



## Texas Radiation Advisory Board

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February 5, 2004

Albert Hawkins  
Executive Commissioner  
Texas Health and Human Services Commission  
P.O. Box 13247  
Austin, TX 78711

Dear Commissioner Hawkins:

The Texas Radiation Advisory Board has advised the state about the regulatory program for radiation protection since 1962 and has seen this program evolve throughout the years.

I am writing to offer our recommendations on the organizational structure that we believe will best serve our state in providing cost-effective and comprehensive radiation safety and contribute positively to homeland security. In short, the paucity of information on the specifics of the reorganization do not lend well to understanding the actions or intent of the state in this activity. However, the advertised reorganization of the department along functional lines, while reducing the size of the overall organization, works counter to the intent of consolidation by dispersing the radiation protection functions throughout the new organization.

Contrary to the statements of the department, this does not create a functional, or *function-based*, organization. This creates an *activity-based* organization that will work counter to the best interests of Texans. [M. Ford note: function-based organizations are generally organized along functional lines where a "function" may be "engineering" or "radiation protection" or "environmental restoration." Within such functional organizations, there may be "activities" that are common across many functional lines. For example, "compliance," "budgeting," "design," and "procurement" are activities that can be found in many functional organizations. Even though there exists common "activities," it makes no sense to create organizations by grouping common activities since it subdivides unnecessarily the overarching function of the original organization(s).]

Unlike many of the health programs and functions, the radiation protection is not client-service-based. Nor does it lend itself to the planned functional organization. The business of radiation protection regulation requires an integrated, collaborative approach that develops an essential safety infrastructure for our society. The regulatory program has addressed a wide spectrum of radiation safety concerns ranging from the old shoe-fitting fluoroscopes of the 1950s, the uranium industry in all phases from start to decommissioning and reclamation, the academic sector and all its complexity, the industries of Texas, and the many medical applications of radiation up to and including the state-of-the-art proton accelerator therapy facility that M.D. Anderson is currently constructing.

This diversity requires a broad array of functions such as environmental monitoring, surveillance and assessment; financial security determinations; decommissioning; reclamation; emergency response planning and execution; and interaction with local officials on the many radiation protection issues communities face in today's environment of heightened public concerns. Unlike some of the common administrative and support functions, these are functions that are not included in the generic structure of a "health" organization. Therefore, they do not appear to fit in the structure that is posted on the website for comment.

Radiation protection in Texas is evaluated and inspected by a staff of health physicists who: measure emissions from different types of radiation machines and radioactive materials, determine and predict the movement of radioactivity through the environment, and evaluate plans and facilities for radiologically safe equipment, processes, and environments.

Individuals with this expertise are few and far between and the current program experiences a high turnover rate and great difficulty in recruiting this caliber of individual because state salaries are not competitive with the private and federal sectors.

We are seriously concerned that division of the radiation staff into other areas of the Department of State Health Services on the sole basis of the commonality of activities will dilute the resources that we have for radiation protection in Texas. As they currently operate, each of these specially trained individuals works in collaboration on the many radiation issues. For instance, each staff member is a participant in the state's radiological emergency response team. Dispersing radiation protection personnel throughout this proposed *activity-based* organization will be detrimental to the state's ability to effectively carry out its radiation protection program functions.

To cite an example from the proposed organizational chart, the "enforcement" group may collect the common enforcement activities from several functional areas. However, while "manufactured foods" and "radiation control" may both undertake enforcement activities, Texans garner no benefit from the combination of these two functional areas under one common activity. How, for instance, would one ever find an individual qualified through education and experience to manage an enforcement group whose

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expertise ranges from food safety to radiation control? I don't think such an individual exists.

I understand the commission desires to provide the best, most cost-effective service to Texans and we agree with that wholeheartedly. We believe it is in the best interest of Texans to ensure that the regulatory efforts of radiation protection be a collaborative one that can achieve maximum success only through a concerted effort. Because unique radiation protection functions are not common to other health programs, we believe that duplication cannot be eliminated nor a dollar savings be achieved by reorganization along *activity-based* lines.

Our recommendations are made with the belief that a united radiation program is in the best interest of radiation protection in Texas. This is achievable in a department organized along truly *functional* (or programmatic) lines.

Please contact me if you need any further information to aid you in making your decisions.

Very truly yours,

Original signed by:

Michael S. Ford, C.H.P.  
Chair

cc: Representative Warren Chisum