

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

**March 11, 2011**

**Minutes**

**MEMBERS PRESENT**

Lawrence Osher, Chair  
Kerry Krugh, Vice Chair  
Thomas Hangartner  
Jack Dukes  
Chuck Wissuchek  
Nina Kowalczyk

**ODH ATTENDEES**

Michael Snee  
Margie Wanchick  
James Castle  
David Lipp

**MEMBERS ABSENT**

Nina Mayr  
Brenda Johnson  
Teresa Yates  
Mary Ann Accorinti  
Kathryn Gardner  
Ruth Hackworth

**GUESTS**

Jill Paessun, Mt Carmel Hospital

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The Radiation-generating Equipment Committee (REC) meeting was called to order by vice chairperson, Kerry Krugh at 10:10 a.m. The meeting was held at the Ohio Department of Health (ODH) in the Basement Training Room A at 35 Chestnut Street, Columbus, Ohio. The Sign-in Sheet serves as the official record of attendance.

**Approval of Agenda:** Margie Wanchick requested to add a new topic regarding the review of the Radiologic Licensing rules, specifically regarding the GXMO examination requirements. Chuck Wissuchek requested to add a discussion topic regarding the Chapter 3748 statute.

**Past Minutes:** The committee reviewed the December 3, 2010 minutes. Jack Dukes made a motion to accept the minutes with the one edit suggested by Chuck Wissuchek to clarify the name of the company providing public comment for Rule 3701:1-67-10. Thomas Hangartner seconded the motion and the members present unanimously approved the minutes.

**Old Business:**

Status of Rules

Margie Wanchick distributed an updated list of Chapter 3701:1-67 therapy rules and reported that: 1) rules 67-01 through 67-09, plus 67-12 were adopted with an effective date of January 14, 2011 which will replace the rescinded therapy 3701:1-66-14 & -15 rules, and 2) the electronic therapy rules 67-10 and 67-11 were approved by Radiation Advisory Council (RAC) to move to the Public Health Council (PHC) to be proposed for adoption. Margie explained that the Department thought that it was necessary to get the electronic therapy rules adopted to be able to regulate them, even though the REC was continuing to review the new rule 3701:1-67-10 and its public comments submitted during the December 3, 2010 meeting; RAC concurred so the rules are headed to PHC. Margie also distributed the updated list of other rules in Chapters 3701:1-66, 3701:1-38, and 3701-83 and 3701-84 reporting: 1) the two radiation safety standards for reporting radiation “incidents” at freestanding radiation therapy centers (rule 3701-83-47) and radiation therapy services in hospitals (rule 3701-84-71) were adopted on January 14, 2011 now making the Ohio reporting requirements consistent for x-ray and nuclear materials; 2) Rule 3701:1-38-06, which is the enforcement rule that applies to the Nuclear Materials Safety and X-ray, is moving to the RAC for approval following its 5-year rule review; 3) the Certified Radiation Expert, Radiography and Industrial Analytical rules have been approved by RAC to go to the Public Health Council (PHC) for adoption.

## Radiation-generating Equipment Committee (REC)

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### Minutes

#### New Business:

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

The second draft of this rule, which included changes made during the December 3, 2010 REC meeting, was put out for public comment. Margie reported that, as of today, no comments were received. The committee agreed that this rule and its appendix are ready to go to RAC for review and approval to move for adoption.

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

The committee continued to review the public comments that Chuck Wissuchek presented regarding the use of the Zeiss Intrabeam system, as submitted during the December 2010 meeting from the Carl Zeiss Company. Margie Wanchick reviewed the recommended rule changes that the committee decided upon during the December 3, 2010 meeting based on the same set of comments:

- paragraph (C)(5) delete “one hundred”
- paragraph (J)(4)(a) changing “2 percent” to “5 percent”
- paragraph (J)(4)(b) adding in “or dose monitoring system” after the word “timer”

The rest of the comments were reviewed and the committee agreed upon the following recommended changes:

- paragraph (K)(1)(a) change to “Within 24 hours prior to use;”
- paragraph (K)(3)(a) change 3 percent to 5 percent;
- paragraph (K)(3)(b) delete since the dose distribution measurements within a 24 hour period is excessive and should only be done once per year;
- paragraph (K)(3)(b)&(c) delete since “afterloading” is not applicable to e-brachytherapy machines;
- paragraph (L)(1)(e) add “as applicable” after “the accuracy of electronic transfer;”
- paragraph (L)(2) delete since afterloading systems are meant for nuclear medicine use and not for standard e-brachytherapy machines; and
- paragraph (M)(2) delete “from the manufacturer” since the training is not a responsibility of the manufacturer.

Margie will advise the Department about these recommended changes and propose them to be considered as the rule moves through the adoption process.

##### Amendments for Chapter 3701-72 rules; GXMO Exam

Margie Wanchick announced that BRP is planning to start their review of the Chapter 3701-72 rules which are coming due for the 5-year review. BRP recommendations will be presented to the REC during its next meeting. James Castle provided information regarding the status of the General X-ray Machine Operator (GXMO) examination contract. Specifically, the Cleveland Clinic Foundation will no longer be providing the GXMO examination after June 30, 2012. As a result, ODH plans to suggest rule changes that are in line with the American Registry of Radiologic Technologists (ARRT) didactic educational guidelines. This would enable Ohio to be in line with the ARRT “limited licensure” examination which is currently used in 26 other states. The REC agreed to study the ARRT model and how it fits the GXMO educational and examination requirements. Nina Kowalczyk suggested that on-line continuing education and distance learning be considered; James Castle indicated that ODH has been thinking about this and therefore it will be one of the topics for the subcommittee to address. ODH and the subcommittee plan to meet with the GXMO educators in mid April to discuss these topics and prepare recommendations to the REC’s next meeting.

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Discussion regarding Ohio Revised Code (RC) 3748

Chuck Wissuchek informed the committee that he spoke to Lance Himes from the ODH Office of General Counsel regarding the requirement in paragraph (B)(3) of Revised Code (R.C.) Section 3748.04 whereas council was required to adopt radiation rules to be “*no less stringent than the suggested state regulations for control of radiation, ... and the U.S. department of health and human services and shall consider reports of the national council on radiation protection and measurement and the relevant standards of the American national standards institute.*” Chuck commented that he would like to remove the requirement for being no less stringent as the SSRs because he believes they are just meant to be suggestions and because he spoke to someone from Colorado who said they use them just as “suggestions.” Chuck added that with emerging technologies, the SSRs are sometimes out of date and inadequate. Margie Wanchick explained that this requirement is in statute which means that only the legislature could open the law and amend it. Also, she explained and reminded the committee that, when necessary and with documented rationale, the SSR language has been altered. However, those deviations from the SSR language were substantiated with scientific reasoning, and whereas the Department concurred with the advisory groups that the deviation from the SSR would not likely pose a detriment to the overall radiation control of public health and safety.

**Future Meeting Date:** Friday, June 3, 2011

**Adjourn:** The meeting was adjourned at 3:15pm.