

**DELAWARE AUTHORITY ON RADIATION PROTECTION**  
**SUMMARY OF MEETING**  
September 15, 2014  
Harry Levin Center for Pharmacy History & Education  
27 North Main Street  
Smyrna, Delaware 19977

Members Present: (those with checks only)

R. Arm		F. Fisher-Tyler	√	K. Musto	
F. Esposito	√	W. Holden		K. Neelans	
L. Fox	√	I. Turner	√	D. Tilton	√
E. De Whitt	√	T. May		R. Wier, Jr.	√
J. Dill	√	N. Melikechi	√		

Guests:

R. Brinsfield	√	D. Parker	√	K. Shaughnessy	√
N. Henry	√	W. Fendt	√	D. Hill	√
J. Suder	√	L. Poland	√		

F. Esposito, Authority Chair, brought the meeting to order at 6:05 pm, and initiated introductions of all present.

**I. Agenda Adopted**

R. Wier, Jr. introduced a motion to accept the agenda, N. Melikechi seconded and all voted to approve. The motion passed.

**II. Chairman's Comments**

F. Esposito thanked the members of the Authority for being present on such a lovely fall evening, and for contributing to radiation safety for all Delawareans. She stated that the work of the public education and regulatory review committees are central to the Authority's strategic priorities this year, and she thanked the Authority members for their service.

**III. Authority Meeting Minutes**

R. Wier, Jr. introduced a motion to approve the May 5, 2014 Authority meeting minutes, N. Melikechi seconded and all voted to approve. The motion passed.

**IV. Old Business**

F. Esposito expressed appreciation for the work of the Regulations Task Force members: W. Holden III, L. Fox, W. Fendt, I. Turner, R. Arm, F. Fisher-Tyler and F. Esposito. She reported on the status of the Regulatory Review, stating that the

Regulations Task Force is reviewing the regulations prioritized as Phase 3 (4465 Radiation Control - Parts D, Part J, and Forms X, Y, Z), and is on track to develop a pre-decisional draft for review at the November 3, 2014 Authority meeting. She indicated that the Authority members will be asked for input to identify external stakeholders to participate in the pre-decisional review, via email.

F. Esposito asked the Authority members to review the August 26, 2014 Regulatory Task Force Committee minutes, for consideration of approving the minutes. She asked whether there were any questions. N. Melikechi asked about the period of time between publication of a proposed rule and publication of a final rule. F. Fisher-Tyler and J. Suder explained that state administrative procedures establish requirements for public notices, hearings and certain timeframes for publication of proposed regulation for public comment, and then time may be needed to incorporate comments and approvals, prior to publication of a final regulation. R. Wier, Jr. introduced a motion to approve the committee minutes, N. Melikechi seconded the motion, all voted to approve. The motion passed.

**Action Item:** Distribute request for external stakeholders, F. Fisher-Tyler.

## **V. Informational Updates**

F. Fisher-Tyler reviewed the Office of Radiation Control (ORC) Program Activity Report which is intended to provide highlights of work in support of the Authority. She described projects for which ORC has provided support to the Authority on Radiation Protection in 2014: Regulations Task Force, Public Education Committee, status of review requirements for the Authority ByLaws (September 2015), and the Authority Strategic Plan (first meeting of 2015, tentative for February). She also updated the Authority on Office of Radiation Control activities in support of the Radiological Emergency Preparedness (REP) Program managed by Lead Agency Delaware Emergency Management Agency (DEMA). She stated that the work with DEMA is not within Authority on Radiation Protection oversight, but presents substantial resource commitments and so is shared. She also indicated that the ongoing efforts of the Authority to support critical reclassification of Radiation Control Specialists is in review at the Department level, with proposed restructuring of current positions into a Radiation Scientist I, II, III ladder comparable to an Analytical Chemist I, II, III career ladder that already exists in the Department of Health and Social Services. She provided an update on two Authority member appointments which expired on July 1, 2014, and further reported that J. Dill was reappointed for three more years.

R. Brinsfield reviewed the ORC Monitoring Report for the period January 1 – August 31, 2014. He briefly reviewed New X-Ray Facility (new rooms evaluated for radiation shielding to assure protection for patients, operators & members of the public), X-Ray Facility Inspection Summary (numbers of facilities and x-ray tubes inspected), X-Ray Inspection Violation (citations identified during inspections, with severity level) and Radiation Technologist/Technician Certification Summary Reports. He fielded questions and collected comments. There were questions about severity levels,

timeframes for correcting violations and process for tagging out machines if there is an imminent hazard to health or safety. There were questions about an inspection that resulted in assessment and issuance of an agency exemption for a mobile device. There were questions about violations where a written safety procedure was not located with the x-ray equipment in the facility. F. Fisher-Tyler stated that the Office of Radiation Control provides example safety procedures that are often adopted by the client, to facilitate availability of needed safety information for x-ray operators. R. Brinsfield stated that the number of new x-ray facilities, or renovated rooms in existing facilities has been increasing, and presents considerable demand for Office of Radiation Control resources.

## **VI. Discussion Items for Vote or Adoption**

F. Fisher-Tyler reported that Dr. David Smith, Chair of the Authority Public Education Committee resigned his post effective July 1, 2014. She reported that he did a wonderful job with the Authority webpage during his term, and with the planning process for the public education initiative, and that recognition would be provided to him for his contribution. She recognized the committee members who contributed to this proposal, including D. Smith, R. Wier Jr., W. Holden III, D. Tilton, K. Neelans, N. Melikechi and R. Arm. She also thanked N. Melikechi for originally procuring the web domain for the Authority webpage.

F. Fisher-Tyler indicated that the Committee has maintained its focus on the objective of launching a public awareness campaign at 10 am on November 7, 2014 at Delaware State University, and indicated that the existing committee members contributed to a proposal for Authority consideration. A Committee Action Plan to transform the Authority webpage to provide a portal to information useful to the public on the internet such as Image Wisely™, and Image Gently™, and EPA Rad Town and request a Governor's Proclamation declaring November 2-8, 2014 to be "Radiation Protection Week" in Delaware was discussed at length. There is work to do in the meantime, including a beta test of the newly transformed Authority webpage with the public education content.

F. Esposito reported that the timing for this initiative is actually optimal, since the Joint Commission on the Accreditation of Hospitals is moving forward with new requirements for radiologist to report radiation dose to patients, and these resources will assist patients to better understand the information being provided to them. R. Wier Jr. inquired about the list of people to be invited that was brainstormed by the committee, indicating that the list includes elected officials, educators, agency heads and all organizations represented on the Authority. Suggestions were made to send the invitation letters with a reminder follow-up mechanism by email. A suggestion was made to request RSVP with the letters, due back within one-two weeks prior to the press conference, and consider having the Authority webpage projected on a screen at the press conference for visual impact. R. Wier, Jr. stated that the proposed proclamation expands the message substantially from the version originally published in 2009, to include public outreach. Questions were asked about the media plan – whether there would be radio or TV coverage. F. Fisher-Tyler indicated that the

Division Office of Health Risk Communication will coordinate the press release and recommendations for radio and TV stations, such as WBOC or WDDE. J. Dill introduced a motion to approve the Public Education Committee proposal, L. Fox seconded, and all voted to approve. The motion passed. L. Poland was introduced as the volunteer webmaster for the Authority on Radiation Protection. She is employed by the Division of Public Health, but will be working as a volunteer to support the Authority on Radiation Protection webpage on her own time.

**Action Item:** Email list of invitees and brief introduction to Authority, F. Fisher-Tyler.

**Action Item:** Email beta-test of Authority webpage, F. Fisher-Tyler.

**Action Item:** Explore options for projecting Authority webpage at press conference, F. Fisher-Tyler.

**Action Item:** Provide recognition for members retiring from the Authority, F. Esposito and F. Fisher-Tyler.

F. Esposito provided an overview of the draft Annual Report to the Governor on the activities of the Authority on Radiation Protection, indicating that this required by the Authority Bylaws. R. Wier, Jr. addressed edits to the public education portion of the report to incorporate the desired outcomes. N. Melikechi asked about prioritizing the regulations that were selected for review. J. Suder indicated that the edits could be reviewed by Authority members via email. N. Melikechi suggested that a motion be put forth to reflect conditional approval of the Governor's report, with edits incorporated as detailed above. I. Turner introduced the motion to approve the Governor's report conditionally, R. Wier, Jr. seconded and all voted to approve. The motion carried.

**Action Item:** Edit the Report to the Governor, and distribute to Authority members for review and comment, F. Fisher-Tyler.

**Action Item:** Issue the final Report to the Governor, F. Esposito.

## **VII. Public Comments**

Mr. David Hill, of the Delaware Society of Radiology Professionals asked whether Physicians Assistants or Advanced Nurse Practitioners have the authority to operate x-ray equipment in Delaware. F. Esposito stated that the scope of practice for these professionals would be established by their respective state licensing boards – the Board of Medical Licensure and Discipline for Physicians Assistants, and the Board of Nursing for Advanced Nurse Practitioners. F. Fisher-Tyler stated that information about professional licensure boards can be accessed at the webpage for the State of Delaware Division of Professional licensure, at <http://dpr.delaware.gov/>.

## **VII. Adjournment**

D. Tilton introduced a motion to adjourn. R. Wier, Jr. seconded and all voted to approve. The motion passed. The Authority meeting adjourned at 7:45 pm.

The next meeting of the Authority in 2014 is scheduled for November 3, 2014 at 5 pm 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