

# SAINT BARNABAS MEDICAL CENTER

DOCKET NUMBER  
PETITION FILE PRM/70-3  
(57-FR 46818)  
USNRC

37

RONALD J. DEL MAURO  
President and Chief Executive Officer

November 23, 1992

'92 NOV 27 PM 2:09

DEPARTMENT OF RADIOLOGY

Letty G. Lutzker, M.D.

Chief of Nuclear Medicine

(201) 533-5957

Mr. Samuel Chilk, Secretary  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Attn: Docketing and Service Branch

Dear Mr. Chilk:

I am writing in support of Docket No. PRM-1170-3, the petition filed by the American College of Nuclear Physicians and the Society of Nuclear Medicine requesting that the NRC amend its regulations on licensing, inspection, and annual fees.

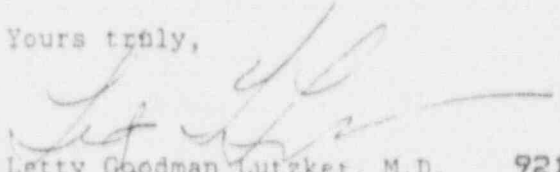
It is urgent that an exemption be provided for medical service similar to that provided for non-profit institutions operating reactors. Medicine, like education, has beneficial impact on the public, and, again like education, limited or no ability to pass cost increases on to "consumers" (patients). Since the enactment of the fee program, almost 2,000 licensees, about a third of them medical, have terminated their licenses, in some cases depriving patients of the benefits of these procedures in rural areas and those supplied only by small facilities.

For licensees not qualifying for complete exemption, a sliding scale of fees should be adopted, based on profit margin, rather than gross receipts, recognizing the individual entity's relative size.

The NRC should be much more receptive than it has shown itself to be when it develops new programs the implementation of which will have severe economic implications for its licensees, particularly since it is now requiring those licensees to assume the costs not only of compliance, but of the inspections which document that compliance. The recent decision to ignore the burdens imposed on medicine in the name of imaginary benefits, exemplified by the Quality Management program opposed by the ACNP and SNM and criticized by the Office of Management and Budget, is a most egregious example. It will cost millions of dollars for the NRC to administer, millions which will be extracted from a strapped profession.

Hoping that the NRC will act in recognition of its larger mandate, to insure the safe use of nuclear materials for the common good, by not financially handicapping or destroying the profession most dedicated to that mandate, I am

Yours truly,

  
Letty Goodman Lutzker, M.D.  
Chief of Nuclear Medicine  
LGL/cs-0885R

9212110033 921123  
PDR PRM  
170-3 PDR

DS10

OLD SHORT HILLS ROAD • LIVINGSTON, NEW JERSEY 07039 • (201) 533-5000