Kansas Administrative Regulations

Department of Health and Environment

Article 35.—Radiation—Part 7. Special Requirements for Industrial Radiographic Operations.

28-35-293. Requirements for an independent certifying organization.

(a) Each independent certifying organization shall be required to meet the following conditions in order to be recognized by the secretary:

(1) Be an organization, including a society or association, whose members participate in, or have an interest in, the field of industrial radiography;

(2) make membership in the organization available to the general public nationwide. Membership shall not be restricted because of race, color, religion, sex, age, national origin, or disability;

(3) have a certification program that is open to nonmembers as well as members;

(4) be an incorporated, nationally recognized organization that is involved in setting national standards of practice within its fields of expertise;

(5) have an adequate staff, a viable system for financing its operations, and a policy-making and decision-making review board;

(6) have a set of written organizational bylaws and policies that provide adequate assurance of lack of conflict of interest and a system for monitoring and enforcing those bylaws and policies;

(7) have a committee, whose members shall carry out their responsibilities impartially, to review and approve the certification guidelines and procedures and to advise the organization's staff in implementing the certification program;

(8) have a committee, whose members shall carry out responsibilities impartially, to review complaints against certified individuals and to determine appropriate sanctions;

(9) have written procedures describing all aspects of the organization's certification program and maintain records of the current status of each individual's certification and the administration of the organization's certification program;

(10) have procedures to ensure that certified individuals are provided due process with respect to the administration of its certification program, including the process of becoming certified and any sanctions imposed against certified individuals;

(11) have procedures for proctoring examinations, including qualifications for proctors. These procedures shall ensure that the individuals proctoring each examination are not employed by the same company or corporation, or by a wholly owned subsidiary of the company or corporation, as that of any of the examinees;

(12) exchange information about certified individuals with the nuclear regulatory commission, other independent certifying organizations, and agreement states and allow periodic review of the organization's certification program and related records; and

(13) provide a description to the nuclear regulatory commission of the organization's procedures for choosing examination sites and for providing an appropriate examination environment.

(b) Each certification program recognized by the secretary shall meet the following requirements:

(1) Require applicants for certification to meet the following requirements:

(A) Receive training in the topics specified in K.A.R. 28-35-289 or in equivalent state or nuclear regulatory commission regulations; and

(B) satisfactorily complete a written examination covering the topics specified in paragraph (b)(1)(A);

(2) require each applicant for certification to provide documentation demonstrating that the applicant meets the following requirements:

(A) Receives training in the topics specified in K.A.R. 28-35-289 or in equivalent state or nuclear regulatory commission regulations;

(B) has satisfactorily completed a minimum period of on-the-job training as specified in K.A.R. 28-35-289; and

(C) receives verification by a state licensee or registrant or a nuclear regulatory commission licensee that the applicant has demonstrated the capability of independently working as a radiographer;

(3) include procedures to ensure that all examination questions are protected from wrongful disclosure;

(4) include procedures for denying an application and for revoking, suspending, and reinstating a certification;

(5) provide a certification period of at least three years and not more than five years;

(6) include procedures for renewing certifications and, if the procedures allow renewals without examination, require evidence of recent full-time employment and annual refresher training; and

(7) provide a timely response to inquiries from members of the public about an individual's certification status; and

(8) have requirements for written examinations that meet the following requirements:

(A) Are designed to test an individual's knowledge and understanding of the topics specified in K.A.R. 28-35-289 or in equivalent state or nuclear regulatory commission regulations;

(B) are written in a multiple-choice format; and

(C) have test items drawn from a question bank containing psychometrically valid questions based on the material specified in K.A.R. 28-35-289.

(Authorized by and implementing K.S.A. 48-1607; effective Dec. 30, 2005.)

***** Authenticated Kansas Administrative Regulation *****