

APPENDIX A

NOTICE OF VIOLATION

Jersey Shore Medical Center
Neptune, New Jersey 07754

Docket No. 030-29116
License No. 29-02234-03

During an NRC review of documents related to the therapeutic misadministration that occurred between October 28 and November 3, 1992, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

10 CFR 35.33(a)(4) requires, in part, that if the patient or the patient's responsible relative (or guardian) was notified of the misadministration, the licensee also furnish, within 15 days after discovery of the misadministration a written report to the patient or patient's responsible relative (or guardian) by sending either: (i) a copy of the report that was submitted to the NRC; or (ii) a brief description of both the event and the consequences as they may affect the patient, provided a statement is included that the report submitted to the NRC can be obtained from the licensee.

Contrary to the above, on November 3, 1992, the Licensee discovered that a misadministration had occurred at its facility and subsequently informed the patient verbally and submitted a written report of the misadministration to the NRC Region I on November 4, 1992. However, as of September 15, 1994, a period in excess of 15 days had elapsed since the misadministration occurred, and the licensee did not furnish either: (i) a copy of the report that was submitted to the NRC, or (ii) a brief description of the event and consequences as they may affect the patient including the statement that the report submitted to the NRC can be obtained from the Licensee.

This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Jersey Shore Medical Center, Neptune, NJ, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the

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date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.