

MINISTRY OF HEALTH AND SOCIAL WELFARE

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Pursuant to Article 20 paragraph 4 of the Act on the Ionising Radiation Protection and Safety of Ionising Radiation Source (Official Gazette 64/06) the Minister of Health and Social Welfare hereby issues the

ORDINANCE

ON MEDICAL REQUIREMENTS TO BE FULFILLED BY EXPOSED WORKERS, FREQUENCY OF EXAMINATIONS AND THE CONTENT, MANNER AND DEADLINES FOR KEEPING DATA ON SUCH EXAMINATIONS

Article 1

This Ordinance prescribes the medical requirements that have to be fulfilled by exposed workers, exposed trainees, pupils and students who are being trained for work with sources of ionising radiation, the frequency of examinations, as well as the content, manner and deadlines for keeping data on such examinations.

Article 2

The Minister competent for health (hereinafter referred to as: the Minister) shall authorise, on the basis of an assessment and opinion of the Commission, medical institutions practicing occupational medicine, companies practicing occupational medicine and private occupational medicine practitioners for performing examinations of persons referred to in Article 1 of this Ordinance.

The Minister may revoke the issued authorisation for performing examinations of persons referred to in Article 1 of this Ordinance on the basis of an assessment and opinion of the Commission.

The authorisation granted to a medical institution practicing occupational medicine, company practicing occupational medicine and private occupational medicine practitioner referred to in paragraph 1 of this Article shall be revoked if:

- it is established that it does not fulfil the prescribed requirements,
- it fails to fulfil obligations prescribed by this Ordinance and special regulations,
- fails to comply with the established criteria in relation to medical examinations and assessment of medical fitness.

The Commission referred to in paragraph 1 of this Article (hereinafter referred to as: the Commission) has three members who are appointed by the Minister and those being:

- one member from the Ministry competent for health (hereinafter referred to as: the Ministry),
- one member from the Croatian National Institute of Occupational Medicine and
- one member from the State Office for Radiation Protection.

The list of authorised medical institutions practicing occupational medicine, companies

practicing occupational medicine and private occupational medicine practitioners referred to in paragraph 1 of this Article shall be published in the Official Gazette.

Article 3

In order to obtain the authorisation for performing examinations of persons referred to in Article 1 of this Ordinance, apart from the requirements prescribed by a special regulation, medical institutions practicing occupational medicine, companies practicing occupational medicine and private occupational medicine practitioners must hire or sign an agreement on performance of examinations with a medical doctor specialist of ophthalmology or psychology for the purpose of commencing and performing their business activities.

Article 4

The Minister, on the basis of an assessment and opinion delivered by the Commission, shall authorise laboratories for performing analyses of chromosomal aberrations in persons referred to in Article 1 of this Ordinance.

The Minister, on the basis of the assessment and opinion of the Commission, may revoke the authorisation granted to a laboratory for performing analyses of chromosomal aberrations if it is established that:

- the laboratory fails to fulfil the prescribed requirements,
- fails to fulfil its obligations,
- fails to comply with the established criteria when developing analyses.

The Commission referred to in paragraph 1 of this Ordinance consists of three members who are appointed by the Minister on a case-by-case basis.

Article 5

A laboratory for performing analyses of chromosomal aberrations must have equipment for handling cell cultures and an immersion light microscope at its disposal.

Article 6

A report on the analysis of chromosomal aberrations may be signed by: a medical doctor specialist of clinical cytology, a person with an academic degree of Master or Doctor of Science in the field of cell biology, who also has special professional training on the application of measures for protection against ionising radiation, that he obtained through regular education or additional training in line with a special regulation.

Article 7

An occupational medicine specialist, who has special professional training on the application of measures for protection against ionising radiation that he obtained through regular education or additional training in line with a special regulation shall perform medical examinations of the persons referred to in Article 1 of this Ordinance and assess medical fitness for work in an area of exposure.

Article 8

Medical examinations referred to in Article 7 of this Ordinance are:

- preliminary medical examination,
- regular medical examination,
- special medical examination.

Article 9

A preliminary medical examination is performed prior to the commencement of training or education for work with sources of ionising radiation and prior to the commencement of work in an area of exposure as well as in all other cases prescribed by the law.

A regular medical examination is performed every 12 months after the preliminary examination.

A special medical examination is performed:

- for persons who have received a dose higher than the dose prescribed by the Act on Ionising Radiation Protection and Safety of Ionising Radiation Sources,
- on the basis of the proposal of an occupational medicine specialist who performs specific medical care or chosen primary medical care practitioner.

Article 10

A preliminary medical examination encompasses:

- a) anamnesis data: recording anamnesis (personal and occupational), data on present status,
- b) general clinical examination and tests:
 - physical examination of organs and organic systems (with special attention paid to skin status),
 - laboratory tests, sedimentation, Complete Blood Count (CBC), platelet count, blood glucose, urine with sediment,
- c) targeted ophthalmic examination: biomicroscopic lens examination,
- d) psychological analyses:
 - establishing general and special (particularly perceptive) cognitive capacities with targeted psychological measurement instruments (e.g. PNT, TN, RSB, RPM ad the like),
 - assessment of personality traits with special attention paid to emotional stability and general adaptation, using targeted psycho-diagnostic instruments (e.g. standardised psychological interview, EPQ, MMPI, Cornell index and the like),
 - motivation assessment through a standardised psychological interview,
- e) additional tests and examinations as indicated by an occupational medicine specialist accompanied by an explanation.

Article 11

A regular medical examination encompasses:

- a) recording new anamnesis data,
- b) review of dosimeter data for the assessed period of time,
- c) general clinical examination and tests as in the preliminary medical examination,
- d) targeted ophthalmologic examination as indicated by an occupational medicine specialist,
- e) psychological analysis: as indicated by a specialised medical doctor of occupational medicine,
- f) additional tests, analyses and examinations as indicated by a an occupational medicine specialist accompanied by an explanation.

Article 12

The scope of a special medical examination shall be established by an occupational medicine specialist who performs specific medical care depending on the reason for requesting that a special medical examination be performed.

An occupational medicine specialist who performs specific medical care may request a

special medical examination of a person referred to in Article 1 of this Ordinance even after he has ceased to work in an area of exposure.

Article 13

Persons referred to in Article 1 of this Ordinance must fulfil general requirements prescribed by a special regulation, as well as special requirements for a specific work post.

Special requirements in relation to medical fitness for a work post are:

1. Values of the haematological test in a preliminary medical examination, which deviate up to 5% from the normal laboratory values do not render a worker unfit for the job, but they require that the test be repeated within 30 days or as indicated by an occupational medicine specialist.
2. Result of the biomicroscopic lens examination in line with examinee's age.
3. Result of the psychological examination:
 - a) general intellectual capabilities above the lower limit of the average,
 - b) emotional stability above the lower limit of the average
 - c) perceptive and psychomotor capabilities within the average limits.

Article 14

Persons suffering from diseases which present an obstacle for work in an area of exposure according to contemporary medical findings must not work in the area of exposure, those being in particular:

- a) blood-forming organ diseases: refractory anaemia, neutropaenia, trombopaenia, (individual or combined),
- b) malignant diseases, whose increased frequency of appearance is associated with the exposure to ionising radiation, and for which there are no clinical and other evidence that the person is completely cured as well as during therapeutic treatment,
- c) addiction diseases (alcoholism, prescription drug abuse, drug addiction), with the exception of medically controlled cases, who have been abstaining for at least 6 months,
- d) psychiatric and nerve diseases: psychosis and border cases, posttraumatic stress disorders, heavier forms of neurosis, with the exception of medically controlled cases in good clinical remission, below average cognitive capacity, personality disorders with stressed asocial or antisocial behaviour, acute or severe diseases, and injuries or anomalies of the central or peripheral nervous system and other disorders of consciousness.

Article 15

An assessment of medical fitness for work in the area of exposure shall be established within 10 days from the beginning of medical examination, and within 30 days at the latest if additional medical analysis is required.

The assessment of medical fitness for work in the area of exposure shall be established by an occupational medicine specialist on the basis of the performed examination and submitted medical documentation from the preliminary medical examination and regular medical examination.

Article 16

The assessment of medical fitness for work in the area of exposure may be:

1. fit,
2. temporarily unfit (stating the shortest duration of unfitness and explanation),
3. unfit (with explanation),

4. assessment not given (stating the reason).

The assessment of medical fitness for work in the area of exposure shall be entered into a certificate on medical fitness.

The following persons shall be informed on the assessment of medical fitness for work in the area of exposure:

1. examined person,
2. employer who has sent the examined person to the examination,
3. Croatian National Institute of Occupational Medicine,
4. State Office for Radiation Protection.

If medical fitness for work in the area of exposure of an examined person is assessed as »Temporarily unfit« or »Unfit«, the assessment of medical fitness shall be delivered to the Sanitary Inspection of the Ministry as well.

Article 17

A written objection in relation to the assessment of medical fitness in the area of exposure referred to in Article 16 of this Ordinance may be submitted to the Second Instance Commission at the Croatian National Institute of Occupational Medicine (hereinafter referred to as: the Second Instance Commission) within 15 days from the date of delivery of the assessment of medical fitness in the area of exposure.

The objection referred to in paragraph 1 of this Article may be submitted by: an examined person and the person who sent the examined person to the examination or at which the examined person is employed.

The Second Instance Commission shall examine the objection and establish a new assessment of medical fitness for work in the area of exposure.

Article 18

The Second Instance Commission is made up of occupational medicine specialists of the Croatian National Institute of Occupational Medicine, and consists of the president and two members, who are appointed by the Director of the Croatian National Institute of Occupational Medicine on a case-by-case basis.

Exceptionally, the Director of the Croatian National Institute of Occupational Medicine may appoint one external member of the Second Instance Commission who does not have to be an occupational medicine specialist.

Occupational medicine specialists who have participated in a particular medical examination and assessment of medical fitness in the area of exposure may not participate in the work of the Second Instance Commission.

A decision on the amount of a fee for the work of the president and members of the Second Instance Commission is made by the Administrative Council of the Croatian National Institute of Occupational Medicine.

Article 19

The Second Instance Commission sits at the Croatian National Institute of Occupational Medicine and shall commence its activities within 30 days from the receipt of an objection. The assessment of medical fitness in an area of exposure established by the Second Instance Commission is final.

The following persons shall be informed on the assessment of medical fitness for work in the area of exposure established by the Second Instance Commission:

- a) examined person,

- b) employer who has sent the examined person to the examination,
- c) Croatian National Institute of Occupational Medicine,
- d) State Office for Radiation Protection,
- e) Sanitary Inspection of the Ministry,
- f) occupational medicine specialist, to whose assessment an objection has been submitted.

Article 20

The Second Instance Commission may make the assessment of medical fitness in an area of exposure without repeating the medical examination, solely on the basis of medical documents, within 30 days from the receipt of an objection.

Article 21

Medical documents on preliminary medical examinations, dosimeter data, and if necessary medical documents from the chosen primary medical care practitioner of a person who has been called to the examination must be available to the Second Instance Commission.

Article 22

A medical institution practicing occupational medicine, company practicing occupational medicine and private occupational medicine practitioner who has the authorisation for performing examinations of persons referred to in Article 1 of this Ordinance shall keep medical documents on the basis of which an assessment has been made in line with Article 16 of the Ordinance, until the examined person reaches the age of 75, and by all means at least 30 years after he has ceased to work in the area of exposure.

If the authorisation for performing the above mentioned examinations has been revoked from a medical institution practicing occupational medicine, company practicing occupational medicine and private occupational medicine practitioner pursuant to Article 2 of this Ordinance or if it has ceased to perform its activities it shall submit all medical documents on performed examinations to a medical institution practicing occupational medicine, company practicing occupational medicine and private occupational medicine practitioner which will overtake their activities, or to the Croatian National Institute of Occupational Medicine for safekeeping.

Article 23

Medical institutions practicing occupational medicine, companies practicing occupational medicine and private occupational medicine practitioners who have the authorisation for performing examinations of persons referred to in Article 1 of this Ordinance shall deliver, once a year, data on the performed medical examinations of persons referred to in Article 1 of this Ordinance, to the Croatian National Institute of Occupational Medicine, in the manner prescribed by the Director of the Croatian National Institute of Occupational Medicine.

Article 24

Medical institutions practicing occupational medicine and private occupational medicine practitioners who have the authorisation for performing examinations of persons referred to in Article 1 of this Ordinance shall harmonise their work with the provisions of this Ordinance within six months from the date of its entry into force.

Article 25

On the date of entry into force of this Ordinance, the Ordinance on health requirements for work with ionising radiation sources, and criteria, content, manner and deadlines for keeping data on medical examinations of persons working with ionising radiation sources (Official Gazette 1/05) shall cease to have effect.

Article 26

This Ordinance shall enter into force on the eighth day from the day of its publication in the Official Gazette.

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