

DELAWARE AUTHORITY ON RADIATION PROTECTION

SUMMARY OF MEETING

September 25, 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. Mav		G. Poirier	
N. Lippman	√				

Guests:

R. Brinsfield	√	K. Shaughnessy	√	D. Hill	√
N. Henry	√	C. Haines	√		
P. Schmittinger	√				

I. Call to Order & Agenda Adopted

F. Esposito, Authority Chair, thanked D. Moreau, Esq. of the Delaware Public Integrity Commission for delivering a training course for the Authority membership entitled "Ethics in State Government" from 5 to 7 pm, and brought the public meeting to order at 7:01 pm. I. Turner introduced a motion to adopt the Agenda with a friendly amendment to discuss the University of Delaware Exemption Request before commencing with other business, to accommodate participation and departure of an invited guest, C. Haines. F. Fisher-Tyler seconded the motion as amended, and all voted in favor. The motion passed.

II. University of Delaware Exemption Request for Vote

F. Fisher-Tyler provided a brief overview of a request from the University of Delaware (UD) to allow an exemption of the requirement that a physician must authorize x-rays for healing arts purposes (Delaware Radiation Control Regulations, Part F, section 3.1.7). All Authority members were provided a copy of the written request from UD, for deliberation purposes. UD requested that Advanced Practice Registered Nurses (APRNs) at its Nurse Managed Primary Care Center (NMPCC) with its Director, Carolyn Haines, MSN, FNP-C, acting as the Principal Supervisor be authorized to order dual-energy X-ray absorptiometry (DXA) exams for patients. Ms. Haines introduced herself to the Authority, described the nature of comprehensive healthcare services that the UD STAR Health Sciences Complex is licensed to deliver, and answered questions as asked. She confirmed that the conditions of this exemption will be limited to the specific use requested, that a state-certified x-ray technologist or technician will conduct all DXA exams, and that the exam results will be interpreted (read) only by a qualified radiologist (physician).

P. Schmittinger, Deputy Attorney General provided an overview of the requirements in the radiation control regulations Part K Compliance Procedures for approval of an exemption or variance to the regulations, asked questions to ensure the criteria were met in this case and answered questions regarding process. F. Fisher-Tyler confirmed that UD would be inspected within one year to review the conditions of the exemption. M. Higgins introduced a motion to approve the exemption request, I. Turner seconded the motion, and all voted in favor. The motion passed.

ACTION ITEM: Prepare letter granting approval of a limited exemption for UD, for approval and signature by Authority Chair, F. Fisher-Tyler.

III. Approval of Minutes – May 15, 2017

Minutes for the meeting held May 15, 2017 were reviewed. I. Turner introduced a motion to approve the minutes as written, F. Fisher-Tyler seconded the motion, and all voted in favor. The motion passed.

IV. FY2017 Annual Report to Governor

I. Turner, Authority Vice- Chair provided an overview of the FY2017 annual letter and report to the Governor. He introduced a motion to approve the annual report and letter, M. Higgins seconded the motion, and all voted in favor. The motion passed.

ACTION ITEM: Submit letter and annual report to the Governor’s Office, with approval and signature by Chair F. Esposito, F. Fisher-Tyler.

V. Old Business

Authority Chair F. Esposito provided a brief overview of the activities of the Regulations Task Force, indicating that a meeting would be held in October to adjudicate comments submitted during the public comment period in July, and reported that a revised proposed rule would be brought before the Authority for discussion at the November 2017 meeting.

On behalf of Nominating Committee Chair W. Holden, F. Fisher-Tyler reported that multiple Authority members whose terms had expired in late 2016 and early 2017 had been re-appointed by the Governor, with updates made to the member contact list available at this meeting. She reported that two public member vacancies, one in New Castle County, and one in Sussex County remain vacant.

Certification Committee Chair T. Hitchens provided a brief overview of committee activities, reflecting that teleconferences were underway to revise the document previously known as the “Rad Tech Manual” into a user-friendly guide to becoming and remaining certified as a radiation technologist or technician in Delaware. Upon completion of a final draft, the committee anticipates sharing the document for review by the full Authority, in early 2018.

VI. Public Comments

There was nothing to report.

VII. 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 November 6, 2017, at 6 pm at the Harry Levin Center for Pharmacy History & Education in Smyrna, Delaware.

Respectfully submitted,

Frieda Fisher-Tyler,
Administrative Agent,
Authority on Radiation
Protection,
Radiation Control Program
Director, Division of Public
Health