

still believed it necessary to include a preceptor statement for all "authorized positions" named in 10 CFR part 35, the ACMUI recommended that this requirement be separated from the board certification pathway and that it be specified separately as a new paragraph in each training section. In SRM-03-0145, issued on October 9, 2003, the Commission approved the recommendation of the ACMUI that the requirement for a preceptor statement be removed from the requirements for recognition of specialty board certifications. The Commission also indicated it should be clear in the proposed rule language that a preceptor statement is required regardless of which training pathway is chosen.

Discussion

The principal changes proposed to 10 CFR part 35 involve revising the criteria for recognizing the certifications of specialty boards. These changes relate to the requirements for training and experience (T&E) that boards would place on candidates seeking board certification. The NRC staff reviewed board certification procedures and made a determination that, with one exception, the boards' certification programs failed to meet the requirements in the current regulations regarding preceptor certification and work experience. This assessment¹ resulted from a detailed comparison, performed by the NRC staff, between requirements in the regulations (in subparts D-H) and specialty board requirements for certification. The changes resulting from adoption of the proposed rule would remedy this situation and result in requirements that are less prescriptive while maintaining public health and safety. These changes would ensure that a clear regulatory determination can be made that specialty boards, both new and existing, meet the relevant criteria for recognition by the NRC or an Agreement State. Minor changes would also be made to the training and experience requirements in the alternate pathway.

The proposed changes to T&E requirements are intended to address issues raised by the ACMUI. However, the NRC disagrees with the ACMUI's belief that the training and experience criteria in the current rule would result in candidates bypassing board

certification. The NRC believes that board certification has been and will continue to be essential for physicians, including AUs, to practice medicine. While health physicists, medical physicists, nuclear pharmacists and physicians can serve in the respective categories of RSO, AMP, ANP and AU by satisfying T&E requirements under the alternate pathway, the NRC also believes that individuals who would have sought certification are likely to continue to do so because certifications are useful to individuals for reasons other than satisfying requirements in 10 CFR part 35, e.g., measuring areas of competence that go beyond regulatory requirements established under the Atomic Energy Act. Furthermore, some State agencies now require that individuals be certified by specialty boards before they can practice in some specialties, e.g., as medical physicists and nuclear pharmacists.

The NRC is seeking public comment on specific issues related to this proposed rule (see the section entitled "Invitation for Public Comment on Specific Issues," below).

Changes to the Certification Pathway

For the certification pathway, the current regulations incorporate the more prescriptive requirements for the alternate pathway. The proposed rule would establish criteria for a board to be recognized by the NRC or an Agreement State.

For the RSO, AMP, and ANP, the proposed criteria include a degree from an accredited college or university, professional experience, passing an examination administered by the board, and in some cases additional training related to the type of use for which an individual would be responsible. The requirement for passing an examination reflects the current practice of certification boards.

The addition of a requirement in § 35.50(a) for candidates for RSO to have a degree is consistent with current standards of certification boards to require a minimum of a baccalaureate degree. The NRC believes that this requirement helps ensure that a candidate for RSO has the level of knowledge necessary to fulfill duties of an RSO. However, the proposed rule will retain current regulatory provisions that allow candidates who do not hold a degree required under proposed revisions to § 35.50(a) to qualify for positions as RSO under provisions in § 35.50(b). Requirements for T&E of candidates to serve as AMPs would be revised for the board certification pathway, in proposed § 35.51(a)(2), to require 2 years of full-time practical

training and/or supervised experience under the supervision of a medical physicist certified by a specialty board recognized by the NRC or an Agreement State, or in clinical radiation facilities providing high energy, external beam therapy and brachtherapy services under the direct supervision of physicians who meet the requirements for AUs in §§ 35.400 or 35.600 or under supervision of a certified medical physicist in clinical radiation facilities. This T&E would help ensure that candidates have the level of knowledge necessary to fulfill the duties of an AMP.

The requirement that boards must have candidates for certification obtain a preceptor statement as a condition for NRC recognition of certifications would be removed in the proposed rule; however, individuals would still be required to obtain preceptor statements and licensees would be required to submit them to the NRC (broad scope, type A licensees would be exempt from this requirement as provided under § 35.15(d)). This would be an addition to the current requirement in § 35.14(a) to provide a copy of board certifications to the NRC. Further discussion of the requirement for a preceptor statement appears below under the heading "Preceptor Certification." The certification pathway also includes a specification for the number of hours of training and experience for ANPs and AUs for certain uses of byproduct material under §§ 35.100, 35.200, 35.300 (in 35.390, 35.392, 35.394 for uses under 35.300), and 35.500. The ACMUI recommended that the requirement for 200 hours of classroom and laboratory training, now required in §§ 35.490 and 35.690, be removed because it believes that the combination of degree, practical experience, and examination in the criteria for recognizing certifying boards is equivalent to the number of hours of didactic training and experience specified for the alternative pathway. A detailed analysis of T&E requirements was performed by NRC staff and appears as Attachment 1 to SECY-02-0194. This assessment included a comparison of the number of hours of training required both for the board certification and alternate pathway, with estimates of the equivalency of hours of T&E leading to board certification in comparison to the hours required under the alternate pathway. The NRC believes that, although the requirements are not identical, the T&E standard for recognizing certifying boards would be equivalent to the standard for the alternate pathway. The board certification process requires a

¹ "Comparison Between NRC Requirements and Boards Certification Programs," Attachment 2 to SECY-02-0194, "Options for Addressing part 35 Training and Experience Issues Associated with Recognition of Specialty Boards by NRC." SECY-02-0194 is available on the NRC's Web site, <http://www.nrc.gov>, in the "Electronic Reading Room."