

**RADIATION ADVISORY COMMITTEE MEETING**  
**Minutes**  
**October 14, 2020**

**Call to Order – Public Session**

Donna Stevens, Chair, called the Radiation Advisory Committee (RAC) into public session on October 14, 2020 at 10:07 a.m. via Skype Meeting.

**Members Present:**

Stevens, Donna, Chair  
Bremner, DMD, Fred  
Cyman, DVM, Juliana

Hamby, David, Ph D.  
Smith, Barbara, ARRT  
Henrikson, Mandy, Vice Chair

**OHA RPS Members Present:**

Howe, David  
Carpenter, Todd  
Wendt, Rick  
Haskins, Hillary  
Wusirika, Rama

Enger, Joseph  
Pfahler, Thomas  
Lind, Lee  
André Ourso

**Absent:**

Young, Scott  
Berry, Bob, Providence

**Guests**

Phillis Collins, NW Veterinary  
Slauson, Marjorie, MS, Kaiser Permanente  
Nancy, RSO Kaiser Permanente

**Introduction of Members and Guests/Roll Call**

Donna Stevens began the meeting by explaining RAC virtual meeting procedures, including self-video being an option, to mute an individual's microphone unless speaking, to identify self by name before speaking and to indicate when done. She also informed the attendees that the meeting was to be recorded (for accuracy in the minutes). Note: The meeting power points (including agenda) were sent to RAC Members and RPS staff prior to the meeting.

Radiation Advisory Committee members, Radiation Protection Services (RPS) personnel and guests did self-introductions.

### **Approval of Minutes**

Minutes from the June 10, 2020 meeting were sent to the members for their review, prior to this meeting. Donna Stevens had a correction for page 4 and Dr. David Hamby had a correction on page 2. Donna also suggested some added verbiage for page 9.

### **Motion**

Fred Bremner moved, and Barbara Smith seconded a motion, to approve the June 10, 2020 Radiation Advisory Committee minutes with noted changes above. The motion carried unanimously.

### **RAC Appointments (Mandy Hendrickson/Dr. Jennifer Frankel)- David Howe, Program Director**

David Howe, RPS Program Director, briefed RAC about two pending member vacancies. Dr. Fred Bremner has served two 4-year terms, which is the maximum allowed by RAC bylaws; his position expires December 31, 2020. Mandy Hendrickson is also completing her first 4-year term on December 31, 2020 and, per bylaw, is eligible for a second 4-year term. David expressed his gratitude to Dr. Bremner and Mandy Hendrickson for serving as RAC members.

In light of the above, David explained that RAC needs to submit nominees to the OHA Director for January 1, 2021 appointment consideration. He shared that Dr. Fred Bremner assisted in identifying Dr. Jennifer Frankel, DMD (through the Oregon Dental Association) as a potential RAC member replacement to represent dental registrants. She is a single dental practitioner (Northwest Dental Arts) in Kaiser, Oregon. Dr. Frankel is also involved in sleep therapy as a diplomate of the American Board of Dental Sleep Medicine. Chairperson Donna Stevens then confirmed that Mandy Hendrickson was interested in serving for a second term as the tanning registrant representative.

### **Motion**

Barbara Smith moved, and Dr. David Hamby seconded a motion, to have Mandy Hendrickson be forwarded to the OHA Director for appointment consideration to a second term, effective January 1, 2021. The motion carried unanimously.

### **Motion**

Dr. Fred Bremner moved, and Mandy Hendrickson seconded a motion, to have Dr. Jennifer Frankel also be forwarded to the OHA Director for RAC member appointment consideration, effective January 1, 2021. The motion carried unanimously.

### **Election of Officers – David Howe**

David Howe shared that the bylaws stipulate there are two RAC officer positions - Chairperson and Vice-Chairperson which serve two-year terms. Donna Stevens will complete her second term as Chairperson on December 31, 2020. Per RAC bylaws, there is a two-term limit. RAC needs to elect a new Chairperson from current members. In addition, Mandy Hendrickson will be completing her first two-year term as Vice Chairperson and she is eligible for a second term.

RPS staff confirmed that RAC Member Barbara Smith is agreeable to serving as the next Chairperson.

### **Motion**

Dr. Fred Bremner moved, and Mandy Hendrickson seconded a motion, to have Barbara Smith serve as the next Chairperson, effective January 1, 2021. The motion carried unanimously.

Donna then thanked Mandy for serving as Vice Chairperson and confirmed her willingness to serve a second term.

### **Motion**

Barbara Smith moved, and Dr. Fred Bremner, seconded the motion to have Mandy Hendrickson serve as Vice Chairperson for a 2<sup>nd</sup> two-year term, effective January 1, 2021. The motion carried unanimously.

### **RPS Staffing “Pause” – David Howe, RPS**

David reported that RPS still has two vacancies (Administrative Specialist-AS1 and Radiation Health Physicist- EHS3). However, RPS is not in a position to take any recruitment action due to budget considerations. David said further information would be shared later in the meeting during a briefing about a 2021 Legislative Concept to increase user-fees.

**Electronic/Tanning (Reopening) – Rick Wendt, Operating Manager, RPS**

Rick Wendt reported that RPS is restarting selected onsite inspections. In order to do them, RPS staff have created a cover letter and checklists to address rules/items when they are on site. This is similar to how inspectors have been completing Administrative inspections since the on-set of COVID.

A sample cover letter and check list were shared with RAC. RPS inspectors have used these tools in multiple inspections recently. Rick also said that, due to COVID safety precautions, inspectors are doing announced inspections. This allows inspectors to assess a facility’s COVID safety measures before arriving on site. Inspectors have the individual discretion to perform an on-site inspection or opt for completing an administrative inspection.

Barbara Smith shared that the Association of Registered Radiological Technicians (ARRT) will not be sending cards to individuals. This is because many people were forging and changing information on issued cards. This ARRT action will stop that from happening. If needed, information can be verified, via the website.

**MQSA Inspection Catchup**

Rick reiterated that RPS had received a temporary work stop order from the Food and Drug Administration (FDA) in March 2020 which suspended RPS contracted Mammography Quality Standards Act (MQSA) facility inspections. In June the stop order was rescinded. Since June, RPS’ two FDA-certified MQSA inspectors, Michelle Martin and Brent Herring, worked very hard to get RPS back into compliance with MQSA inspection timeliness requirements by the end of August. Rick thanked the two inspectors for their exceptional performance.

**Radioactive Materials Licensing-Inspection Status – Hillary Haskins, RML Lead Worker, RPS**

Hillary Haskins reported that, for the past few months, she has been working full time as a Safety Officer with the Public Health Division COVID Incident Management Team. This means that RPS Radioactive Material Licensing (RML) staff member Daryl Leon, completed all 28 RML inspections during the last quarter. All were “announced” inspections in order to verify COVID-safety procedures were in place before arriving on site. RPS staff are currently developing protocols to complete optional administrative and virtual inspections.

Hillary shared that there are 78 open licensing actions. RPS is gearing up for the upcoming IMPEP (federal audit) scheduled for September, 2021.

Rick Wendt reported there are 24 open incidents (12 RML related) and provided a summary.

Hillary highlighted some of the medical events and industrial incidents, including the switching of a dose between patients; a courier reporting that he felt he was not properly trained to transport radioactive materials (RPS regulates the facilities not the couriers themselves); and a former employee who reported that he was exposed during training when a portable gauge source was not housed. For the portable gauge incident, Hillary did a thorough investigation including a review of the training program and visiting the facility. She did not find any reason to think the employee was at risk.

Hillary added that many reporting persons do not wish to leave their names, so that once the investigation is completed, RPS does not have the means to share results with them.

Barbara Smith requested clarification about the reported switched doses. Hillary said that one dose was delivered on Thursday and another one delivered on Friday. The Thursday dose was mistakenly given to the patient who was to receive the dose on Friday.

Dr. David Hamby inquired about how RPS treats a switched dose incident. Hillary shared that RPS OAR 333-116 covers what constitutes being a medical event which is reportable as an Abnormal Occurrence (AO) to Congress. One of the described met the criteria. As such, RPS immediately notified the NRC's Headquarter Operations Office (HOO). Once the investigation is completed, RPS forwards event information (including enforcement action) to NRC which submits a summary report to the US Congress.

### **BREAK (5 minutes)**

After a roll call, Rick Wendt provided event briefing information about two more events. The first one was about an RPS-ODOE interagency follow up regarding a radioactive material disposal incident at an Eastern Oregon radioactive waste disposal site. Between 2016 and 2019, a North Dakota mining operation sent 1300 tons of fracking waste (filter socks) to Arlington, Oregon for disposal in a landfill. The radioactive waste exceeded Oregon threshold limits. Public meetings were held as a part developing a corrective action plan.

Two corrective action plans were proposed including (1) leaving it buried as is or (2) excavate and redispense. The current preference is to leave it buried (plan 1) due to health safety considerations. The facility is already a hazardous waste disposal facility.

Rick also reported about an on-going investigation regarding a potential overexposure of employees at a Portland PET CT site. It has been reported that administrative staff in an uncontrolled area were exposed to annual radiation levels greater than the regulatory standard of 100 mrem per year for members of the general public. This was discovered during a shield design prepared for an upcoming remodel of the PET department in 2020. The shield design revealed that shielding likely was inadequate with current patient volumes and workflows.

Rick said a remediation plan is in place and that the facility did a great job completing a root cause analysis, as well as appropriate follow-up to notify every employee that might have been overly exposed.

#### **RPS Trainings/On-line Courses – Rick Wendt**

Rick reported that out of state travel is still restricted, unless deemed essential. NRC has been developing on-line self-study courses, which will help reduce travel expenses. Rama Wusirika has completed the on-line Health Physics Statistics and Internal Dosimetry and Michelle Martin has taken the Brachytherapy and Gamma Knife courses.

Rick said there are number of on-line trainings available for RPS staff. Even though it is difficult to do on-site trainings, there are plans do hands-on training as COVID subsides.

Hillary Haskins reported that she and Michelle Martin recently participated in a US Army North training involving Washington and Oregon Army National Guard Civil Support Teams, plus the Portland Fire Department. She said gratifying to see how well the agencies performed during the training.

#### **Andre Ourso, Administrator, Center for Health Protection**

David Howe introduced Andre Ourso, Administrator for Center for Health Protection, who called in for the meeting. Andre provided a general Public Health Division update and expressed his gratitude to the RAC members for their participation, service, time and efforts.

Andre Ourso, shared that Public Health had formed an Incident Management Team structure, beginning January 21, 2020 to deal with COVID. He thanked RPS staff for assisting with the response to meet the challenge. A separate Incident Management Team was also formed to respond to the wildfires throughout the state. Again, RPS staff helped with that incident.

Andre reported there have been a significant change to the Oregon Health Authority leadership. The Public Health Director, Lilian Shirley, retired on September 30<sup>th</sup>, 2020, a role she had since 2013. Rachael Banks will become the new Public Health Director. She has been serving as the Multnomah County Health Director for the past three years and will step into her new role at the end of this month.

Andre also reported that during the upcoming 2021 legislative session, RPS's Legislative Concept for increased fees will be presented.

Andre closed by stating that everyone in the Center for Health Protection and Public Health Division are trying to find a "new normal" and establish some kind of regular work routine.

### **Covid RPS Incident Management Team/Contact Tracing Assignments-David Howe**

David Howe reiterated that selective RPS staff have been involved in the COVID-19 and wildfire response with the Incident Management Team. Hillary Haskins and Tom Mynes were both heavily involved filling the role of Safety Officers. Tom recently accepted an 18 to 24-month job rotation position with the COVID Response and Recovery Unit (CRRU) as the Testing Site Coordinator. OHA intends to recruit 300+ people for statewide contact tracing efforts. This will evolve into a vaccination effort for every willing Oregonian once a vaccine is developed.

David shared that, through an MOU, the RPS All Hazard Mobile Lab (AHML) will assigned to CRRU for use by Tom Mynes and his staff.

David added there are other RPS staff involved with contact tracing assignment. During this very exceptional time, there is a lot of juggling to balance RPS priorities with the COVID crisis. Of the 15 RPS authorized positions, 8 have been involved in voluntary reassignments to work with wildfire and COVID state efforts. The COVID response has caused the entire Oregon Health Authority to reorient itself in order to continue providing services to Oregonians.

As a result of COVID, most RPS staff are working remotely (hybrid telework). Depending upon their role, selected staff may be required to work at the office. For example, the RPS laboratory has certain hardware and software issues that need to be dealt with on-site.

With the COVID onset, all RPS staff were equipped with a laptop computer and mobile phone to have telework capabilities. OHA leadership has indicated that all staff will continue to telework beyond COVID. Therefore, managers have been instructed to modify position descriptions to reflect a permanent telework component. OHA leadership is also evaluating the means to provide tech support to those working from home, taking into account the needed equipment to properly setup home offices. There is acknowledgement that employees should not be expected to fund telework location necessities.

### **VCA NW Veterinary Specialists – Veterinary Assistance As Operators For Fluoro And CT- Rick Wendt**

Rick Wendt reintroduced a February 2020 RAC meeting exemption request by VCA Northwest Veterinary Specialists to allow operation of their linear accelerator (LINAC) by Certified Veterinary Technicians (CVTs).

As a part of their February RAC presentation, VCA committed to provide RPS with their formal CVT training and education program for consideration by RAC at the June RAC meeting. VCA did not forward the requested information to RPS. As such, there was a Motion to deny the exemption request, due to a lack of following through in providing requested information.

Phillis Collins, Operation Manger, VCA then provided information regarding Veterinary Technician Assistant (VTA) training in order to serve as CT operators, via a proposed exemption. Barbara Smith expressed concern that in understanding radiography, a person needs to have a physics and chemistry education which is not a part of the VTA training. Also, there are high dose factor considerations.

Dr. David Hamby stated that since VCA is asking for an exemption only applicable to them, that maybe it is not appropriate to refer to courses by the instructor' complete name and/or even by the company name. The implication is that OHA/RPS is endorsing that person or the company. Rick Wendt clarified that RPS actually approves each individual course, based upon it meeting all Oregon Administrative Rule (OAR) requirements. As such, RPS lists a course title and the person that offers the course.

Dr. Juliana Cyman said there are no Vet Tech Assistant academic schools. She added that, typically, vet tech assistant responsibilities include animal feeding, bathing, and taking temperatures; cleaning cages; monitoring animals after being administered anesthesia; giving medicine; restraining animals; and maintaining charts. Most of their tasks are learned on the job. So, most may not have any kind of certification. Furthermore, there is no definitive number of years a person needs to be working as a VTA to equal a 2-year course.

Barbara Smith added a concern that CT is even more complex than Fluoroscopy, and that the VTA course is designed more for radiographers, not CVT's doing CT. At his juncture, she said she could not recommend supporting the exemption proposal.

### **Motion**

Dr. David Hamby moved, and Barbara Smith, seconded the motion to recommend RPS oppose granting the VCA's request for exemption. The motion carried five opposed and one abstention.

---

### **Kaiser Cardiovascular Tech Training Exemption (Review of 6-month Data)– Rick Wendt**

Marjorie Slauson, RSO, Kaiser Permanente, presented 6-month data from a recent exemption request involving Cardiovascular Technicians (CVTs) being allowed to pan or move the table during interventional procedures. The original exemption included a requirement to provide RAC with three and six-month data reviews as a part of making it a permanent exemption. Marjorie reported that there were no changes from what was reported during the June RAC meeting 3-month data review which showed no issues.

### **Motion**

Dr. Fred Bremner moved, and Dr. David Hamby, seconded the motion to recommend RPS to grant the extension of the exemption be permanent for Kaiser CVT Techs to move the table in interventional procedures. The motion carried unanimously.

### **Dermatologists Supervising Superficial Electronic Brachytherapy – Todd Carpenter**

Todd Carpenter reported that the rules to allow dermatologists supervising superficial electronic brachytherapy have been filed with the Secretary of State and are available on the RPS website.

**Break- Second Role Call: All RAC members present**

**Legislative Concept (LC) 396 for RPS Fee Increases- David Howe**

David Howe provided an update about LC 396 reporting that RPS is in the process of reaching out to all potential agencies or associations that could be affected directly or indirectly by LC 396 (to increase registration and licensing fees).

David reminded RAC members that RPS is funded by Legislatively approved licensee and registrant user fees, which sets it apart from most of the other 140 public health division programs (primarily federally funded grant programs).

Cost projections show that RPS needs to enhance its' program funding through an increase in existing fees and by creating new user-fees. The last time RPS increased fees was in 2015. Because of inadequate funding and a growing funding gap, RPS is proposing to restructure its' current registration and licensing programs.

Beginning in the 2021-2023 biennium, the X-ray registrant biennial fee schedule would be "tube based", rather than charging the existing facility machine control panel fee.

The Radioactive Material Licensee (RML) program would implement a 30% annual fee increase for those who pay less than a current \$3,000 licensing fee, and a 50% fee increase for licensees who pay a current \$3,000 or more. This would correct inequities of the current fee structure.

The Tanning program would implement a 33% tanning registrant annual user-fee cap increase to \$200 per device to recover unfunded program costs.

A final proposal is to initiate a \$500 X-ray vendor annual licensing fee for 60 vendors that offer sales, services, and consultation for radioactive machines in order to recover unfunded staff costs associated with processing license applications, vetting vendor qualifications, and reviewing/approving training curriculums.

LC 396 and a related Policy Option Package (POP) are the mechanism to make statutory and administrative rule changes for increasing RPS Registrant and Licensee fees. A Legislative Concept is an idea for consideration by the Governor's Office and State Legislature

David shared that proposed fees are comparable to or below other state and federal radiation control programs. At this time, RPS does not have specific proposed statutory language or details to share. RPS will keep RAC updated.

### **RPS Proposal Rule Making To Amend Divisions 102-116-118-125 To Meet Federal Regulatory Requirements- Todd Carpenter**

Todd gave a summary of the Notice of Proposed Rulemaking worksheet, the Rule Making Proposal Package and explanation of terminology.

He requested that RAC members review the packet of proposed rules so that it can be an action item for approval at the February 2021 RAC meeting.

Questions regarding rule changes or rulemaking will be addressed during the February meeting.

### **SB 283- Hillary Haskins**

Hillary Haskins provided an update about SB 283 (2019) which mandated OHA to conduct a review of peer-reviewed scientific studies regarding the possible harmful effects of microwave (wireless) radiation to children. At this point in the process, the current weight of scientific evidence has not established a causal link between wireless technology/devices and cancer/other illnesses, specifically with a potentially greater risk to children than adults. Two Oregon State University interns (mentored by two PHD staff members) are still completing their literature reviews, with finalization of the report pending.

### **Extremity Cone Beam CT Device Operators-Rick Wendt**

Rick Wendt provided follow up clarification that the Oregon Board of Medical Imaging Rule: 333-010-0011(b) ...a licensee, with a radiography credential from the American Registry of Radiologic Technologists, may operate an Extremity Computed Tomography (ECT) machine; without having earned a computed tomography credential.

### **Drone Update – Rick Wendt**

Rick reported that because Tom Mynes is currently on a job rotation with COVID CRRU, the drone project leadership is being transferred to Tom Pfahler and Rama Wusirika.

### **Public Comments:**

Donna Stevens thanked everyone for their participation in the meetings and handed over the Chairperson's gavel to Barbara Smith, to use as the new Chair effective January 1, 2021. Barbara said she is honored to be a part of a great committee.

David thanked Donna for her 4 years serving as an exceptional RPS Chairperson.

**Adjournment**

The meeting adjourned at 2:18 pm

The next meeting for the Radiation Advisory Committee is scheduled for February 10, 2021 at 10:00 am. On-line invitations will be emailed.

Respectfully submitted,

Lee Lind