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AveraMcKenna.org

Effectiveness Review

December 31, 2022

NRC RML 40-16571-02

Lessons Learned

1) Communication

a. Corrective Actions

- i. On November 3, 2022, Avera McKennan sent out a standalone communication summarizing the events that resulted in the Confirmatory Order, from Mr. John Mathison, VP of Specialty Care. This communication stressed the importance of complying with NRC regulations and the conditions of the license, and emphasized the importance of ensuring documents are complete and accurate, and the consequences for engaging in willful violations.
- II. Communication was sent out to all Authorized Users, Nuclear Medicine and PET Technologist, all other employees performing in Avera McKennan's NRC licensed activities.
- III. On December 9, 2022, Avera McKennan sent out a PowerPoint reemphasizing its intolerance of willful misconduct. This PowerPoint was assigned by Trisha Laake, Associate Radiation Safety Office, to all Authorized Users, Nuclear Medicine and PET Technologist, all other employees performing in Avera McKennan's NRC licensed activities.

Feedback from Communication

Our evaluation survey for Willful Misconduct questions are below:

- a. Was the willful misconduct training material and content helpful to you?

31 responded "Yes" with 1 responding "No"

- b. Before this training, were you aware of the NRC's intolerance of deliberate misconduct?

24 responded "Yes" with 8 responding "No"

- c. Before this training, were you aware of the potential enforcement actions that the NRC may take against employees who engage in deliberate misconduct?

17 responded "Yes" with 15 "No"

- d. Before this training, were you aware of the associated NRC enforcement actions that may be taken against a license as a results of deliberate misconduct?

19 responded "Yes" with 13 "No"

2) Training

- a. Corrective Actions

Avera McKennan has developed and implemented, the NRC Safety Culture traits in a PowerPoint. Both the Safety Culture and Willful Misconduct PowerPoints, were sent out to all Authorized Users, Nuclear Medicine and PET Technologist, all other employees performing in Avera McKennan's NRC licensed activities. This training was sent on December 9, 2022 with a due date of December 23, 2022.

Radiation Safety Program Assessment

1) Results

The outside entity who will be performing a comprehensive assessment of Avera McKennan/Nuclear Medicine's radiation safety program, has not evaluated the Radiation Safety Program yet. We are expecting this to happen in January of 2023.

Field Observations

1) Results

Avera McKennan's RSO conducted a field observation on December 12, 2022. Results from this observation include:

1. When asked about being aware of the emergency procedure instructions for spills and where to locate this, the technologist was not sure where this was.

I proceeded to show where the instructions were located, as well as where this is posted.

2. The technologist was not able to describe the process of cleaning up a radioactive spill.

Both the technologist and I walked through a mock radioactive spill and the process of cleaning it.

3. At this particular location, there was only one lock access to the radioactive materials.

We called a locksmith to place a lock on the cabinet door, which stores the radioactive materials.

4. When asked about knowledge of the contents of the radioactive material license, the technologist knew that there are authorized users on the license, who authorizes the RAM.

We went through other contents on the radioactive material license such as; place of use and storage, nuclear materials, chemical and/or physical form of, maximum amounts of radioactive materials, and where to find the RSO on the license.

5. The technologist was unsure of where to find the Regulatory information on the internet.

We went through how to access this website. I will post a sticker with this information on the Notice to Employees.

6. The technologist was familiar on where to report a misadministration, but not necessarily what constitutes a misadministration.

We talked about wrong route, wrong patient and wrong isotope to which constitutes a misadministration.

Organizational Health Surveys

1) Results

Avera McKennan has engaged in an outside entity to develop and conduct an organizational health survey to identify safety culture concerns that could contribute to willful misconduct. This individual has set the date to visit being, January 18th and January 19th of 023. While the outside entity is here on campus, they will interview various management who oversees (direct or indirect) as it pertains to the Radiation Safety Program. Results will be sent by March 31, 2023, as stated in the confirmatory order.

Submitted by:

Mary Hennings-Frank

Mary Hennings-Frank, B.S., CNMT
Radiation Safety Officer

From: [Allyce Bolger \(She/Her\)](#)
To: Mary.HenningsFrank@avera.org
Cc: [Lizette Roldan-Otero](#); [R4Enforcement](#)
Subject: RE: Avera McKennan Confirmatory Order documentation
Date: Wednesday, January 11, 2023 8:55:00 AM

Hi Mary,

Thank you for providing the Effectiveness Reviews. Please note, that per Item L.3 of the Order, the results of the Organization Health Survey are to be submitted to the NRC within six months of conducting the survey and do not necessarily need to be submitted by March 31, 2023. However, Item O of the Order, does require a written summary of actions implemented in the previous calendar year be submitted by March 31st.

Let me know if you have any questions.

Regards,

Allyce Bolger

(Pronouns: [She/Her](#))

Health Physicist

Division of Radiological Safety and Security

NRC Region IV

817-200-1197

From: Mary Hennings Frank <Mary.HenningsFrank@avera.org>
Sent: Tuesday, December 27, 2022 1:28 PM
To: R4Enforcement <R4Enforcement.Resource@nrc.gov>
Subject: [External_Sender] Confirmatory Order OI case number 4-2019-007

Good Afternoon,

Per the Confirmatory Order under "Effectiveness Review", are these reviews for both Radioactive Material License number 40-16571-01 and 40-16571-02.

Have a Happy New Year!

Mary

Mary Hennings-Frank

Mary Hennings-Frank | Radiation Safety Officer

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