

**Radiation-generating Equipment Committee (REC)**

**December 3, 2010**

**Approved Minutes**

**MEMBERS PRESENT**

Lawrence Osher, Chair  
Thomas Hangartner  
Jack Dukes  
Chuck Wissuchek

**ODH ATTENDEES**

Robert Owen  
Margie Wanchick  
David Lipp

**MEMBERS ABSENT**

Kerry Krugh, Vice Chair  
Nina Kowalczyk  
Nina Mayr  
Kathryn Gardner  
Brenda Johnson  
Ruth Hackworth  
Mary Ann Accorinti  
Teresa Yates

**GUESTS**

Susan Suchan, Mt. Carmel  
David Ingram, Ohio Univ.

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The Radiation-generating Equipment Committee (REC) meeting was called to order by chairperson, Lawrence Osher at 10:20 a.m. The meeting was held at the Ohio Department of Health (ODH) in the 7<sup>th</sup> floor Basement Training Room A at 35 Chestnut Street, Columbus, Ohio. The Sign-in Sheet serves as the official record of attendance.

**Past Minutes:** The committee reviewed the October 22, 2010 minutes. Jack Dukes made a motion to accept the minutes; Chuck Wissuchek seconded it, and the members present unanimously approved the motion.

**Old Business:**

Status of Rules

Margie Wanchick reported that the ten new therapy rules were approved for adoption at the November 18, 2010 Public Health Council (PHC) meeting, and the previous two therapy rule (3701:1-66-14 & 3701:1-66-15) were also approved to be rescinded. The effective date for these actions is scheduled to be effective on January 14, 2011. Also, noted was that the appendix to the therapy rule 3701:1-67-08 (Shielding and Safety Design Requirements) did not get attached to the official state filing; therefore, the rule is required to go through the process including posting for public comments to PHC voting to approve it to be officially filed again. The Health Care Facilities (HCF) rule 3701-83-47 and Health Care Services (HCS) rule 3701-84-71 have moved through the adoption process and will become effective on January 14, 2011 as planned to coincide with the new therapy rules. Henceforth, the reporting requirements for misadministration of radiation therapy will be listed in rule 3701:1-67-12 and the HCF and HCS rules will refer to reporting requirements to that rule.

**New Business:**

Review of Public Comments for Industrial Particle Accelerator Rule 3701:1-66-17

Along with copies of his written statements, David Ingram, Professor of Physics and Director of the Edwards Accelerator Laboratory, Ohio University presented his comments and recommendations for editing the proposed draft rule. Comments received from Paul A. Voytas, Wittenberg University and James Meimeyer, BeamOne LLC were reviewed also. Since substantive changes were made, Margie explained that ODH will need to post the updated draft rule and elicit public comment again. There were no recommendations for change for the rule's Appendix.

Review Public Comments for Rule 3701:1-67-10

One comment was received by ODH during the public comment period: Chris Deibel, Cleveland Clinic Foundation submitted a comment specifically regarding the use of the Zeiss Intrabeam system which is used under his employ, and that has been on the market for approximately nine years. Chuck Wissuchek brought

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comments, which he obtained through Chris Deibel, from the Carl Zeiss Company about their electronic brachytherapy (Intrabeam) system. Copies of these comments were distributed to the members. Some of the Zeiss comments were reviewed and discussed in length, mainly pointing out the specifics of that unit and identifying some differences relating to the “afterloading” capabilities of other systems. With time running out, Chuck suggested that the committee and ODH put the rule on hold until more information about the number and types of e-brachytherapy units in Ohio, and until some of the Ohio users could be contacted to supply more information about their specific e-therapy equipment. Margie agreed to conduct the research and provide Chuck with the information before the next meeting. But she also noted that she would have to check with the ODH Office of General Counsel and ODH executives to determine if the rule could be held up, further explaining that the Department is required to have rules at least as stringent as the SSR and that to date no rules have been adopted yet; hence making it difficult to regulate this type of x-ray equipment. Chuck agreed to follow-up on the research information received from Margie as soon as possible and to be prepared to present his findings and recommendations during the next REC meeting.

Review Public Comments for Rule 3701:1-67-11 - No public comments were received. The rule will move forward for RAC to approve.

Review Public Comments for Rule 3701:1-66-03 - No public comments were received. The rule will move forward for RAC to approve.

Review Public Comments for Rule 3701:1-66-05 – No public comments were received. The rule will move forward for RAC to approve.

Review Public Comments for Rule 3701:1-67-13- No public comments were received. The rule will move forward for RAC to approve.

**Future Meeting Date:** Friday, March 11, 2011

**Adjourn:** The meeting was adjourned at 1:30 p.m.