



PUBLIC HEALTH DIVISION
Center for Health Protection

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TO: The Honorable Laurie Monnes Anderson, Chair
Senate Health Care Committee

FROM: Steven A. Wagner, MPH, JD
Public Health Division
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SUBJECT: SB 228, Radiation Protection Services Fees

Chair Monnes Anderson and members of the committee, I am Steven Wagner of the Oregon Health Authority. Thank you for the opportunity to testify before you today in support of Senate Bill 228, which would increase radiation user registration and licensing fees to sustain current operations through the 2015-2017 biennium. Increased fees will sustain current service levels and not add additional staff or provide for capital expenditures.

The health and safety of every Oregonian is impacted by positive applications of radiation. Examples include dental X-rays to prevent cavities, Gamma Knives to treat cancer, gauges containing radioactive materials for food processing and industrial radiography cameras to ensure the integrity of building steel girders.

SB 228 allows Radiation Protection Services (RPS): 1) to increase X-ray program user registration fees 25% - For example, a dentist would now pay a \$140 biennial fee instead of \$112; 2) to change the tanning program fee cap from \$100 per device up to \$150; and 3) to increase the radioactive material licensing fee cap from \$3000 to \$5000. The bill will generate revenue to cover the cost of the program. We require \$593,755 in increased fees to help assure the ongoing health and safety of Oregonians.

The Radiation Protection Services Section of the Public Health Division's, Center for Health Protection, is the state's sole radiation control agency charged with protecting Oregonians from unnecessary and harmful radiation exposure. This is accomplished by the regulation and inspection of 4268 facilities which use approximately 14,000 radiation producing devices and sources of radiation.

RPS public protection and regulatory operations are 100% dependent on user registration and licensing fees: no General Funds support the program.

Oregon's fees are low compared to neighboring states. Proposed X-ray registration fees would still be 50% below the total average fees derived from California, Washington, and Nevada. Its radioactive material licensing fees are more than 50% lower than the Nuclear Regulatory Commission. X-ray and tanning program user-fees were last increased in 2007. The last radioactive material licensing fee cap was put in place more than 15 years ago. Radiation user registration and licensing fees have not kept pace with inflation.

RPS currently has an 18-member staff. The Conference of Radiation Control Program Directors, Inc. "Criteria for an Adequate Radiation Control Program" recommends that Oregon should have a 22-member staff to regulate its registrants and licensees.

If fees are not increased, the Radiation Protection Services Section will have to reduce services which will increase the potential for harmful radiation exposure and injury to patients, workers, and the public.

It will be necessary to reduce the 18-member RPS staff 5.7 FTE by the end of the 2017-2019 biennium. This will effectively eliminate the tanning program regulation and enforcement elements, leaving only a device registry. There would be no enforcement of underage tanning restrictions, an increase in preventable tanning bed burn incidents and an increase in the risk of Melanoma incidents (the deadliest form of skin cancer, now the second most common cancer in both males and females ages 15-29, according to the American Academy of Dermatology).

The X-ray program will have fewer Radiation Health Physicists to complete facility inspections and provide less ongoing radiation safety education to registrants. The radioactive material licensing program will be in jeopardy of breaching our obligations as a Nuclear Regulatory Commission Organization of Agreement state member.

In addition, RPS will have fewer staff to: conduct timely radiation incident mitigation and consumer complaint follow up; train local and state radiological emergency first responders-receivers; offer radioanalytical laboratory services to test agricultural products, and complete environmental surveillance activities- for example, sampling and testing for possible Fukushima radiation in Oregon's seawater and coastal drinking water.

SB 228 is essential to ensure the ongoing health and safety of Oregonians.

The Public Health Division would be pleased to provide the committee with additional information as needed. Thank you for the opportunity to provide you with this testimony.