



Empowering the lives of teenagers and young adults with cancer

February 7th 2024

The Honorable Morgan Griffith (R-VA)
2202 Rayburn House Office Building
Washington, DC 20515

The Honorable Don Davis (D-NC)
1123 Longworth House Office Building
Washington, DC 20515

The Honorable Ben Cline (R-VA)
2443 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Griffith, Davis, and Cline:

I am writing to thank you for introducing the Nuclear Medicine Clarification Act (H.R. 6815) and encourage you to use any additional oversight tools at your disposal – including official letters and Congressional hearings – to ensure this issue is corrected quickly.

We believe that instead of protecting patients, the NRC is more concerned about the industry they regulate. That is why I filed a complaint with the U.S. Nuclear Regulatory Commission (NRC) Office of Inspector General (OIG) on behalf of the Patients for Safer Nuclear Medicine Coalition (PSNM). Our complaint demonstrates that the NRC has not taken the appropriate steps to protect patients. As a result, our complaint is highly relevant to your legislative work and demonstrates why your introduced legislation is so important to patients.

We are not the only ones who believe NRC is neglecting patients. NRC OIG requested to meet with us in Spring 2022 following [public accusations](#) from prominent individuals in the nuclear medicine community that NRC medical staff is far too heavily influenced by the industry that it is charged with regulating. At that time, we expressed deep concern with NRC's ongoing failure to address the incorrect policy that exempted all nuclear extravasations from medical event reporting. We provided OIG with additional documentation in October 2022, January 2023, and February 2023 and an introduction to others who could shed light on the excessive influence of nuclear medicine clinicians on the NRC.

After not hearing of any progress, we filed an [official complaint](#) with OIG in October 2023 providing five specific examples of how NRC has failed to appropriately protect

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patient safety. We provided supporting evidence for our allegations and examples. We included meeting minutes from NRC's Advisory Committee on Medical Use of Isotopes (ACMUI). We showed bias and conflicts of interest among those advising NRC. We showed how the NRC ignored relevant clinical data submitted through official public comment. We provided evidence of factual errors in official NRC documents. And we highlighted glaring inconsistencies in the Commission's arguments and reasoning. We were pleased that in response to our official complaint, OIG opened an investigation into NRC mismanagement of its policy on nuclear medicine extravasations. However, it is difficult to have full confidence that this investigation has the resources and urgency commensurate with the gravity of the issue. On January 18, 2024, OIG informed me that any findings in their investigative or audit reports, are issued to NRC, "which is not obligated to take any action." OIG continued, "the agency can simply acknowledge receipt of the report and take no action." It is not clear to me that we will be entitled to see a copy of the report once it is complete.

Our interaction with NRC – and the negative impact that the Commission's dereliction has on patients – is proof positive of the need for Congressional oversight and legislation. That is why we were gratified to see your introduction of the Nuclear Medicine Clarification Act, which would direct NRC to take the step that the Commission should have taken on its own many years ago. NRC has known since 2008/2009 that their original reporting exemption of these accidental radiation exposures was in error. Yet, they continue to hide this issue and protect those they regulate, rather than patients. This is no different than Boeing Corporation telling the FAA that their planes pass all inspections and there is nothing to worry about.

Again, thank you for your work. I offer myself as a resource if you need further information and look forward to working together.

Sincerely,



Simon Davies
Executive Director
Teen Cancer America, a partner in the Patients for Safer Nuclear Medicine Coalition