



Department
of Health

Mike DeWine, Governor
Jon Husted, Lt. Governor

Amy Acton, M.D., MPH, Director

DIRECTOR'S JOURNAL ENTRY

DEFERRAL OF CERTAIN REQUIREMENTS FOUND IN O.A.C. Chapters 3701:1-58, 3701:1-66 and 3701:1-67


Due to the ongoing situation with the COVID-19 pandemic, the stress that is being placed on hospitals as a result thereof, and pursuant to authority granted to me in Ohio Administrative Code (O.A.C.) rule 3701:1-38-08, I hereby authorize those radioactive material licensees and radiation generating equipment registrants that are hospitals to defer the actions required by certain O.A.C. rules.

The O.A.C. rules covered by this Journal Entry are attached. If a licensee or registrant can meet the time frames specified in rule without adversely compromising its response to the COVID-19 pandemic, then they are expected to meet the rule requirements.

Requirements for radiation surveys, radioactive contamination surveys and dose calibrator testing are not deferred. All requirements in O.A.C. Chapter 3701:1-37 (Physical Protection of Category One and Category Two Quantities of Radioactive Material) also remain in effect.

I have determined that granting this deferral will not result in an undue hazard for the public's health and safety or have a detrimental effect on the environment. This Order shall remain in effect until I withdraw it.

If you have any questions regarding this waiver, please contact Michael Snee at Michael.Snee@odh.ohio.gov for radioactive material and James Castle at James.Castle@odh.ohio.gov for radiation generating equipment.



Amy Acton, M.D., MPH
Director of Health

03/31/2020

Date

Ohio Administrative Code Provisions to be Deferred

OAC 3701:1-38-11(D)(3) - Annual review of the content of the Quality Assurance (QA) Program.

OAC 3701:1-58-24(A) - Annual calibration of survey instruments

OAC 3701:1-58-38(A) - Annual safety instruction for unsealed radioactive material use

OAC 3701:1-58-46(A) - Annual safety instruction for manual brachytherapy use

OAC 3701:1-58-58(D) - Annual safety instruction for remote afterloader unit, teletherapy unit, and gamma stereotactic unit use

OAC 3701:1-58-58(E) - Annual emergency drills for remote afterloader unit, teletherapy unit, and gamma stereotactic unit use

OAC 3701:1-58-61(A)(3) – Full calibrations of teletherapy units at intervals not exceeding a year

OAC 3701:1-58-62(A)(3) - Full calibrations not exceeding one quarter for high dose-rate, medium dose-rate, and pulsed dose-rate remote afterloader units

OAC 3701:1-58-62(A)(4) - Full calibrations not exceeding one year for low dose-rate remote afterloader units

OAC 3701:1-58-63(A)(3) - Full calibrations not exceeding one year for gamma stereotactic radiosurgery units

OAC 3701:1-58-69(A) – Five-year full inspection of teletherapy and gamma stereotactic radiosurgery units

OAC 3701:1-66-04(C)(1)(a) - Annual audit of Hospital's QA Program by the Certified Radiation Expert.

OAC 3701:1-66-04(C)(1)(b) - Quarterly reviews of Hospital's QA Program by the Certified Radiation Expert.

OAC 3701:1-66-04(C)(4) - Quarterly meetings of the Quality Assurance Committee.

OAC 3701:1-66-04(C)(5) - Quarter submission of QA reviews to Quality Assurance Committee members.

OAC 3701:1-66-04(C)(6) - Submission of annual audits to QA committee and the Ohio Department of Health.

OAC 3701:1-66-04(D)(4) – Annual meeting of the radiation dose review committee.

OAC 3701:1-66-04(D)(5)(f) - Annual review of the fluoroscopy policies by radiation dose review committee.

OAC 3701:1-66-04(D)(6) - Annual review of computed tomography clinical protocols by radiation dose review committee.

OAC 3701:1-66-06(D) - Annual evaluations of dental equipment operators.

OAC 3701:1-66-07(C)(3) - Annual fluoroscopy equipment testing by medical physicist

OAC 3701:1-66-08(G) - Annual mammography equipment testing by a medical physicist.

OAC 3701:1-66-10(C)(1)(b) - Annual radiation dose measurements by a radiation expert.

OAC 3701:1-66-10(C)(1)(c) - Annual image quality evaluations by the radiation expert.

OAC 3701:1-66-10(C)(4) - Annual audit of computed tomography protocols by a radiation expert.

OAC 3701:1-66-10(D)(2) - Annual computed tomography equipment testing by the radiation expert.

OAC 3701:1-66-16(F)(2) - Annual security screening equipment testing by a radiation expert.

OAC 3701:1-67-07(B) - Calibration of Survey instruments every 12 months.

OAC 3701:1-67-07(G) - Dosimetry system calibrated every 24 months.

OAC 3701:1-67-09(D)(2) - Annual performance test of Therapy equipment < 1 megavoltage.

OAC 3701:1-67-09(E)(4) - Annual performance test of therapy equipment > 1 megavoltage.

OAC 3701:1-67-09(E)(5) – Annual independent verification of the calibration.

OAC 3701:1-67-09(E)(6) – Annual verification of emergency power cutoff switches.

OAC 3701:1-67-09(F)(3) – Annual performance tests of conventional or virtual simulation equipment

OAC 3701:1-67-10(M)(1) - Annual instruction to operators of brachytherapy equipment.

OAC 3701:1-67-10(M)(2) - Annual instruction to physicians of brachytherapy equipment.

Action that the licensee committed to as part of their radioactive material license application at a more stringent time interval than specified in rule. An example would be a commitment to conduct Radiation Safety Committee meeting on a quarterly basis.