

January 29, 1997

José L. Fernández, M.D.  
160 Ponce de León Avenue  
San Juan, Puerto Rico 00901

SUBJECT: REVIEW OF DR. LUIS VAZQUEZ'S PATIENT RECORDS

Dear Dr. Fernández:

As discussed in our enclosed October 28, 1996 letter, we need to obtain a list of patients who were treated under the NRC license issued to Dr. Vázquez. The license was for the use of strontium-90 for the treatment of eye disease. Based on the referenced letter, it was our understanding that you were going to provide such a list to us. To date, we have not received this list.

Now that you have a consultant reviewing your records to determine those patients misadministered, we want to begin review of Dr. Vázquez's records for the same purpose. Please submit the list described above and keep a copy for your records. We plan to come to your Mayagüez office to determine the extent of review and schedule to complete on February 7, 1997, at 1:00 p.m. We plan to conduct the review during the month of February 1997.

If you have any question, please contact John Potter of my staff at (404) 331-5571.

Sincerely,

(Original signed by B. Mallett)

Bruce S. Mallett, Director  
Division of Nuclear Materials Safety

Enclosure: Letter to Dr. Fernández, dated October 28, 1996

Docket No. 030-31873  
License No. 52-25114-01

cc w/encl: Commonwealth of Puerto Rico

Carmen Feliciano, M. D., Secretary  
Puerto Rico Department of Health  
P. O. Box 10427  
Caparra Heights Station  
Rio Piedras, PR 00922-0427

(Distribution cont'd on page 2)

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J. Fernández

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Distribution w/encl:

D. Cool, NMSS

J. Piccone, NMSS

C. Hosey, RII

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RII Docket Files, DNMS

\* See previous concurrence

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|-----------|------------|------|----------|------|------|------|------|------|
| OFFICE    | RII-DNMS   |      | RII-DNMS |      |      |      |      |      |
| SIGNATURE |            |      |          |      |      |      |      |      |
| NAME      | HBermudez* |      | JPotter* |      |      |      |      |      |
| DATE      | 01 /       | / 97 | 01 /     | / 97 | 01 / | / 97 | 01 / | / 97 |
| COPY?     | YES        | NO   | YES      | NO   | YES  | NO   | YES  | NO   |

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*Official*

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Bruce S. Mallett, Director  
Division of Nuclear Materials Safety

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

D. Cool, NMSS

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C. Hosey, RII

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| OFFICE    | RII DNMS  | RII DNMS  |           |           |           |           |
| SIGNATURE |  |  |           |           |           |           |
| NAME      | HBermúdez   | JPotter   |           |           |           |           |
| DATE      | 01 / 29 / 97  | 01 / 29 / 97  | 01 / / 97 | 01 / / 97 | 01 / / 97 | 01 / / 97 |
| COPY?     | YES NO  | YES NO  | YES NO    | YES NO    | YES NO    | YES NO    |

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
101 MARIETTA STREET, N.W., SUITE 2900  
ATLANTA, GEORGIA 30323-0199

October 28, 1996

José L. Fernández, M.D.  
160 Ponce de León Ave.  
San Juan, Puerto Rico 00901

SUBJECT: PRESERVATION OF DR. LUIS VÁZQUEZ PATIENT RECORDS

Dear Dr. Fernández:

This confirms our understanding of the actions you agreed to take concerning certain patient records. Based on a telephone conversation between you and John Potter of this office on October 23, 1996, it is our understanding that you will take the following actions:

1. Preserve patient records acquired from Dr. Luis Vázquez, for any patients that may have been treated with the miscalibrated Sr-90 eye applicator, subsequently transferred to you. This preservation will continue until a review of the files for misadministration is complete and verified by the NRC.
2. Perform a computer search, to determine the identity of the patients who were treated with the Strontium-90 applicator by Dr. Vázquez during the time the dose rate was in error (September 1990 - January 1994).

Although you are not responsible for any misadministrations by the late Dr. Vázquez, as successor to his practice and NRC license, you are in the best position to review his records for any patients that may have been treated with the Strontium-90 applicator.

If your understanding of the discussion differs from the above, please contact me.

Sincerely,

Bruce S. Mallett, Director  
Division of Nuclear Materials Safety

Docket No. 030-31873  
License No. 52-25114-01

cc: Commonwealth of Puerto Rico

Carmen Feliciano, M.D., Secretary  
Puerto Rico Department of Health  
P.O. Box 10427  
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Rio Piedras, PR 00922-0427

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