 16 generating device owned by the registrant or potential registrant or the service provided. The following additional
 17 requirements shall be met:

- 18 (1) The application shall be submitted by any person:
 - 19 (A) with one or more unregistered ~~radiation~~ X-Ray machines or radiation generating devices
 - 20 at a facility; or
 - 21 (B) that is engaged in leasing or performing demonstrations using an unregistered ~~radiation~~ X-
 - 22 Ray machine or radiation generating device.
- 23 (2) The application requires the following information:
 - 24 (A) registration number;
 - 25 (B) machine or device location;
 - 26 (C) manufacturer, model, serial number, number of tubes, install date, modality, ~~application,~~
 - 27 type, and use;
 - 28 (D) location of the machine or device not in use;
 - 29 (E) installer information; and
 - 30 (F) ~~shall be~~ dated and signed by the ~~individual with administrative control.~~ owner or individual
 - 31 responsible for business operations. An individual with administrative control can delegate
 - 32 a responsible person or persons within the organization to sign when amendments are made
 - 33 to this form by notifying the agency in writing.

34 (e) A Disposal of a ~~Radiation~~ an X-ray Machine or Radiation Generating Device Form shall be submitted when a
 35 facility disposes of a ~~radiation~~ an X-ray machine or radiation generating device. The agency form requires the
 36 following information:

- 37 (1) registration number, facility name, and physical address;

- 1 (2) identify if the application is for a new facility, for a change of ownership, a facility ~~relocates,~~
2 relocation, or to update information;
- 3 (3) ~~radiation X-ray~~ machine or radiation generating device location; manufacturer, ~~model,~~ model and
4 serial number;
- 5 (4) identify the ~~reason for~~ method of disposal of the ~~radiation X-ray~~ machine or radiation generating
6 device;
- 7 (5) ~~the recipient of the radiation X-ray machine or radiation generating device, to the individual or~~
8 ~~business name,~~ device, physical and e-mail address, and phone number; and
- 9 (6) dated and signed by the owner or the individual ~~with administrative control~~ responsible for business
10 operations of the ~~radiation X-ray~~ machine or radiation generating device.

11 (f) A Company Service Application form shall be submitted prior to furnishing or offering to furnish services in Parts
12 (A) through (C) of Subparagraph (f)(1) and the following additional requirements shall be met:

- 13 (1) The application shall be submitted by any person engaged in:
 - 14 (A) direct sales, demonstration, leasing, or transfer of ~~radiation X-ray~~ machines or radiation
15 generating devices;
 - 16 (B) providing individual monitoring devices; and
 - 17 (C) radiation survey equipment calibrations, except when calibrations are performed by the
18 manufacturer of the equipment.
- 19 (2) The application requires the following information:
 - 20 (A) registration number;
 - 21 (B) business name, facility physical address;
 - 22 (C) identify if the application is for a new service provider, for a change of ownership,
23 relocation of the facility, or to update information;
 - 24 (D) identify each class and modality of services requested to be provided in the State;
 - 25 (E) submit the requirements listed on the agency form for each class and modality requesting
26 to provide services in the State;
 - 27 (F) list any class or modality not listed on this form;
 - 28 (G) description of service provider equipment used for output measurements and surveys; and
 - 29 (H) ~~signature of~~ dated and signed by the owner or the individual with administrative control.
30 responsible for business operations.

31 (g) A Company Employee Services Application form shall be submitted prior to furnishing or offering to furnish
32 services in Parts (A) through ~~(H)~~ (G) of Subparagraph (g)(1) and the following additional requirements shall be met:

- 33 (1) The application shall be submitted by any person engaged in providing the following services:
 - 34 (A) area radiation surveys for ~~diagnostic radiographic and fluoroscopy facilities;~~ X-ray
35 machines;
 - 36 (B) equipment surveys and shielding designs for radiation generating devices;

1 (C) general health physics consulting services to perform dose estimates, radiation output
2 measurements, radiation safety program development, and radiation safety program
3 training;

4 (D) installation or service repair of ~~radiation~~ X-ray machines or radiation generating devices;

5 (E) qualified expert consulting services for CT and mammography ~~radiation~~ X-ray machines;

6 ~~(F) radiation protection expert;~~

7 ~~(G)(F) shielding designs for diagnostic radiographic and fluoroscopy facilities; X-ray machines;~~
8 and

9 ~~(H)(G) therapeutic facility shielding design, area radiation survey, or calibration. verification and~~
10 area radiation surveys.

11 (2) The application requires the following information:

12 (A) name of the employee to be registered;

13 (B) start date if the employee is being ~~added~~ added, and the stop date if the employee is being
14 removed from the registration;

15 (C) business registration number, name, physical address, and contact e-mail;

16 (D) class identification and modality of services to be provided;

17 (E) training and experience to submit for each class of services to be provided;

18 (F) date and signature of the employee applying for registration;

19 (G) date and signature of the owner or the individual ~~with administrative control~~; responsible
20 for business operations; and

21 (H) additional information the agency determines is necessary for evaluating the application
22 for registration.

23 (h) Owners of radiation imaging systems and in-house personnel employed by a facility or corporation shall be exempt
24 from the registration requirements in this Rule to provide services in this State, provided such personnel:

25 (1) meets the education, or is supervised by an individual who meets the training and experience
26 requirements of the Class for the services provided;

27 (2) provides services at one facility or corporation; and

28 (3) provides requirements in Subparagraph (1)(h) of this Rule for agency review during inspection.

29 (i) The following general requirements apply to all facilities and services provided in North Carolina.

30 (1) The registrant shall notify the agency when any change will render the information in an application
31 for registration or notice of registration no longer accurate.

32 (2) A registrant that terminates all activities of ~~radiation~~ involving X-ray machines, radiation generating
33 devices, or providing services shall meet the following requirements within 30 days:

34 (A) request termination of the notice of registration in writing by the owner or the individual
35 with administrative control;

36 (B) submit to the agency, a Disposal of a ~~Radiation~~ an X-ray Machine or Radiation Generating
37 Device Form in accordance with Paragraph (e) of this Rule; and

- 1 (C) pay any outstanding fees pursuant to Section .1100 of this Chapter.
- 2 (3) A registrant shall not transfer the registration as part of a change of ownership.
- 3 (4) A person who takes possession of ~~a radiation~~ an X-ray machine or radiation generating device
- 4 because of bankruptcy, foreclosure, or state auction may possess the machine or device when the
- 5 following additional requirements are met:
- 6 (A) The machine or device shall be posted with a visible sign stating that the new owner is
- 7 responsible for registering with the agency if used in this State; and
- 8 (B) If the machine or device is energized, it shall only be energized by someone registered in
- 9 accordance with this Section and only to demonstrate that it is operable for sale or transfer.
- 10 (5) No person shall in any advertisement refer to the fact that his or her facility is registered with the
- 11 agency pursuant to the provisions of Rule .0204 or .0205 of this Section, and no person shall state
- 12 or imply that under such registration any activities have been approved by the agency.
- 13

14 *History Note: Authority G.S. 104E-7; 104E-12; 104E-20;*

15 *Eff. February 1, 1980;*

16 *Amended Eff. May 1, 1992;*

17 *Transferred and Recodified from 15A NCAC 11 .0203 Eff. February 1, 2015;*

18 *Readopted Eff. October 1, ~~2025~~ 2025;*

19 *Amended Eff. October 1, 2026.*