

DELAWARE AUTHORITY ON RADIATION PROTECTION
SUMMARY OF MEETING
September 21, 2015
Harry Levin Center for Pharmacy History & Education
27 North Main Street
Smyrna, Delaware 19977

Members Present: (those with checks only)

R. Arm	√	M. Higgins	√	N. Melikechi	
F. Esposito	√	T. Hitchens	√	K. Musto	√
L. Fox	√	W. Holden, III	√	G. Poirier	√
J. Dill	√	I. Turner, Jr.	√		
F. Fisher-Tyler	√	T. May	√		

Guests:

R. Brinsfield	√	D. Parker	√	K. Shaughnessy	√
W. Fendt	√	D. Hill	√	J. Suder	√
N. Henry	√	M. Finkelstein	√	A. Swiatowicz	√

F. Esposito, Authority Chairman, brought the meeting to order at 6:10 pm.

I. Agenda Adopted

F. Esposito introduced a change to the agenda, to allow a guest to make a presentation and then depart before continuing with other agenda items, and allow for introductions of all present. M. Higgins introduced a motion to accept the agenda, I. Turner, Jr. seconded and all voted to approve. The motion passed.

II. Discussion Item: Variance Request – A. Swiatowicz, DDS

A. Swiatowicz, DDS thanked the Authority on Radiation Protection (Authority) for the opportunity to present his request for a variance to the radiation control regulations prohibiting use of a hand-held x-ray device. He thanked the Office of Radiation Control (ORC) for providing copies of his variance documentation to all members of the Authority. He stated that his objective in obtaining a hand-held intraoral dental radiographic unit (the Aribex, Inc. NOMAD Pro 2 Handheld X-Ray System) was to have additional options for providing care to patients with special needs. He indicated that a tiered protocol would be used, by first trying to get the necessary dental x-rays in the operatory with the traditional wall-mounted x-ray unit, where the patient is set-up and the dental hygienist or technician steps out of the operatory to activate the x-ray unit from a remote switch. He stated that it is difficult to keep some patients still long enough for such a procedure to take place. For example, some patients with intellectual disabilities are intimidated by wall-mounted units and that makes it difficult to get a quality image without repeating the procedure, resulting in more radiation dose to both patient and technician. In such cases, he asserted that use of the NOMAD handheld device would provide the flexibility for the technician to remain in close proximity to the

patient, and that when taking all necessary precautions, the radiation dose, image quality and number of images could be minimized. A number of questions were asked, such as:

- How many special needs patients will be seen per week? About 7 patients/week,
- Where will the handheld unit be used? There are three traditional, wall-mounted x-ray unit operatories, and another three operatories where the NOMAD handheld dental unit could be used,
- Will the areas where the NOMAD will be operated be posted with a warning sign when it is in use? Yes, we can do that.
- Will the dental technicians or hygienists wear a lead apron/thyroid collar, to which he stated yes, we will do that,
- How much the unit weighs, and the answer provided was 5.5 pounds.
- How practical is it to use, he indicated that his experience in working with the National Guard where they see 80 – 100 soldiers for a weekend “Fitness for Duty” campaign, that he saw it used effectively all day long, with no fatigue or problems experienced by the staff,
- What is calibration frequency? He will follow manufacturers recommendation,
- Will training be provided to all staff in the facility, not just operators? Yes, both initially and annual refresher, with training certificates provided to ORC,
- Will a usage log be implemented (recording every image taken), indicating name of technician who operated the device (omitting patient names). Yes.
- Will the facility protocol include 24 hour notification of ORC if the unit is lost or stolen? Yes.
- How will the Authority be assured that the variance conditions are being followed? ORC will inspect the facility prior to first use, and while the variance is in place this facility will be inspected annually rather than every four years as other dental facilities are.

T. Hitchens commended Dr. Swiatowicz and the dental community for the established practice of providing lead aprons to patients for all x-ray procedures. As a radiologic technology with years of experience, she indicated that this is a best practice that she wished would be adopted more widely in the health care community.

J. Dill introduced a motion to approve the variance request, so long as all conditions specified in the regulations and stipulated by the Authority in this public meeting are followed. R. Arm introduced a friendly amendment to the motion for approval, asking that the approval be given on a probationary basis, with conditional approval granted for a period of one year, with review by the Authority prior to any renewal of the variance.

L. Fox seconded the motion to approve the variance request, and all voted to approve. The motion passed.

ACTION ITEM: Issue conditional approval of variance letter to Dr. Swiatowicz, F. Fisher-Tyler.

III. Discussion Item: Public Education Report – W. Holden & L. Poland

Public Education Committee Chair W. Holden provided an update on committee activities, reporting that the committee met in June and again in September. He indicated that the committee members had shifted the focus on the Authority webpage content toward information of use to several target audiences, including students, teachers, patients (and parents), workers in dental, medical, veterinary, and industrial sectors, media, legislators/public officials. He thanked L. Poland for her continued dedication to serving as volunteer webmaster for the Authority, and asked her to provide a demonstration of the new look & feel she has developed for the webpage. L. Poland also reported that the Authority is adding a privacy policy, and enhanced analytics to provide feedback on viewership. She indicated that before the next Authority meeting on November 2, a link to a test webpage will be provided so that members can view the more developed content. She asked for feedback, and was assured by all that the new look and feel is inviting and by all means please proceed.

ACTION ITEM: Develop, and distribute link to test Authority webpage prior to Nov 2, 2015, L. Poland and F. Fisher-Tyler.

IV. Chairman's Comments

F. Esposito thanked all present for coming out to serve the interests of radiation protection in Delaware, on such a lovely fall evening. She expressed her gratitude to the members for giving their personal time and energies to the work of the Authority.

V. Authority Meeting Minutes

F. Esposito inquired about any changes or additions to the draft minutes for the previous meeting, there were none. M. Higgins introduced a motion to approve the May 4, 2015 Authority public meeting minutes, I. Turner, Jr. seconded and all voted to approve. The motion passed.

VI. Old Business

F. Esposito reminded those present that Phase 3 of the Authority Regulatory Review was completed on August 1, 2015 with the publication of final rule for Delaware Administrative Code 4465, Part D – Standards for Protection Against Radiation and Part J – Notices, Reports & Instructions to Workers. These regulations were effective on August 11, 2015, with notices and a comprehensive table of contents to be posted to the ORC webpage. She indicated that the Regulations Task Force is currently on hiatus, waiting for the remaining four chapters of CRCPD Suggested State Regulations

to be published. She thanked all members of the Regulations Task Force and the Office of Radiation Control for the considerable effort expended over the last three years, enabling the Authority to demonstrate due diligence and comply with the Governor's Executive Order No. 36, requiring periodic review of state regulations.

F. Fisher-Tyler reminded the membership that the 2014 Annual Radiation Control Program Report posted to the ORC webpage provides detailed status of the Authority's Comprehensive Regulatory Review on Page 3 of the annual report. She indicated the 2015 Annual Report will be posted to the webpage in the first quarter of 2016.

ACTION ITEM: Monitor CRCPD Suggested State Regulations for publication of Parts E, H, I & T so that Phase 4 regulatory review can be initiated, F. Fisher-Tyler.

VII. New Business

There was no new business to report.

VIII. Informational Updates

F. Fisher-Tyler provided an overview of the ORC Program Activity Report, stating that she was pleased to report that the reclassification of radiation control field staff positions (Radiation Control Specialist and Senior Radiation Control Specialist) into the state Environmental Scientist Career Ladder received final approval from the Office of Management and Budget, and is retroactive to January 1, 2015. She thanked Chairman F. Esposito for her sustained efforts to champion this reclassification effort, three years in duration. She also reported that three staffers had been promoted, with salary increases to begin in mid-October. She thanked the entire Authority for their support and Chairman F. Esposito in particular, for championing this effort successfully and suggested a round of applause, which ensued.

F. Fisher-Tyler indicated that the ORC Activity Report also speaks to the Authority's next step in securing resources for the Office of Radiation Control, in the form of funding to replace radiation measurement devices which are sophisticated and effective, but are dated and showing signs of wear. New upgrades to these devices offer greater functionality, electronic data collection and recordkeeping to the field staff and the manufacturer is offering "trade-in" discounts to encourage users to upgrade to the newer model. The next version allows for electronic inspection data collection on a tablet controller device, using electronic forms and recordkeeping. Three other states are in process of implementing this new generation of instruments, and ORC has the benefit of learning from their experience. She indicated that currently, inspectors use paper forms and must scan and file them to a shared drive for recordkeeping. The request for funding has been requested in the Division of Public Health request to the Governor's Recommended Budget. T. May shared that the Governor's Recommended Budget for FY 2017 is issued in November, and the Joint Finance Committee reviews the recommended budget with a reconciliation process January – May, resulting in a final FY 2017 budget by June 30, 2016.

R. Brinsfield reviewed the ORC Monitoring Report for the period January 1 – August 31, 2015. 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. 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. A question was asked about whether completion rates for each category of facility can be added to the report (annual, biennial & quadrennial inspection frequency), based on those due for timely inspection. F. Fisher-Tyler replied that computer programming resources within the agency are limited, and the current report presents the best available data that can be accurately extracted from the database.

IX. Public Comments

There were no public comments.

X. Adjournment

J. Dill introduced a motion to adjourn, M. Higgins seconded, and all voted to approve. The motion passed.

The next meeting of the Authority is November 2, 2015 at 6 pm, at the same venue, the Harry Levin Center for Pharmacy Education & History in Smyrna, Delaware.

Respectfully submitted,

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