#14

September 17, 2008

(FSME-08-072), September, Program, Medical Use Training and Experience)

ALL AGREEMENT STATES, MICHIGAN, NEW JERSEY, VIRGINIA

OPPORTUNITY TO COMMENT ON RECOMMENDED CHANGES TO 10 CFR PART 35 TRAINING AND EXPERIENCE REQUIREMENTS, ATTESTATIONS - (FSME-08-072)

Purpose: To provide an opportunity to comment on recommended changes to training and experience (T&E) attestation requirements in 10 CFR Part 35 from the U.S. Nuclear Regulatory Commission's (NRC's) Advisory Committee on the Medical Uses of Isotopes (ACMUI).

Background: The ACMUI met with the Commissioners on April 29, 2008 and recommended that the attestation requirements that are part of the medical use training and experience requirements in 10 CFR Part 35 be modified.[1] In the Staff Requirements Memorandum (SRM) issued following the meeting,[2] staff was directed to work with the ACMUI and the Agreement States to provide recommendations to the Commission on amending NRC's requirements for preceptor attestation for both board certified individuals and for individuals seeking authorization via the alternate pathway. Staff was also directed to consider additional methods, such as the attestation being provided by consensus of an authoritative group, e.g., a residency program faculty, represented by a residency program director. This particular additional attestation method was recommended by the ACMUI previously and again in discussion with the Commissioners at the April 2008 meeting.

Discussion: The ACMUI recommended that the attestation requirements be completely eliminated for individuals seeking authorized status via the board certification pathways. ACMUI also recommended that the attestation requirements associated with the more prescriptive alternate pathways to authorized status be modified, to delete text associated with preceptors attesting to individuals' radiation-safety-related competency being sufficient to function independently as authorized persons for the medical uses associated with the authorizations sought. It should be noted that the ACMUI has several times previously recommended these same modifications to the attestation requirements, and that earlier Commissions each time have decided to not implement these specific changes.[3]

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[1] See the presentation for the ACMUI by Douglas F. Eggli, M.D., nuclear medicine physician member, ACMUI, at http://www.nrc.gov/reading-rm/doc-collections/commission/slides/2008/20080429/080429-slides-eggli.pdf

[2] On the NRC public web site at http://www.nrc.gov/reading-rm/doc-collections/commission/srm/meet/2008/m20080429.html

[3]For explanation, see, on the NRC public web site, at http://www.nrc.gov/reading-rm/doc-collections/#comm, the following Commission papers plus their associated SRMs and Commissioner voting records: SECY-02-0194; SECY-03-0145; and SECY-05-0020.

Comments are sought, as follows.

1) Do you support the recommended elimination of the attestation requirement for individuals seeking authorized status via the board certification pathways?

2) Do you support the recommended modification of the attestation requirement for individuals seeking authorized status via the alternate pathways, to delete text associated with preceptors attesting to individuals' competency being sufficient to function independently as authorized persons for the medical uses associated with the authorizations sought?

3) Do you support additional methods for attestations, such as the attestation being provided by consensus of an authoritative group, e.g., a residency program faculty, represented by a residency program director?

We would appreciate receiving any comments regarding the ACMUI-recommended and related changes to the attestation requirements in the Part 35 T&E regulations by Friday, October 3, 2008. Please e-mail your response to the point of contact below.[*]

If you have any questions on this correspondence, please contact me at 301-415-3340 or the individual named below.

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/RA/

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[*] This information request has been approved by OMB 31 50-0029, expiration 08/31/2010; OMB 3150-0200, expiration 06/30/2009; and OMB 3150-0163, expiration 10/31/2009. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555- 0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-1 0202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.