



American Association of Clinical Endocrinologists

1000 RIVERSIDE AVENUE • SUITE 205 • JACKSONVILLE, FLORIDA 32204 • PHONE: (904) 353-7878 • FAX: (904) 353-8185 • <http://www.aaace.com>

OFFICERS

Donald A. Bergman, MD, FACE
New York, NY
President

Charles R. Hamilton, Jr., MD, FACE
Houston, TX
President Elect

Bill Law, Jr., MD, FACP, FACE
Knoxville, TN
Vice President

Steven M. Patel, MD, JD, FACE
Houston, TX
Treasurer

Richard Halloran, MD, FACP, FACE
St. Kansas City, MO
Secretary

Messiah Shamb, MD, FACE
Rochester, MN
Immediate Past President

BOARD OF DIRECTORS

TERMS EXPIRE 2004

H. Jack Bastin, MD, MACE
Orlando, FL

Luis G. Jovanovic, MD, FACE
Santa Barbara, CA

Michael Kiershner, MD, FACE
Detroit, MI

Charles S. Levalan, MD, FACE
Philadelphia, PA

Philip Levy, MD, FACE
Phoenix, AZ

Naomi D. Weisfeld, MD, FACE
Los Angeles, CA

John A. Schell, MD, MACE
(Parkinson's Disease)
Albuquerque, NM

John B. Tourtelot, MD, FACE
Lexington Park, MD

TERMS EXPIRE 2005

Rhoda H. Eskin, MD, FACE
Madison Park, NJ

Jeffrey R. Garber, MD, FACE
Boston, MA

Yahuda Hershfeldman, MD, FACP, FACE
Torrance, CA

Kenneth S. Harrison, MD, FACE
New Hyde Park, NY

Paul S. Jellinger, MD, FACE
Hollywood, FL

John S. Kalra, MD, FACS, FACE
Arlington, VA

Sheldon S. Shaffer, MD, FACE
Farmington Hills, MI

TERMS EXPIRE 2006

Lawrence Blanda, MD
New Canaan, LA

Robert F. Gagel, MD, MACE
Houston, TX

Elio S. Magalini, MD, FACP, FACE
Inglewood, CA

S. Sethu K. Reddy, MD, FACE
Cleveland, OH

Joseph J. Tarn, MD, FACP, FACE
Buffalo, NY

Milton K. Wong, MD, FACE
Las Vegas, NV

FELLOW-IN-TRAINING

Syed Akbar Raza, MD
Madison, WI

EMERITUS 2004

Yank D. Coble, Jr., MD, MACE
Jacksonville, FL

ADVISORY MEMBERS

Bruce F. Brown, MD, FACE
West Hartford, CT

Stephen F. Hodgson, MD, MACE
Rochester, MN

Pasquale J. Palumbo, MD, MACE
Scottsdale, AZ

P. John Service, MD, FACP, FACE
Rochester, MN
Endocrine-Clinical Endocrine Practice

Donald C. Jones
Chief Executive Officer

DOCKET NUMBER
PROPOSED RULE 35
(68FR 68549)

February 23, 2004

Ms. Annette Vietti-Cook
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attention: Rulemakings and Adjudications Staff
Washington, DC 20555-0001
Fax: 301-415-1101

RE: RIN 3150-AH19

Dear Ms. Vietti-Cook:

The American Association of Clinical Endocrinologists (AAACE) would like to provide comments in addition to those submitted on February 19th (attached) regarding revisions to 10 CFR Part 35, Medical Use of Byproduct Material-Recognition of Specialty Boards (RIN 3150-AH19) published in the *Federal Register*, December 9, 2003, Vol. 68, No. 236, pages 68549-68563.

A critical issue AAACE was remiss in not addressing is the time frame for Agreement States to adopt an "essentially identical" compatibility rule on training and experience requirements. Agreement States are more than capable and should comply with the training and experience requirements published in the revised 10 CFR Part 35 on April 24, 2002 by October 24, 2005. The issues in this proposed rule are limited in scope and do not address the core elements of the training and experience requirements. Agreement States have already been granted three years to develop a ("essentially identical") compatibility rule, yet movement on implementing compatibility in the Agreement States has been inefficient. Not requiring the Agreement States to meet this previously established and reasonable timeframe is not acceptable, considering the fact that the Agreement States have known that they must adopt these requirements since April 24, 2002.

AAACE strongly urges the NRC to not subject physicians practicing in Agreement States, that wish to become authorized users, to be subjected to further hassles. The Agreement States should be required to comply both with 1) the training and experience requirements relative to 10 CFR Part 35 as published in the *Federal Register* of April 24, 2002, and (2) the requirements for recognition of specialty boards in this final rule by October 24, 2005. Thank you once again for your consideration of AAACE's comments on this issue and the specialty board certification requirements.

Sincerely,

Donald A. Bergman, MD, FACE
President

DOCKETED
USNRC

February 24, 2004 (8:02AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF