

DELAWARE AUTHORITY ON RADIATION PROTECTION
SUMMARY OF MEETING
September 26, 2016
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	√	W. Holden		J. Dill	√
D. Andrews	√	T. Hitchens	√	M. Higgins	√
M. Finkelstein		T. May	√	R. Wier, Jr.	√

Guests:

R. Brinsfield	√	K. Shaughnessy	√	D. Hill	√
J. Suder	√	R. Arm	√	N. Melikechi	√
A. Chen	√	C. Wen	√	D. Jacob	√
J. Learish	√	K. Petrillo	√	M. Daneshvar	√
M. Marshall	√	K. Burns	√	M. Loscocco	√

F. Esposito, Authority Chair, brought the meeting to order at 6:05 pm.

I. Call to Order & Agenda Adopted

F. Esposito welcomed all present – both Authority members and external stakeholders to the meeting. She introduced a motion to modify the agenda to allow invited guests to depart upon completion of the pre-decisional regulatory review, D. Andrews seconded and all voted to approve. The motion passed. R. Arm asked that a moment of silence be held to honor the passing of Dr. Robert Frelich, the first board-certified oncologist in the state of Delaware, and the founding Chairman of the Authority on Radiation Protection in 1976. The moment of silence was kept.

II. Presentation of Tributes

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 remarked that she was pleased to present tributes for three Authority members, recognizing their contributions upon leaving the Authority this year. She presented tributes from the Governor, recognizing Robert Arm, DMD for his 25 years of service and 4 years as Vice-Chairman of the Authority, LaRay Fox, NMT for her 20 years of service and 4 years as Certification Committee Chair, and Nouredine Melikechi, D.Phil. for his 9 years of service and two years as Chairman of the Authority. All three were given a round of applause and much appreciation by all present.

III. Discussion Items: Pre-Decisional Regulatory Review

F. Fisher-Tyler provided an introductory explanation for the regulatory review process, and steps taken prior to this meeting. She stated that the Authority Regulations Committee met throughout the late spring and summer of 2016 to review the relevant Delaware regulations vs. the corresponding, more recently published “model” regulations (Conference of Radiation Control Program Directors or CRCPD, Suggested State Regulations, SSR), and discussed at length the implications of adopting and adapting these suggested regulations for our state. Early in 2016, the Authority task force recommended to the full Authority that Part F (healing arts) and Part H (non-healing arts) be selected for review, and the Authority agreed to that plan.

Delaware previously adopted the Conference of Radiation Control Program Directors (CRCPD) SSR for Part F (healing arts) in 2013, and then CRCPD embarked on a substantial re-write of Part F, introducing new content to address fluoroscopically guided interventional procedures, medical events in diagnostic and interventional x-ray, expanded QA/QC for certain modalities, and suggested standards for computed tomography (CT). These changes are substantial in nature, and reflect widespread clinical developments in the practice community.

The CRCPD SSR Part H was previously focused on Analytical X-Ray Equipment only, and had last been revised in 1991 (and adopted by Delaware in 2002). Since that time, an evolution of x-ray analyzers has taken place with a shift from large benchtop devices to more common mobile or hand-held units for non-medical purposes, such as chemical & physical analysis, material thickness gauging, electron beam welding of precision parts, forensics, and security screening - including cabinet devices to screen packages, and whole body non-medical screeners for contraband in corrections facilities. Part H applies to devices generating particles or photons above 5 kilo electron volts (keV) and below 1 million electron volts (MeV). Devices operating above this energy range are addressed in a different chapter of the suggested state regulations (SSR).

F. Fisher-Tyler directed the attention of all present to the screen, where the pre-decisional draft regulations were reviewed line by line, and there was robust discussion about a number of topics and content.

F. Fisher-Tyler stated that incorporation of comments from pre-decisional review will take place prior to presentation of proposed draft regulations for review/approval vote at Authority public meeting (November 14, 2016). She stated that the Authority and Agency will prepare, approve and publish a set of proposed regulations for public comment (advanced notice of proposed rulemaking), according to state procedure, that the public will have 30 days to comment on the proposed rulemaking, the Agency will address comments and prepare a final rule in spring 2017. The final rule will be published to the Registrar of Regulations webpage, and become effective ten days later. The Office of Radiation Control (ORC) will implement the final rule, on behalf of the Authority and Agency. At the conclusion of the review, F. Fisher-Tyler and F.

Esposito encouraged those present to submit written comments, particularly if they had alternative language for the Authority to consider, relevant to their comments.

IV. Approval of Minutes

I. Turner, Jr. introduced a motion to approve the April 25, 2016 Authority meeting minutes, D. Andrews seconded and all voted to approve. The motion passed.

V. Old Business – Authority Appointments

W. Holden, III reported that the Delaware State Dental Society had identified a candidate to represent the Dental Society on the Authority. He indicated that efforts to identify other candidates to fill the remaining two vacant positions (both public members) on the Authority were in progress. He also indicated that members whose appointment terms expire in December 2016 will continue to serve, and that re-appointment process will resume after the new gubernatorial administration is seated in January.

VI. Informational Reports

F. Fisher-Tyler stated that the ORC Monitoring Report was provided for review, and that if members had questions regarding the report, to please contact her.

VII. New Business

There was no new business to report.

VIII. Public Comments

There were no public comments to report.

IX. Adjournment

F. Esposito introduced a motion to adjourn. I. Turner, Jr. seconded and all voted to approve. The motion passed. The Authority meeting adjourned at 8:30 pm.

The next meeting of the Authority is scheduled for November 14, 2016 at 6 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