

DELAWARE AUTHORITY ON RADIATION PROTECTION
SUMMARY OF MEETING
 May 15, 2017
 Harry Levin Center for Pharmacy History & Education
 27 North Main Street
 Smyrna, Delaware 19977

Members Present: (those with checks only)

F. Esposito	√	F. Fisher-Tyler	√	K. Musto	√
I. Turner, Jr.		W. Holden, III	√	J. Dill	√
D. Andrews		T. Hitchens	√	M. Higgins	√
M. Finkelstein	√	T. May	√	G. Poirier	
N. Lippman	√				

Guests:

R. Brinsfield		K. Shaughnessy	√	D. Hill	√
B. Fendt	√	N. Henry	√	R. McMann	√
J. Suder	√				

I. Call to Order & Agenda Adopted

F. Esposito, Authority Chair, brought the meeting to order at 6:10 pm. M. Finkelstein introduced a motion to adopt the Agenda as written, T. Hitchens seconded the motion, and all voted in favor. The motion passed.

II. Approval of Minutes – Feb 27, 2017

Minutes for the meeting held February 27, 2017 were reviewed. M. Higgins introduced a motion to approve the minutes, with friendly amendment from F. Fisher-Tyler to make correction to the attendance section, M. Finkelstein seconded the motion as amended, and all voted in favor. The motion passed.

III. Chairman's Comments – Welcome New Member

Chair F. Esposito welcomed all to the meeting, and thanked all present for contributing their personal time and effort to the work of the Authority, providing radiological health protection for Delawareans, particularly on such a lovely spring evening. She indicated that a new Authority member, Dr. Norman Lippman was present, and called for introductions all around. N. Lippman represents the Delaware State Dental Society on the Authority. F. Esposito extended him a warm welcome, and encouraged others present to do the same.

IV. Old Business

F. Esposito, Chair of the Regulations Taskforce, briefed the Authority members on current status of Phase 4 regulatory review – Part F (Medical Diagnostic and Interventional X-Ray and Imaging Systems), and Part H (Radiation Safety Requirements for Non-Healing Arts Radiation Generating Devices). She reported that the task force met this spring to

further deliberate on comments from the pre-decisional stakeholder review held last fall, indicating that revisions of value to the practice community have been incorporated and the proposed rule is scheduled to publish on June 1, with a 30 day public comment period. F. Fisher-Tyler reported that the additional deliberations have resulted in a more robust proposed rule, thanks to the efforts of the regulations taskforce. W. Holden, III shared that the task force thoughtfully considered the comments submitted and was reasonable in making revisions that allowed the regulation to be both forward-looking with respect to addressing emerging issues in the practice community, but also practical for regulated facilities to demonstrate compliance. F. Fisher-Tyler indicated that the link to the proposed rule will be provided to the Authority as soon as it is available from the Registrar of Regulations.

Action Item: Email link to proposed rule to Authority, F. Fisher-Tyler.

V. Informational Updates

F. Fisher-Tyler provided a brief overview of the Radiation Control Program Report, as well as the Monitoring Report. She indicated that the number of inspections completed is lower for first quarter 2017 versus first quarter 2016 due to reduced staffing. She also briefed the Authority on participation of ORC staff in preparation for the FEMA-graded, three-day Ingestion Pathway exercise in September 2017.

VI. Committee Reports

W. Holden, III, Chair of the Nominating Committee reported that efforts were underway to fill two vacant public member positions on the Authority, one for New Castle County, and one for Sussex County. He indicated that resumes for two candidates will be distributed to the full Authority and upon review of any comments, a recommendation would be made by Chair F. Esposito to the Governor's Office for appointment. F. Fisher-Tyler reported that all members whose terms have expired or which will soon expire may continue to serve until re-appointed, and their presence counts toward the quorum for voting purposes. She indicated that contact with the Governor's Office reflected that the reappointments are in process.

Action Item: Prepare recommendation letter, F. Esposito, F. Fisher-Tyler.

VII. New Business

F. Fisher-Tyler briefed the Authority members on behalf of Vice-Chair Ivan Turner, Jr. that the Annual Report to the Governor will be drafted on Fiscal Year 2017 (July 1, 2016 – June 30, 2017) activities of the Authority, circulated for review via email, and a vote for approval will be taken at the September 2017 meeting.

Action Item: Develop Draft Annual Report to the Governor by July 31, I. Turner, Jr.

F. Fisher-Tyler briefed the Authority regarding a Radiation Technologist certification application from an applicant who disclosed having been convicted of a felony within the last ten years. She reported that Deputy Attorney General J. Suders had reviewed the relevant state regulation and determined the Authority can vote to approve or disapprove the application. F. Esposito remarked that application could be revised to include the

applicant submitting a personal statement regarding the charges, speaking to why they feel the Authority should approve their application. Upon deliberation and extensive discussion, M. Higgins introduced a motion to approve the application for certification, J. Dill seconded and all voted to approve. The motion passed.

Action Item: Revise relevant application forms to include a personal statement from the applicant, summarizing why the Authority should approve their application, F. Fisher-Tyler.

F. Fisher-Tyler briefed the Authority regarding a request for a variance for use of a hand-held dental intraoral unit for use with special needs patients by Family Dental Associates in Dover, in partnership with the Delaware Health & Social Services Division of Developmental Disabilities Services Community and Adult Special Populations, providing dental care and oral health screenings to this underserved population in Kent County. The variance request for use of the hand-held unit was complete, addressed all necessary conditions and controls to assure radiation protection following As Low as Reasonably Achievable (ALARA) principle. The facility must continually meet all conditions for controlled use of this hand-held device established in the variance application, and will be inspected within one year upon the existing inspection protocol as well as the variance conditions, after which the dental facility will return to its usual inspection frequency of every 3 – 4 years. M. Higgins introduced a motion to approve, N. Lippman seconded and all voted to approve. The motion passed.

VIII. Public Comments

T. Hitchens shared that the Delaware Technical Community College, Radiologic Technology Program at Owens Campus in Georgetown graduated 17 students this semester who are ARRT-credentialed (passed their boards), and 13 of 17 students already have employment, with a few full-time and the majority part-time. This is the largest graduating class since 2011. The Authority membership found this very encouraging, and congratulated Ms. Hitchens on this positive outcome for the program (round of enthusiastic applause), and addition of well-trained and qualified radiologic technologists in Delaware. F. Fisher-Tyler reported that those students who hold both a limited scope and full ARRT credential will have their state-level limited scope exam “retired” when the national credential application is received, going forward.

IX. Adjournment

F. Esposito introduced a motion to adjourn, M. Higgins seconded the motion and all voted to approve. The motion passed.

The next meeting of the Authority is scheduled for September 25, 2017 with a 5 pm start time to allow for training on “Ethics in State Government”, with quarterly meeting to follow, at the Harry Levin Center for Pharmacy History & Education in Smyrna.

Respectfully submitted,

Frieda Fisher-Tyler, MHS, CIH
Administrative Agent,

Authority on Radiation Protection
Radiation Control Program Director
Division of Public Health