

**Erica Pan, MD, MPH**  
Director and State Public Health Officer

**Gavin Newsom**  
Governor

**30 DAY RESPONSE TO PETITIONER  
P-25-01 – MRI SAFETY REGS PETITION**

October 3, 2025

*VIA ELECTRONIC MAIL*

Attn: Mr. Tobias Gilk  
Radiology / MRI Consultant  
MRIPatientSafety.com  
tgilk@MRIpatientsafety.com

**RE: Response to Petition Requesting Rulemaking for MRI Safety Regulations**

Dear Tobias Gilk:

Thank you for contacting the California Department of Public Health (CDPH). Your petition for rulemaking was received by CDPH on September 17, 2025, under Government Code section 11340.6. Pursuant to the requirements of Government Code section 11340.7, CDPH hereby responds to your petition.

CDPH recognizes the public health concerns which may impact consumers and producers of MRI machines.

Pursuant to Government Code section 11340.7, the Department must deny this petition because it does not have authority to promulgate the regulations requested in your petition.

The Radiation Control Law (RCL) effectuates the State policy to protect the public health and safety by instituting and maintaining a regulatory program for sources of ionizing radiation. (HSC 114965 & 114970.) Because the RCL's purpose (HSC 114970) is specific to ionizing radiation whereas magnetic resonance imaging (MRI) only uses non-ionizing radiation, regulation of MRI is outside the authority of the RCL.

The Radiologic Technology Act (RT Act) effectuates the State policy to protect the people of this state from excessive and improper exposure to ionizing radiation. (HSC 114840.) Because the RT Act's purpose (HSC 114840) is specific to ionizing radiation whereas magnetic resonance imaging (MRI) only uses non-ionizing radiation, regulation of MRI is outside the authority of the RT Act.

Keith Van Wagner

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This determination does not in any way affect the merits of your petition nor concerns regarding how MRI machines impact public health. You may consider contacting your representatives in the California Legislature to address this issue further.

Under Government Code section 11340.7(d), any interested person has the right to obtain a copy of the petition submitted to the agency. A copy of the petition and this letter will be posted on the CDPH Office of Regulations website at the following:

[https://www.cdph.ca.gov/Programs/OLS/Pages/Petitions\\_for\\_Regulatory\\_Action.aspx](https://www.cdph.ca.gov/Programs/OLS/Pages/Petitions_for_Regulatory_Action.aspx)

In addition, interested persons may request a copy by contacting the Office of Regulations by email: [regulations@cdph.ca.gov](mailto:regulations@cdph.ca.gov), by phone: (916) 558-1710, or by mail: California Department of Public Health, 1415 L Street, Suite 500, Sacramento, CA 95814.

If you have any questions, please reach me at [Keith.VanWagner@cdph.ca.gov](mailto:Keith.VanWagner@cdph.ca.gov). Thank you.

Sincerely,

Keith Van Wagner  
Assistant Chief Counsel  
Office of Legal Services