



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 24, 2005

SECRETARY

COMMISSION VOTING RECORD

DECISION ITEM: SECY-05-0097

TITLE: OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED
PATIENTS TO RECEIVE DOSES IN EXCESS OF
CURRENTLY PERMITTED LEVELS

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of June 24, 2005.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission.

A handwritten signature in black ink, appearing to read "Annette L. Vietti-Cook", written over a horizontal line.

Annette L. Vietti-Cook
Secretary of the Commission

Attachments:

1. Voting Summary
2. Commissioner Vote Sheets

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
EDO
PDR

VOTING SUMMARY - SECY-05-0097

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
CHRM. DIAZ	X					6/19/05
COMR. McGAFFIGAN	X				X	6/6/05
COMR. MERRIFIELD	X				X	6/7/05
COMR. JACZKO	X				X	6/20/05
COMR. LYONS	X				X	6/13/05

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and some provided additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on June 24, 2005.

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: CHAIRMAN DIAZ
SUBJECT: **SECY-05-0097 - OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED PATIENTS TO RECEIVE DOSES IN EXCESS OF CURRENTLY PERMITTED LEVELS**

Approved xx *lv* Disapproved _____ Abstain _____
Not Participating _____

COMMENTS:

lv

SIGNATURE
June 19, 2005

DATE

Entered on "STARS" Yes No

NOTATION VOTE

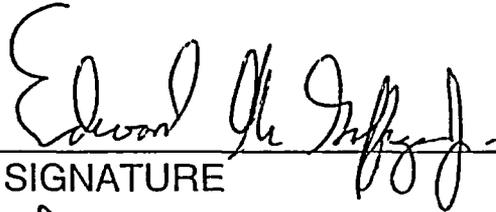
RESPONSE SHEET

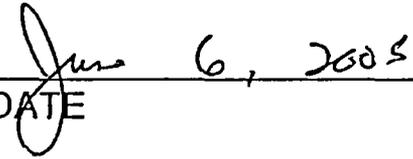
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MCGAFFIGAN
SUBJECT: **SECY-05-0097 - OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED PATIENTS TO RECEIVE DOSES IN EXCESS OF CURRENTLY PERMITTED LEVELS**

Approved ^{w/comments} Disapproved _____ Abstain _____
Not Participating _____

COMMENTS:

See attached comments.



SIGNATURE


DATE

Entered on "STARS" Yes No _____

Commissioner McGaffigan's Comments on SECY-05-0097

I approve the staff's recommended Option 3 to allow licensees to justify doses to caregivers on a case-by-case basis. The staff did a good job of promptly putting this paper together at Commission direction and outlining the options.

Option 3 makes a lot of sense and is a position I have advocated, most recently during the annual Commission meeting with the Advisory Committee on the Medical Use of Isotopes (ACMUI). I approve Option 3 because it allows the staff to put something in place quickly versus a rulemaking which could take years to complete. As I stated in my vote on SECY-04-0107, I think it is important for the staff to have a method for quickly making determinations to allow family members and other close associates of a patient to receive higher doses when there are exceptional circumstances. I appreciate the overwhelming support of ACMUI and the Agreement States for this approach.

If we ever revise Part 35, we could consider completing a rulemaking, but at this point Option 3 is the best option. I would hope that the appropriate guidance documents will be completed by June 2006, as the staff proposes, or perhaps even earlier. Again, I appreciate the staff's efforts to bring this matter to a successful conclusion in an effective and efficient manner.



NOTATION VOTE

RESPONSE SHEET

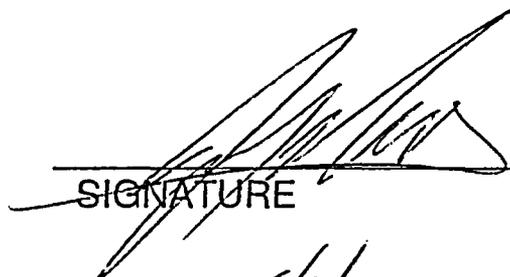
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER MERRIFIELD
SUBJECT: **SECY-05-0097 - OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED PATIENTS TO RECEIVE DOSES IN EXCESS OF CURRENTLY PERMITTED LEVELS**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.



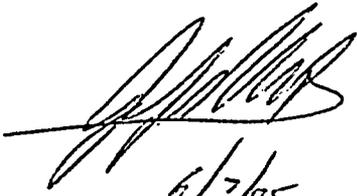
SIGNATURE

DATE *6/2/05*

Entered on "STARS" Yes No

Comments from Commissioner Merrifield on SECY-05-0097:

I approve the staff recommended option 3 as outlined in SECY-05-0097, Options for Permitting Visitors of Hospitalized Patients to Receive Doses in Excess of Currently Permitted Levels. This is a concern associated with a relative small number of medical cases, but it is important to address this issue in a timely manner using a common sense approach. The staff has derived a suitable option that does not require rulemaking. One caution to the staff, however, is that the implementing procedures to be developed should be clear, concise, and not overly burdensome to the licensee. Often when these situations arise, timing becomes a critical issue. The licensee needs to know precisely and clearly what information must be submitted to the NRC for an appropriate regulatory decision.



6/7/05

NOTATION VOTE

RESPONSE SHEET

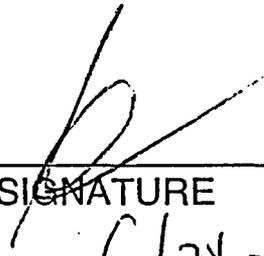
TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER JACZKO
SUBJECT: **SECY-05-0097 - OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED PATIENTS TO RECEIVE DOSES IN EXCESS OF CURRENTLY PERMITTED LEVELS**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.



SIGNATURE

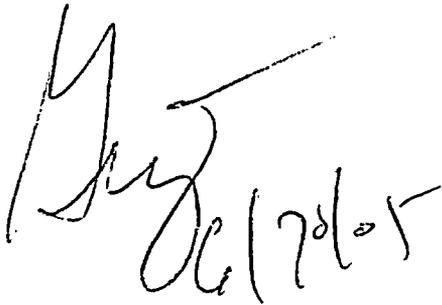
6/24/05

DATE

Entered on "STARS" Yes No

**Commissioner Jaczko's Comments on SECY-05-0097
Options for Permitting Visitors of Hospitalized Patients to Receive
Doses in excess of Currently Permitted Levels**

I approve the staff's recommended Option 3 to develop procedures and facilitate approval of licensee-established limits to justify doses to caregivers on a case-specific basis. I was convinced of the need to take such action following my May 4, 2005, visit to the University of Pennsylvania hospital. During that visit, I had the opportunity to speak with medical staff who oversee patient neuroblastoma (Iodine-131 base therapy) treatments in children. I heard first hand how patient response and recovery to the treatments are often much better when caregivers (or parents) are actively involved in caring for and comforting them. The opportunity to meet with and discuss this important issue with hospital staff demonstrate how NRC action in this area would positively impact the lives of the members of the public in the beneficial and safe use of NRC-licensed materials.



Michael S. Jaczko
06/28/05

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary
FROM: COMMISSIONER LYONS
SUBJECT: **SECY-05-0097 - OPTIONS FOR PERMITTING VISITORS OF HOSPITALIZED PATIENTS TO RECEIVE DOSES IN EXCESS OF CURRENTLY PERMITTED LEVELS**

Approved Disapproved Abstain

Not Participating

COMMENTS:

See attached comments.



SIGNATURE

6/13/05

DATE

Entered on "STARS" Yes No

Commissioner Lyons' Comments on SECY-05-0097

I approve the staff's recommended option 3 as described in SECY-05-0097, Options for Permitting Visitors of Hospitalized Patients to receive Doses in Excess of Currently Permitted Levels.

I agree with Commissioner Merrifield that the implementing procedures to be developed should be clear, concise and not overly burdensome to the licensee. It is essential that the licensee knows exactly what information needs to be submitted to the NRC for an appropriate and timely regulatory decision.