



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

December 10, 2003

Richard Whittington, M.D.  
Department of Radiation Oncology  
Hospital of the University of Pennsylvania  
3400 Spruce Street, 2 Donner  
Philadelphia, PA 19104

**SUBJECT: CONFIRMATION TO ASSIST AS A MEDICAL CONSULTANT**

Dear Dr. Whittington:

This letter is to confirm our telephone agreement on December 8, 2003, that you will assist the U.S. Nuclear Regulatory Commission Regional Office by serving as a physician consultant with respect to a patient misadministration described in Enclosure 1. A Charter detailing the tasks that should be completed under this contract is provided as Enclosure 2. Please note that you should not evaluate the appropriateness of the prescribed treatment or its medical effectiveness. If you encounter difficulty in completing these tasks or identify additional tasks that should be performed, please call your NRC contact, Thomas K. Thompson.

Mr. Thompson should also be contacted if you believe that your involvement in the case would result in a possible conflict-of-interest situation. In addition, please note the information in Enclosures 3 and 4 regarding medical consultant liability and service with other Federal Departments or Agencies. Please notify Mr. Thompson if you are performing work for other Federal Departments or Agencies.

We understand that you will not conduct an onsite visit. Your evaluation of the incident shall include a review of all pertinent documents available, regardless of whether an onsite visit is conducted.

The licensee, Albert Einstein Healthcare Network, has been notified by our office of your participation in this incident evaluation and has been asked to contact the individuals' physician and/or the referring physician, regarding your involvement in NRC activities.

Enclosure 5 contains a brief summary of the U.S. Department of Energy (DOE), Office of Epidemiology and Health Surveillance, Long-Term Medical Study Program. DOE sponsors this life-time morbidity study of personnel involved in radiation accidents through the Radiation Emergency Assistance Center/Training Site (REAC/TS) of the Oak Ridge Institute of Science and Education (ORISE). NRC will provide information on the Study to the individual's physician or referring physician, after NRC has investigated the incident. However, you may want to discuss this information with the individual's physician or referring physician. We have also included a copy of the form used to submit your report (Enclosure 6). However, if you wish, we can e-mail you the file with the form for your convenience.

Please inform Mr. Thompson when you have completed the tasks specified in the Charter. A report of your findings and conclusions shall be provided to us within 30 calendar days of the

completion of the case review unless there are extenuating circumstances which have been discussed with Mr. Thompson before the 30 day period ends.

Please follow the instructions provided in the Charter when preparing and submitting claims for reimbursement. These claims should be submitted on a monthly basis (Enclosure 7) but no later than 30 days after the completion of your report. You should submit your voucher to Mr. Thompson.

Thank you for your assistance in this matter. Mr. Thompson can be reached by telephone at (610)337-5303 or by facsimile at (610)337-5269. I can be reached at (610) 337-6952.

Sincerely,

***Original signed by Pamela J. Henderson***

Pamela J. Henderson, Chief  
Nuclear Materials Safety Branch 1  
Division of Nuclear Materials Safety

Enclosures:

1. Description of the Incident (PNO-I-03-033, Letter dated December 4, 2003)
2. Charter for Physician Consultants
3. Medical Consultant Liability
4. Restrictions on Service with Other Federal Departments and Agencies
5. Summary of U.S. Department of Energy Office of Epidemiology and Health Surveillance Long-Term Medical Study Program
6. Medical Consultant Report (Blank Form)
7. NRC Form 148, "Voucher for Professional Services" and NRC Form 64/64A, "Travel Voucher"
8. Copy of treatment documentation provided to the NRC inspector.

R. Whittington  
Hospital of the University of Pennsylvania

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NMSS Medical Event/Medical Consultant Coordinator  
Robert Gross, Region I

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