COMMISSION ON RADIATION PROTECTION  
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Minutes of a regular meeting, conducted virtually via Microsoft TEAMS, at 9:30 a.m. on November 18, 2020

The following Commission members were virtually present: Dr. Julie Timins (Chair), Mary E. Moore (Vice-Chair), Pat Mulligan, Sue Dupre, John Mauro, Bob Tokarz (recused himself at 11:12a.m.), Alfonso Candica (joined at 9:50a.m.), and Mark Wadiak (joined at 11:16a.m.)

Also, virtually present: DAG Patrick Woolford

Radiation Protection Staff members virtually present: Art Robinson, Al Orlandi, Patty Malloy, Ramona Chambus, Mary Kanewski, Cassidy Patterson, Jenny Goodman, Jenn Daino, and Lauren Givens.

Call to Order

Dr. Timins called the meeting to order at 9:35 a.m. and announced that notice of the meeting complied with the Open Public Meetings Act. The Notice was published in the Courier Post, Trenton Times, and Bergen Record. The Notice was filed with the Secretary of State and posted in at least one place reserved for such or similar announcements.

Roll Call

A quorum was met with eight Commission members in attendance.

October 21, 2020 Meeting Minutes

Ms. Moore moved to accept the October CORP meeting minutes. Ms. Dupre seconded the motion for the minutes. Minutes were approved (6 in favor, 0 opposed, 0 objections, 0 abstentions- Mr. Candica and Mr. Wadiak were not present at the time of the vote)

Report of Commission Members

None to report
Old Business:

None to report

New Business:

DEXCOWIN Cocoon DX-7017 Handheld Dental X-Ray Unit

Ms. Patricia Malloy presented information on the exemption request for DEXCOWIN Global Inc. Cocoon DX-7017 hand-held battery-operated dental unit from certain provisions of New Jersey Administrative Code (N.J.A.C.) 7:28-16.3(a)5, 16.3(a)11, 16.3(a)21, 16.10(a)2 and 16.10(a)4. Commission members were provided with a detailed Commissioner’s Memorandum, and all relevant documents from the manufacturer in advance of the meeting. In attendance from DEXCOWIN Global Inc., via telephone was Raymond Ryu.

Commission members expressed numerous concerns with the user manual, training manual and operator exam. The Commission recommended revising the documents to include the technical information from the user manual in the training manual and on the examination. The Commission also noted many issues with translation in many of the documents provided for review. The Commission recommended that DEXCOWIN review and revise the documents to address concerns raised by the Commission and provide a better English translation.

Ms. Sue Dupre motioned to table DEXCOWIN Global Inc.’s request until the submitted materials is revised according to the recommendations of the Commission including a better translation. Ms. Mary Moore seconded the motion. The Commission unanimously agreed to table the exemption request.

VaTech America, Inc. International Handheld Dental EzRay Air P

Ms. Patricia Malloy presented information regarding an exemption request from VaTech America, Inc. International for its EzRay Air P handheld battery-operated dental unit. VaTech requested an exemption from the requirements of New Jersey Administrative Code (N.J.A.C.) 7:28-16.3(a)5, 16.3(a)11, 16.3(a)21, 16.10(a)2, and 16.10(a)4. Commission members were provided with a detailed Commissioner’s Memorandum, and all relevant documents from the manufacturer in advance of the meeting. Mr. Lennart Elgaard, VaTech’s technical expert, attended the meeting via TEAMS.

The Commission brought up several questions and concerns regarding the user manual that Mr. Elgaard satisfactorily addressed. Ms. Malloy was asked to read the conditions of the exemption from the November 4, 2020 Commission Memorandum.

After careful consideration, Commission members were satisfied that VaTech America, Inc. International demonstrated a compelling need to exempt the EzRay Air P hand-held unit from the requirements of N.J.A.C. 7:28-16.3(a) 5, 16.3(a)11, 16.3(a)21, 16.10(a)2 and 16.10(a)4, with the conditions outlined in the Commission Memorandum dated November 4, 2020. The Commission Chair called for a vote on the exemption request following the discussion. The Commission unanimously approved the exemption request.
Radiologic Technology Board of Examiners (Board) Meeting Report:

Mr. Orlandi presented the outcomes of the Board’s October 29, 2020 meeting as contained in the report to the Commissioners dated November 4, 2020. There were no questions from Commission members regarding the report.

The Commission also considered the Board’s recommended license sanction reports regarding Mr. Jamal Townes, Ms. Sonia Marinas, and Mr. Camilo Rodriguez.

Mr. Jamal Townes:

Mr. Orlandi presented the Board’s report recommending license suspension for Mr. Jamal Townes. The Board found that Mr. Townes did not submit a response to the Bureau of X-ray Compliance’s (Bureau) September 3, 2020 letter relating to the investigation into the revocation of his Maryland issued diagnostic radiologic technology license. The Board found that Mr. Townes’ Maryland license was revoked for reasons consistent with N.J.A.C. 7:28-19 et seq. in violation of N.J.A.C. 7:28-19.5(a)2. Without a response to the Bureau’s September 3, 2020 letter, the Board could not determine if other violations exist. As a result of the above finding, the Board voted to recommend to the Commission that Mr. Townes’ diagnostic radiologic technology license be suspended until he submits a complete response to the Bureau’s September 3, 2020 letter and the Board votes to change the status of his license. Additionally, the Board recommended that Mr. Townes’ license be revoked if a complete response is not submitted within six months. The Commission voted unanimously to approve the Board’s recommendations.

Commission Closed Session

A resolution to allow the Commission to enter into closed session was unanimously approved. Closed session was deemed necessary to discuss information that is protected under the Health Insurance Portability and Accountability Act and to discuss any investigation of violations or possible violations of the law and to deliberate the imposition of a possible sanction against the dental radiologic technology licenses of Ms. Marinas and Mr. Rodriguez. Additionally, closed session may also be necessary to obtain legal advice from DAG Woolford that would require attorney-client privilege. The Commission remained in closed session from 10:43 a.m. to 11:09 a.m.

Ms. Sonia Marinas

Mr. Orlandi reported that in closed session, the Commission discussed Ms. Sonia Marinas’ dental radiologic technology license renewal. The Board found that Ms. Marinas violated a provision of the Radiologic Technology Act. The Board also found that Ms. Marinas has submitted sufficient evidence of her rehabilitation. As a result, the Board voted to approve Ms. Marinas’ license renewal. The Board also recommended to the Commission that Ms. Marinas be permitted to retain and renew her license provided that she complies with the license sanction conditions as contained in the Board’s closed session report. The Commission voted unanimously to approve the Board’s recommendations.
Mr. Camilo Rodriguez:

Mr. Orlandi reported that in closed session, the Commission discussed Mr. Camilo Rodriguez’s current license sanction, issued February 2020, and his failure to comply with the conditions of the sanction. As a result, the Board recommended to the Commission that Mr. Rodriguez’s dental radiologic technology license be suspended until he submits a complete response to the Bureau’s September 14, 2020 email as contained in the Board’s closed session report and the Board votes to change the status of his license. The Commission voted unanimously to approve the Board’s recommendations.

**University Radiology Group (URG) – November 10, 2020 letter and presentation regarding the elimination of gonadal shielding of patients having radiographic procedures:**

As a consulting medical physicist for URG, Mr. Tokarz recused himself from this discussion and left the meeting.

Dr. Salim Samuel, MD and Dr. David Walo, MD representing the University Radiology Group (URG) provided the Commission with an overview of the history of gonadal shielding. They also discussed the American Association of Physicists in Medicine’s (AAPM) April 2019 position statement recommending discontinuing gonadal and fetal shielding practices. The AAPM concluded that gonadal shielding may increase patient exposure if the shielding covers the AEC photocell and/or is improperly placed resulting in repeat exposures. The URG urged the Commission to remove the regulation (i.e., N.J.A.C. 7:28-15.9(a)3) requiring gonadal shielding. The Commission thanked URG for its letter and interest in this issue. The Commission’s Gonadal and Fetal Shielding Committee is waiting for the NCRP’s SC 4-11 Committee to publish its findings and recommendations prior to making a recommendation to the Commission.

**Public Comment**

None to report

**Adjournment**

The meeting adjourned at 11:35 a.m. Audio recording of the meeting is available for review. Copies of the abbreviated minutes are available by contacting Lauren Givens at Lauren.Givens@dep.nj.gov

Patrick Mulligan, Assistant Director
Commission Secretary

My signature indicates that the above minutes of the November 18, 2020 Commission meeting are reflective of the activities of such meeting and were approved by at least a majority vote at a subsequent meeting of the Commission as indicated by the date above.