JOURNAL OF LAWS
OF THE REPUBLIC OF POLAND

Warsaw, 21 October 2021

Item 1908

REGULATION

OF THE MINISTER OF HEALTH[1)]

of 14 October 2021

on granting a radiation protection officer authorization to exercise internal supervision over compliance with radiation protection requirements in health care units[2)]

Pursuant to Art. 7[1] Section 12 of the Act of 29 November 2000 - Atomic Law (Dz.U. of 2021, item 623 and 784), it is ordered as follows:

§ 1. This Regulation shall establish:

1) the types of the radiation protection officer authorization referred to in Art. 7 Section 5 of the Act of 29 November 2000 - Atomic Law, hereinafter referred to as the 'Act', kinds of activity whose supervision is allowed by it, and detailed conditions for granting such an authorization;

2) the scope of training courses for persons applying for radiation protection officer authorization under Art. 7 Section 5 of the Act, hereinafter referred to as 'training courses', and forms of organizing such training courses;

3) the method of conducting and the manner of determining the result of the examination for persons applying for the radiation protection officer authorization referred to in art. 7 Section5 of the Act, hereinafter referred to as the 'examination';

4) the amount of the examination fee;

5) the method of work of the examining committees of the examination board for the radiation protection officer authorization referred to in Art. 7 Section 5 of the Act, hereinafter referred to as the 'examining committee', and the amount of remuneration to the members of the examination board for their participation in the examining committee;

6) the content of the application for the radiation protection officer authorization referred to in Art. 7 Section 5 of the Act, hereinafter referred to as the 'application', and the list of documents to be attached to the application.

§ 2. The types of the radiation protection officer authorization referred to in Art. 7 Section 5 of the Act, the kinds of activity whose supervision is allowed by it and the detailed conditions for granting a radiation protection officer authorization of a specific type shall be set out in Annex 1 to this Regulation.

§ 3. 1. Training courses shall be conducted in the form of lectures, exercises and seminars, in which teaching staff and trainees participate directly at the same time and in the same place, with the proviso that no more than 30% of the number of lesson hours of training, excluding exercises and seminar classes, may be conducted in the form of distance training, in which the transfer of knowledge is carried out using IT infrastructure and software enabling:

1) the use of distance learning methods and techniques;

2) the use of training materials developed in electronic form and the contact of the trainee with the trainers;

[1)] The Minister of Health heads the department of government administration - health, pursuant to § 1 Section 2 of the Regulation of the Prime Minister of 27 August 2020 on the detailed scope of activities of the Minister of Health (Dz. U. of 2021, item 932).

[2)] This Regulation implements, within its scope, Council Directive 2003/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionizing radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ EU L 13, 17.1.2014, p. 1, OJ EU L 72, 17.3.2016, p. 69, OJ EU L 152, 11.6.2016, p. 128 and OJ EU L 324, 13.12.2019, p. 80).

3) the verification of the identity of the trainee and confirmation of his/her participation in the training course within the number of class hours specified in Annex 2 to this Regulation for each subject area.

2. The scope of training courses shall be set out in Annex 2 to this Regulation.

§ 4. 1. The examining committee shall:

1) conduct the examination;

2) enter the person applying for a radiation protection officer authorization referred to in Art. 7 Section 5 of the Act, hereinafter referred to as the 'examinee', on the list of persons joining the examination, prior to the beginning of the written part of it, based on the presented document confirming the identity of the examinee and a document confirming the training course or a document on admission to the examination without training course, issued pursuant to Art. 7 Section 7d of the Act;

3) evaluate the written and oral parts of the examination.

2. The examining committee shall take decisions by a simple majority of votes. In the event of an equal number of votes, the vote of the examining committee's head shall be decisive.

3. The head of the examining committee shall:

1) prepare examination questions taking into account the training scope referred to in § 3 Section 2, after consulting with the other members of the examining committee;

2) transmit to the Chief Sanitary Inspector the list referred to in Section 1, Item 2, and the protocol referred to in Section 4, within 14 days from the date of the examination.

4. The examination board's secretary shall prepare a protocol from the examination, which shall include:

1) the number of the protocol and date of its drawing up;

2) the name, surname and PESEL number of the examinee, and in the case of a person who does not have a PESEL number - series, number and name of the document confirming the identity of the person applying for the authorization;

3) the indication of the type of authorization to which the examination related;

4) the content of computational or problem tasks of the written part of the examination and the number of points obtained by the examinee in this part of the examination, together with an indication of the number of points awarded for solving each task;

5) the content of the questions in the oral part of the examination and the number of points received by the examinee for answering each question;

6) the information on the result of the examination;

7) the names, surnames and signatures of the members of the examining committee.

5. The protocol shall be accompanied by an examination sheet, signed by the examinee, containing the content of the questions in the written part of the examination together with the answers given by the examinee.

§ 5. 1. The written part of the examination shall be conducted in a separate room, in conditions that ensure independent work of the examinees.

2. Before entering this room, the examinee shall present to a member of the examining committee a document proving his/her identity for verification.

3. During the examination, the examinee may not use his/her own supporting materials.

4. Before commencing the written part of the exam, the head of the examining committee shall provide the examinees with the information referred to in Section 3.

5. The oral part of the examination shall be conducted in a separate room, under conditions ensuring the examination of only one person at a time.

§ 6. 1. The written part of the examination shall last 120 minutes.

2. For the written part of the examination, the examining committee shall award:

1) for the test - 1 point for each correct answer to a closed type question;

2) for computational or problem tasks - 0 to 5 points for each task.

3. The oral part of the examination shall be taken by an examinee who obtained at least 31 points from the written part of the examination, including at least 21 points from the test and at least 10 points from computational or problem tasks.

4. For the oral part of the examination, the examining committee shall award 0 to 5 points for the answer to each question.

5. The examination shall be considered successfully passed if the examinee obtains at least 10 points for the oral part.

6. To a person who has passed the examination, the examining committee shall issue a certificate of passing the examination, signed by the head of the examining committee.

§ 7. The examination fee shall be PLN 560.

§ 8. The remuneration for members of the examination board participating in the examining committee shall be as follows:

1) for a 3-member examining committee:
   a) head - PLN 180,
   b) secretary - PLN 150,
   c) member - PLN 120;

2) for a 4-member examining committee:
   a) head - PLN 160,
   b) secretary - PLN 130,
   c) member - PLN 80;

3) for a 5-member examining committee:
   a) head - PLN 145,
   b) secretary - PLN 110,
   c) member - PLN 65;

- per each examinee.

§ 9. 1. The application shall include:

1) the name, surname and PESEL number, and in the case of a person without a PESEL number - series, number and name of the document confirming the identity of the person applying for a radiation protection officer authorization, referred to in Art. 7 Section 5 of the Act;

2) the indication of the type of radiation protection officer authorization applied for;

3) an address for correspondence.

2. The application shall be accompanied by the following documents concerning the person applying for a radiation protection officer authorization, referred to in Art. 7 Section 5 of the Act:

1) a statement of full legal capacity;

2) extracts or copies of diplomas, licenses or certificates confirming the possession of the required education or occupation;

3) a document confirming successful passing of the examination referred to in § 6 Section 6;

4) a medical certificate on the absence of contraindications to work under the conditions of exposure, issued in accordance with the procedure specified in the regulations adopted pursuant to Art. 229 § Section 8 of the Act of 26 June 1974 – the Labour Code (Dz. U. of 2020, item 1320 and of 2021, item 1162);

5) a document certifying the possession of the required length of service under the conditions of exposure, referred to in

Annex 1 to this Regulation.

§ 10. 1. Training courses commenced and not completed before the date of entry into force of this Regulation shall be conducted in accordance with the scope of training and in the forms provided for in the provisions in force before 24 September 2021.

2. For the examination whose date has been set, pursuant to Art. 7 Section 7e of the Act, prior to the effective date of this Regulation, for determining the examination fee and the remuneration for members of the examining committee for their participation in the examination, the scope of the examination, the manner of conducting the examination and the procedure for determining the results of the examination, the provisions in force prior to 24 September 2021 shall apply.

3. Applications for a radiation protection officer authorization submitted and pending before the effective date of this Regulation shall be subject to the provisions in force before 24 September 2021.

§ 11. This Regulation shall enter into force on the day following its promulgation.[3]

Minister of Health: A. Niedzielski

[3)] This Regulation was preceded by the Regulation of the Minister of Health of 21 December 2012 on the radiation protection officer authorization in laboratories using X-ray equipment for medical purposes (Dz. U., item 1534), which became invalid as of 24 September 2021 pursuant to Article 37 Section 1 Item 1 of the Act of 13 June 2019 amending the Act - Atomic Law and the Act on Fire Protection (Dz. U. , item 1593 and of 2020, item 284).

Annexes to the Regulation of the Minister of Health of 14 October 2021 (item 1908)

Annex 1

THE TYPES OF THE RADIATION PROTECTION OFFICER AUTHORIZATION REFERRED TO IN ART. 7 SECTION 5 OF THE ACT OF 29 NOVEMBER 2000 - ATOMIC LAW, THE KINDS OF ACTIVITY WHOSE SUPERVISION IS ALLOWED BY IT, AND THE DETAILED CONDITIONS FOR GRANTING THE RADIATION PROTECTION OFFICER AUTHORIZATION OF A SPECIFIC TYPE

No.	The type of radiation protection officer authorization	The types of activity that the radiation protection officer becomes authorized to supervise	The length of service under the conditions of exposure (in years)	
			Secondary or secondary vocational education	Higher education
1	2	3	4	5
1	R	1. Commissioning or operating X-ray devices in a medical X-ray laboratory or commissioning of such a laboratory. 2. Commissioning or operating devices for X-ray diagnostics, interventional radiology, surface radiotherapy or non-oncological radiotherapy outside a medical X-ray laboratory.	3 or 1 - for persons holding the professional title of electroradiology technician	1
2	S*	1. Commissioning or operating X-ray devices for dental X-ray diagnostics in a medical X-ray laboratory or commissioning of such laboratories. 2. Commissioning or operating X-ray devices for dental X-ray diagnostics outside a medical X-ray laboratory.	3	1 or 0 - for dentists

* Does not apply to persons performing internal supervision of compliance with radiation protection requirements in health care units, referred to in Article 7 Section 5a of the Act of 29 November 2000 - Atomic Law (Dz. U. of 2021, item 623, as amended).

Annex 2

THE SCOPE OF TRAINING COURSES FOR PERSONS APPLYING FOR THE RADIATION PROTECTION OFFICER AUTHORIZATION REFERRED TO IN ART. 7 SECTION 5 OF THE ACT OF 29 NOVEMBER 2000 - ATOMIC LAW

No.	Thematic scope	Number of 45-minute lessons required for a specific type of radiation protection officer authorization	
		R	S
1	2	3	4
1	Basic concepts of nuclear physics: 1) phenomenon of radioactivity; 2) structure of the atom; 3) radioactive decay law; 4) types of radiation; 5) properties of radiation.	1	1
2	X-ray: 1) origin; 2) properties; 3) effect on matter.	1.5	1
3	Detection of ionizing radiation: 1) radiation detectors; 2) dosimeters; 3) methodology for taking measurements in radiation protection.	2	1
4	Construction and operation of the X-ray device: 1) elements of the X-ray set; 2) construction of the X-ray tube; 3) beam collimation; 4) own and additional filtration; 5) anti-scatter grating; 6) dose recording; 7) types of high-voltage generators; 8) selection of exposure parameters; 9) X-ray image generation; 10) X-ray image recording; 11) types of X-ray devices.	2	1
5	Terms used in radiation protection: 1) types of radiation doses; 2) dose limits and dose constraints.	0.5	0.5
6	Exposure of the population to ionizing radiation: 1) sources of natural and artificial radiation; 2) external and internal exposure; 3) annual effective dose of ionizing radiation received by a statistical resident of the Republic of Poland from natural and artificial sources of ionizing radiation.	0.5	0.5

7	Effects of radiation on living matter including the human body: 1) effects at the molecular level; 2) effects at the cellular level; 3) effects at the organism level; 4) relative biological effectiveness of different types of radiation; 5) deterministic effects; 6) stochastic effects; 7) hereditary effects; 8) radiation risk.	4	2
8	Principles of workers' radiation protection: 1) division of workplace locations; 2) categories of workers; 3) principles of safe work with ionizing radiation; 4) trainings; 5) optimization of radiation protection; 6) medical surveillance; 7) protection of pregnant women.	2	1
9	Control of the work environment: 1) selection of method to control the work environment; 2) selection of a place to assess workers' exposure; 3) interpretation of measurement results.	1	0.5
10	Control of individual doses: 1) principles; 2) methods; 3) documentation of exposure; 4) observed levels of occupational exposure.	1	0.5
11	Methods for calculating dosages and required shield 1) methods of calculating dosages; 2) types of fixed guards; 3) methods of calculating required thickness of fixed	2	1
12	Medical applications of X-ray devices: 1) X-ray diagnostics; 2) interventional radiology; 3) radiotherapy;	1	1
13	Medical exposure and patient exposure: 1) doses received during different types of examinations and treatments; 2) factors affecting the dose received by the patient; 3) radiological protection of the patient; 4) protection of pregnant women, children and youth 5) liability of medical personnel.	2	1

14	Conditions for the safe use of ionizing radiation in all types of medical exposures: 1) dose limitation rules for patients: a) referral for examination or treatment, b) reference levels, c) recommended technical parameters for X-ray examinations, d) medical radiological procedures; 2) qualifications of personnel performing examinations: a) professional authorizations, b) training in radiation protection of patients; 3) screening and medical experiments; 4) medical exposures of children, pregnant and lactating women; 5) prevention and management of emergency situations.	2	1
15	Requirements for the X-ray laboratory: 1) room requirements and equipment; 2) warning devices; 3) protective equipment; 4) X-ray darkroom; 5) documentation of the laboratory.	1	0.5
16	X-ray device requirements: 1) installation requirements; 2) construction requirements of X-ray devices: a) for general diagnostic, b) for mammography, c) dental, d) for interventional radiology; 3) construction requirements for CT scanners; 4) protective equipment; 5) acceptance and performance tests.	1	0.5
17	Tests to control the physical parameters of X-ray devices: 1) tests as a part of a quality assurance programme; 2) types of tests; 3) list and frequency of size testing; 4) authorization to perform tests.	1	1
18	Quality assurance programme in X-ray diagnostics, interventional radiology, radiotherapy and nuclear medicine: 1) role of unit heads; 2) documentation of the quality assurance programme; 3) quality assurance programme requirements; 4) internal and external clinical audit; 5) benefits of implementing a quality assurance	1	1

19	Organization of radiation protection in the Republic of Poland and supervision: 1) history of radiation protection; 2) units involved in radiation protection: a) the National Atomic Energy Agency, b) the State Sanitary Inspectorate, c) the National Center for Radiation Protection in Health Care, d) commissions for external procedures and clinical audits, e) regional consultants and national consultant for radiology and diagnostic imaging; 3) authorizations to carry out exposure-related activities consisting in: commissioning or operating X-ray devices in a medical X-ray laboratory or commissioning of such a laboratory, commissioning or operating machines for X-ray diagnostics, interventional radiology, surface radiotherapy or non-oncological radiotherapy outside a medical X-ray laboratory; 4) approvals for activities involving medical exposure to ionising radiation.	1	1
20	European directives and their implementation into national legislation: 1) the role of international organizations; 2) legal system of the European Union; 3) Council Directive 2013/59/Euratom[1)]; 4) recommendations of international commissions (International Atomic Energy Agency, International Commission on Radiological Protection).	0.5	0.5
21	Act of 29 November 2000 - Atomic Law (Dz. U. of 2021, item 623, as amended) with implementing regulations.	2	1
22	Radiation Protection Officer: 1) requirements for authorization; 2) training and examination; 3) duties and powers of the .	1	1
23	Seminar classes	1	1.5
TOTAL:		32	21

[1)] Council Directive 2003/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionizing radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ EU L 13, 17.1.2014, p. 1, OJ EU L 72, 17.3.2016, p. 69, OJ EU L 152, 11.6.2016, p. 128 and OJ EU L 324, 13.12.2019, p. 80).”