



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

July 1, 2005

Mr. Francis X. Towey
Bureau of Radiation Control
Department of State Health Services
1100 West 49th Street
Austin, TX 78756

Dear Mr. Towey:

Your May 11, 2005 letter, regarding a licensing action involving Paul T. Truong, M.D., was forwarded to me for a response.

On March 15, 2005, the NRC received a request from Mr. Charles H. Rose to amend License Number 29-28041-01 issued to PIC, Physicians Imaging Center of Red Bank, New Jersey to add Dr. Truong. The NRC staff reviewed the request and approved Amendment 21 to add Dr. Truong, as an authorized user (AU) to the license for imaging and localization studies permitted by 10 CFR 35.200.

Your letter mentions that Dr. Truong is not licensed to practice medicine in the State of New Jersey. 10 CFR 35.290, Training for imaging and localization studies, requires that an AU for uses under section 35.200 must be a physician. 10 CFR 35.2 defines "physician" as a medical doctor or doctor of osteopathy licensed by a State or Territory of the United States, the District of Columbia, or the Commonwealth of Puerto Rico to prescribe drugs in the practice of medicine. 10 CFR 35.2 does not require that the "physician" be licensed by the State where the licensed activity takes place.

The NRC staff has no request or action under review at this time to remove Dr. Truong from the PIC license.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul H. Lohaus".

Paul H. Lohaus, Director
Office of State and Tribal Programs

F. X. Towey

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