DCS

December 17, 1990
EN 90-113

REGION IV
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Muskogee Regional Medical Center (EA 90-212)
Muskogee, Oklahoma
Docket No. 30-11571

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - $1,250

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of $1,250 will be issued on or about December 20, 1990, to Muskogee Regional Medical Center (MRMC). This action is based on violations that contributed to the occurrence of a therapeutic misadministration, in that radiation therapy treatments were administered to the wrong side of a patient's neck. The violations that formed the basis for the proposed civil penalty involved: 1) a failure on the part of MRMC to require its staff to follow procedures promulgated by the supervising physician; and 2) a failure on the part of the radiation safety officer to ensure that approved procedures and regulatory requirements were being met in the daily operation of the radiation therapy department. This penalty is 50 percent of the base value for a Severity Level III problem. The licensee's corrective actions, which were prompt and comprehensive, warranted a 50-percent reduction. No adjustment was made on the basis of our consideration of the other adjustment factors.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	December 20, 1990
Telephone Notification of Licensee	December 20, 1990

The State of Oklahoma will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: Robert D. Martin (FTS 728-8225) or Gary Sanborn (FTS 728-8222)

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