

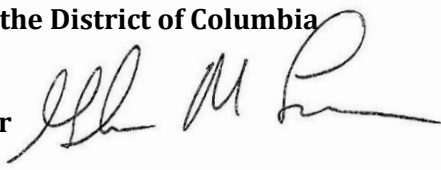
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: October 21, 2024

SUBJECT: Fiscal Impact Statement – Radiation Protection Act of 2024

REFERENCE: Bill 25-672, Draft Committee Print as provided to the Office of Revenue Analysis on October 8, 2024

Conclusion

Funds are not sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill. The bill costs \$142,000 in fiscal year 2025 and \$445,000 over the financial plan to implement.

Background

The Department of Health (DC Health) Radiation Protection Division provides exclusive regulatory oversight of radiological devices in the District of Columbia. The current law¹ that governs the use of radiation in the medical profession is outdated and must be modernized to conform to current federal standards. The bill modernizes how the District regulates the use of radiation in the medical profession by authorizing DC Health to:

- Establish new standards for licensees, applicants, and certificates of registration holders who receive, possess, use, transfer, own, acquire, or operate any radiation source, components, equipment, materials, or other goods or services.
- Apply for administrative search warrants issued by the Superior Court of the District of Columbia to enter and conduct any test, inspection, or examination required or authorized by this bill or rules issued under the authority of this bill.

¹ The District of Columbia Low-Level Radioactive Waste Generator Regulatory Policy Act of 1990, effective March 7, 1991 (D.C. Law 8-226; D.C. Official Code § 8-1501 et seq.).

- Inspect facilities, records, operations, machines, and equipment licensed, certified, or registered with DC Health that possess ionizing² or nonionizing radiation.³
- Conduct examinations and test sources of radiation, radioactive material, radioactive waste, radiation machines, facilities where radiation sources are used or stored, radiation detection and monitoring instruments, and other equipment and devices used in connection with the utilization or storage of radiation sources.
- Issue written notices before seizing, impounding, or destroying sources of radiation, radioactive material, radioactive waste, radiation machine or equipment, or any part thereof, if all or part of the source of radiation, radioactive material, radioactive waste, or radiation machine or equipment is in possession of a person that is not licensed, certified, registered, or accredited by DC Health.
- Issue civil fines, penalties, and fees for any violation of the Radiation Protection Act of 2024.
- Establish fees by rulemaking for the application and issuance of new, duplicate, amended, and renewal licenses, registrations, certificates and accreditations, variance requests and issuances, compliance inspections, and other appropriate actions.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2025 through fiscal year 2028 budget and financial plan to implement the bill. The bill costs \$142,000 in fiscal year 2025 and \$445,000 over the financial plan to implement.

DC Health must hire one additional Investigator to conduct inspections and enforce compliance with the updated law. This additional employee's salary and fringe cost is \$97,000 in fiscal year 2025 and \$400,000 over the financial plan. DC Health must also update its licensing IT system to accept licensing applications from medical radiation technologists. This update will cost \$20,000 in fiscal year 2025. DC Health will also need to purchase a new radiation monitoring machine for inspections at a cost of \$25,000 in fiscal year 2025. DC Health currently deposits registration fees from radiological device operators in the Radiation Protection Fund, and no additional revenue is expected as a result of the bill.

Bill 25-672, Radiation Protection Act of 2024					
Total Cost					
	FY 2025	FY 2026	FY 2027	FY 2028	Total
Investigator ^(a)	\$97,191	\$99,038	\$100,920	\$102,837	\$399,986
IT Update	\$20,000	\$0	\$0	\$0	\$20,000
Radiation Detector	\$25,000	\$0	\$0	\$0	\$25,000
Total	\$142,191	\$99,038	\$100,920	\$102,837	\$444,986

Table Notes:

- (a) Assumes one Grade-11, Step-5 Investigator and a fringe rate of 22 percent. Assumes salary growth of 1.9 percent and fringe growth of 2.35 percent.

² Includes alpha particles, beta particles, gamma rays, x-rays, high-speed electrons, high-speed protons, neutrons, and other particles capable of producing ions.

³ Includes electromagnetic radiation generated by magnetic resonance imaging equipment, ultrasonography equipment, and other radiation machines used in a clinical healthcare setting that are not capable of production ionizing radiation.