**Section 410.35 Suspension and Revocation of Registration as an Approved Diagnostic Imaging Specialist or a Therapeutic Radiological Physicist**

a) The Agency may act to suspend or revoke an individual's registration as an approved diagnostic imaging specialist and/or therapeutic radiological physicist and remove the individual's name from the record of approval for any one or a combination of the following causes:

1) Making a material misstatement or misrepresentation in the application for approval as a diagnostic imaging specialist and/or a therapeutic radiological physicist if such misstatement or misrepresentation would impair the Agency's ability to assess and evaluate the applicant's qualifications for approval under this Part;

2) Evading or violating the Radiation Protection Act of 1990 or an Agency regulation or order, or aiding another person in evading or violating a statute, regulation or order;

3) Exhibiting significant or repeated incompetence in the performance of evaluations of radiation machines or the establishment and oversight of equipment-related quality assurance practices;

4) Providing to the Agency, or to a Class D registrant, false or misleading information in any of the records required by 32 Ill. Adm. Code 320.70;

5) Providing to the Agency, or to a Class D registrant, under his/her diagnostic imaging specialist and/or therapeutic radiological physicist identification number or signature, a radiation machine evaluation report that he or she did not personally perform;

6) Failing to pay a civil penalty assessed by the Agency;

7) Failing to repay an educational loan guaranteed by the Illinois Student Assistance Commission as provided in 20 ILCS 3310/80; or

8) Failing to meet child support orders as provided in 5 ILCS 100/10-65.

b) The Agency may revoke the registration of an individual as an approved diagnostic imaging specialist and/or therapeutic radiological physicist for repetitive activities initially resulting in suspension.

c) If, based upon any of the grounds stated in subsection (a), the Agency determines that action is necessary to suspend or revoke the registration of an approved diagnostic imaging specialist and/or therapeutic radiological physicist and to remove the individual's name from the record of approved individuals, the Agency shall first notify the individual of the reason for its action and the proposed length of a suspension or revocation and shall provide an opportunity for a hearing in accordance with 32 Ill. Adm. Code 200. An opportunity for a hearing shall be provided before the Agency takes final action to suspend or revoke an individual's registration.

d) An individual whose registration has been suspended shall be reinstated upon completion of the duration of the suspension period.

e) An individual whose registration has been revoked for reasons other than non-payment of fees shall have his/her name removed from the record. The individual may seek reinstatement to the record by filing a petition for reinstatement and a new application with the Agency. The petition and application for reinstatement may only be accepted for consideration by the Agency after the specified revocation period has ended. The individual shall be afforded a hearing in accordance with 32 Ill. Adm. Code 200 if the reinstatement petition and application are denied.

f) Any of the causes for suspension or revocation specified in subsections (a)(1) through (5) of this Section may also be used as the grounds for the assessment of civil penalties pursuant to Section 36 of the Radiation Protection Act of 1990.

(Source: Amended at 33 Ill. Reg. 2245, effective January 23, 2009)