

March 27, 1997  
EN 97-026

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Fairbanks Memorial Hospital (EA 96-505)  
Fairbanks, Alaska  
Docket No. 030-03509

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$2,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$2,500 will be issued on or about April 1, 1997, to the subject licensee. This action is based on a Severity Level III violation involving deliberate failure to obtain the signature of the physician authorized user on a written directive before administering a dosage of I-131 of greater than 30 microcuries to a patient. The dosage was approximately 6.6 millicuries instead of the intended 100 microcuries, which constitutes a misadministration. The licensee identified the problem and took prompt and comprehensive corrective action, which would normally result in complete mitigation of the civil penalty. However, given the deliberate nature of the violation, the position of the nuclear medicine technologist involved, who was also the radiation safety officer (RSO), and the potential for patient harm from such a violation, the staff is exercising discretion and assessing a penalty of \$2,500 as permitted in Section VII.A.1 of the Enforcement Policy.

The technologist/RSO stated that he administered the dosage without the physician's signature on the written directive because the patient was apprehensive and he feared that the patient would not tolerate the time delay to obtain the signature. The technologist/RSO reported the incident to NRC, acknowledged his failure to obtain the physician's signature, and accepted full responsibility for the incident. The hospital relieved him of the RSO position. A Notice of Violation categorized at Severity Level III also is being sent to him because of the deliberate nature of the violation.

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	April 1, 1997
Telephone Notification of Licensee	April 1, 1997

The State of Alaska 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.

Contacts: J. DelMedico, OE, 415-2739                      J. Lieberman, OE, 415-2741

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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