

# RADIATION ADVISORY COMMITTEE MEETING

## Minutes

June 11, 2014

### Call to Order – Public Session

Steve Reese, PhD, chair, called the Radiation Advisory Committee (RAC) into public session on June 11, 2014, 10:05 a.m. in Conference Room 1E of the Portland State Office Building.

### Members Present:

Bremner, D.M.D., Fred  
Franco, Janet  
Gilbert, Theresa

Reese, PhD, Steve  
Riggs, Edgar  
Stevens, Donna

### Members Absent:

Waldenburg, Rick

### RPS Members Present:

Carpenter, Todd  
Grater, Connie  
Haskins, Hillary  
Howe, David

Jaqua, Matt  
Keller, Molly  
Leon, Daryl  
Wendt, Rick

### Guests

Ed Conlow – Oregon Board of Medical Imaging  
Haynes, Teresa – Oregon Board of Dentistry  
McLaughlin, Dave – OR-OSHA  
Miller, Robert – Meridian Park Radiation Oncology

### Approval of Minutes

Minutes from the February 12, 2014 meeting were sent to the members for their review.

### Motion

Dr. Fred Bremner moved and Ed Riggs seconded the motion to approve the February 12, 2014 Radiation Advisory Committee minutes as written. The motion carried unanimously.

### Membership

Dr. Steve Reese reported that Rainier Farmer, Radiation Advisory Committee member, died on Thursday, June 5, 2014.

### RPS Staffing/New Staff Introductions/Contracts

David Howe, Radiation Protection Services (RPS) Program Director, reported that recruitment for a replacement Radiation Advisory Committee member will be underway. He asked for a slate of candidates to be sent forward through the Health Division process.

David Howe introduced a new RPS health physicist, Hillary Haskins. Hillary graduated from Oregon State University: BS; Radiation Health Physics, 2010; MS; Thesis: Biological Effects of Cosmic Radiation, 2013; and an MPH (Masters Public Health); Biostatistics, 2013. She will be working with the Electronic Products and Radioactive Materials Licensing programs.

David Howe reported on other RPS changes since the last RAC meeting.

- Kevin Siebert left state service at the end of May 2014. Recruitment will be underway for another health physicist.
- Rich Beauman has assumed the role of RPS Radiation Safety Officer.
- Michele Van Kleeck will be a part-time Inspector for Oregon Board of Medical Imaging.
- Catherine Hess has completed MQSA Training and is a certified mammography inspector.

### RPS Staff Training

Rick Wendt, RPS Operations Manager, reported that since the last RAC meeting RPS staff has attended monthly emergency response (ERT) training; attended Nuclear Regulatory Commission training; Basic and Advance CLEAR training; Radon Measurement and Mitigation course; MQSA training; and FERN training. During that same time period RPS staff have provided WIPPS training in Reedsport, Baker City, Ontario, and Pendleton; participated as an evaluator at Marion County MVA/RDD exercise; and participated at Multnomah County Drills as a subject matter expert.

## **UPDATES**

### RPS Budget

David Howe reported that RPS is still down two positions. We are working on legislative concepts to raise money to be able to recruit for those positions.

### Radon Update

Rick Wendt reported that the Radon program will be funded for at least one more year. The future of the program is unknown at this time. He reported that the Radon program is working with a subcommittee of Radon Coalition to draft legislation to require Radon testing in schools.

### E-Commerce

Rick Wendt reported that this process is available for tanning registrants. It will be expanded to other programs in the future.

### RPS Rulemaking Update

Todd Carpenter, RPS Licensing Manager, distributed a draft “Statement of Need and Fiscal Impact”; a draft “Notice of Proposed Rulemaking Hearing”; and draft amended /adopted/repealed Oregon Administrative Rules (OARs) (Attachment 1). He reviewed the “Statement of Need and Fiscal Impact” and the “Notice of Proposed Rulemaking Hearing” with the committee. He also reviewed the proposed changes to the OARS which includes a 25% fee increase to radioactive material licenses. He reported that during the next rulemaking process operator training requirements for X-ray devices will be reviewed.

Todd reported that RPS implemented rules, OAR 333-106-0735 - Dense Breast Imaging Notification to comply with Senate Bill 420 which was signed by the governor during the last legislative session. This law requires mammography facilities to notify patients that have dense breast tissue. He reported that he has received requests to reconvene the Rules Advisory Committee for these rules to address the issue of who receives the notification and the BSGI screening modality in the notification to the patient.

### Proposed Tanning Rule Changes

Matt Jaqua, RPS Health Physicist, reported that the FDA has reclassified tanning beds to “Class 2 Medical Devices” which requires a much higher standard. Because of the increased oversight of the FDA we were able to reference the 21 CFR federal regulations in proposed administrative rules. He also noted that other proposed changes to the rules include additional language added to warning signs and making sure clients are not in the tanning bed longer than the manufacturer recommends.

### OBMI/RPS Update

David Howe reported that RPS has had a very collaborative working relationship and an interagency agreement with the Oregon Board of Medical Imaging (OBMI)

to provide investigative services. He introduced Ed Conlow, OBMI Executive Director, who reported that the OBMI is working on rules to require radiological technologists (RT) performing computed technology to have that credential on their license. Ed also reported that physician assistants (PA) have approached the OBMI to be able to perform fluoroscopy under the supervision of their supervising physician or with an RT in the room. He stated that the OBMI doesn't have anything in Oregon Revised Statutes (statute) regarding PAs, so the OBMI agreed to submit a legislative concept to change the statute to allow this. One of the requirements will be that the PA would have to pass an approved program and an exam to have a permit issued to do this.

#### Proposed RPS Program User Fee Statute Changes – Legislative Concept

Todd Carpenter reported that some of RPS fee structures are in administrative rule and some are in statutes. Increasing radioactive material licensing fees by 25% were just approved in administrative rule. A legislative concept has been proposed to increase X-ray fees by 25% and tanning fees by 50% in statute.

#### RPS Program Updates

Radioactive Materials Licensing Program - Daryl Leon, RPS Health Physicist, reported on the organizational structure of the program since Kevin Siebert left the program. Daryl and Rich Beauman will be 100% under the RML program with Hillary Haskins doing 50% RML and 50% X-ray inspections.

He also reported on some of the program incidents since the last meeting including allegations of radiation safety against an industrial radiography licensee; a phone call from a citizen to the NRC who thought they had some radioactive material that was illegally being brought into Oregon; and an incident where a student was handling some material during a science class and she allegedly inhaled some of it.

Tanning Program – Todd Carpenter reported on a tanning facility franchise that has not been paying their registration fees for numerous years. They have had civil penalties charged against them but have not paid them either. Our agency legal counsel advised we could file an injunction against the franchise to cease their operations.

He also reported that final orders issued to tanning facilities are now posted on the RPS website. The public can log onto the website and see the final orders issued to a tanning facility and to see if they have been brought into compliance.

X-ray Program – Molly Keller, RPS Health Physicist, provided an update on hand held X-ray devices.

Emergency Preparedness and Response – Rick Wendt reported that RPS has received two dedicated emergency response vehicles. Additional equipment has been purchased including RPS vehicle signs and exercise sign boards so the public will be aware of when the trucks are being used for drill purposes.

He reported that the RPS emergency response team will be involved in a Columbia Generating Station (CGS) dress rehearsal emergency preparedness activity on July 8<sup>th</sup> preparing for a full-scale drill August 26, 2014 where the team will be evaluated by FEMA.

#### Health Division Updates

Dave Leland, Interim Administrator, Center for Health Protection, reported that the Oregon Public Health Division (PHD) is preparing for the 2015 legislative session. He also provided an update to the PHD leadership team including the hiring of Priscilla Lewis as the PHD Deputy Director. Recruitment efforts are underway for the Center for Health Protection Administrator.

#### Adjournment

The meeting adjourned at 2:05 p.m.

The next meeting for the Radiation Advisory Committee is scheduled for Wednesday, October 8, 2014.

Respectfully submitted,

  
Connie J. Grater

