

Oral Statement of Steven Reynolds
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 U.S. Nuclear Regulatory Commission
 Region III
 before the House Committee on Veterans' Affairs
 Subcommittee on Oversight and Investigations

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Chairman Mitchell, Ranking Member Roe, and Members of the Committee: I am honored to represent the U. S. Nuclear Regulatory Commission staff at today's hearing.

The NRC is very concerned about what happened at the VA hospital in Philadelphia.

Our mission as the regulator for the civilian use of nuclear material is to protect public health and safety, including medical uses of radioactive materials. We take our mission very seriously and strive to make sure all patients, including our veterans, receive safe and effective medical care. We recognize that's not what happened at VA Philadelphia.

The NRC does not regulate the practice of medicine. We do, however, set the rules under which licensees such as the VA use radioactive materials. As the holder of an NRC license, it is the responsibility of the VA to identify problems in medical treatments using radioactive material and report those problems to the NRC.

The NRC, once notified of the apparent problems at VA Philadelphia, began increasingly intensive inspections of the brachytherapy program at VA Philadelphia and 12 other VA facilities that conduct this medical procedure. We are concerned about what we have found to date.

The VA has suspended this procedure at five sites, including VA Philadelphia, and they will not restart until we, the NRC, are satisfied they've addressed the problems. Our inspections are continuing, and once we complete our inspections later this summer, the agency will determine what, if any, enforcement actions are appropriate.

As a regulatory agency, we are accountable for ensuring the safe use of radioactive material in medical treatments; we have an obligation to aggressively oversee radioactive material use and make sure patients are properly treated. The VA's license issued by the NRC requires the VA to establish an internal, independent framework of oversight consistent with NRC regulations, and with inspection and enforcement policies, procedures, and guidance. The NRC relies on the integrity of this framework. Based on what we have identified to date, we are making changes. Had these changes been in effect in the past, we are confident that these issues would have been identified and resolved earlier. We have already initiated steps to enhance

our oversight. These include: an increased focus on the safety culture at medical facilities, increased focus on medical facilities' oversight of contracted medical professionals, increased focus on ensuring that involved medical professionals and radiation safety staff understand the definition of a medical event and reportability requirements, increased focus on extent of condition reviews, and increased focus on post treatment dose verification. The NRC is also increasing our oversight of, and reducing our reliance on, the VA's National Health Physics Program.

Going forward, we will continue to look critically at improving our inspection and licensing programs, as well as to consider proposed regulatory changes. The NRC is also assessing whether any additional changes are needed to strengthen our regulatory oversight of the VA with respect to the VA's internal regulatory framework.

In closing, the NRC takes these medical events very seriously. We will do what it takes to ensure the use of radioactive materials in medical treatments is as safe as possible.

Thank you and I would be pleased to answer any questions.