



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

October 2008

TO: New York State Medical Use Radioactive Materials Licensees

RE: Nuclear Medicine and Permanent Brachytherapy Patients - Radiation Monitoring by Law Enforcement Officials (Notice No. BERP 2008-4)

Dear Licensee:

The purpose of this notice is to inform you of the potential for patients administered radioactive materials to be approached by law enforcement personnel to investigate a radiation detection alert and to provide guidance which may minimize any inconvenience of such an investigation.

Many law enforcement personnel throughout New York State have been issued radiation detectors that are sensitive enough to detect low levels of radiation, including radiation from patients who have received diagnostic and/or therapeutic radioactive materials. Since it is not always possible to differentiate between licit and illicit sources of radiation, there is a potential for an increased number of encounters between law enforcement personnel such patients.

We are requesting your help to assist individuals in these situations by informing applicable patients of this potential situation and offering to provide them with written documentation to give to the law enforcement official in the event of a radiation alert. This documentation should be on your facility's letterhead and include the following information: the name of the radioactive materials licensee, license number, address, and contact information, the name of the patient administered radioactive materials; the isotope, activity and half-life of the radioactive material administered; and the date of administration and when the radioactive material should be undetectable (after ten half-lives). Attached is a sample form.

Patients must be advised that their participation in this process is strictly voluntary. You must ensure that the requirements of Health Insurance Portability and Accountability Act (HIPAA) are met when developing your policies and procedures.

No response to this notice is required. If you have any questions, you can contact us at 518/402-7550, e-mail us at berp@health.state.ny.us or write to:

New York State Department of Health
Bureau of Environmental Radiation Protection
Radioactive Materials Section
547 River Street
Flanigan Square, Room 530
Troy, New York 12180-2216

Enclosure: As stated

{Facility Letterhead}

{DATE}

Dear Law Enforcement Official:

Mr.\Mrs.\Miss\Dr. _____ was a recent patient at {NYSDOH Radioactive Materials Licensee name and address} and received ____ mCi of {isotope} on {date} under authorization of New York State Department of Health Radioactive Materials License No. _____. This isotope has a half-life of _____ hours\days, and there should be no detectable radiation after {date after 10 half-lives}.

The radiation exposure from this patient has been evaluated, and this patient has been released in compliance with existing regulations. This person poses no undue hazard to members of the public. If you need additional information please contact this office at {insert phone number}.

Sincerely,

Radiation Safety Officer