



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Food and Drug Administration
7200 Lake Ellenor Drive
Orlando, FL 32809

WARNING LETTER

FLA-97-14

January 10, 1997

Robert Thorne, CEO
Associates in Diagnostic Imaging-Mobile
6736 University Drive
Tamarac, Florida 33321

Dear Mr. Thorne:

Your facility was inspected on November 11, 1996 by a representative of the State of Florida, State Department of Health and Rehabilitative Services, Office of Radiation Control, under contract to the Food and Drug Administration (FDA). This inspection revealed that your facility failed to comply with certain items of the Quality Standards for Mammography (Standards) as specified in Title 21, Code of Federal Regulations (CFR), Part 900.12, as follows:

- The interpreting physician, [REDACTED] is not licensed to practice medicine in the State of Florida, and
- [REDACTED] is not board certified by an approved board or have two months of full-time training in the interpretation of mammograms.

The specific deficiencies noted above appeared under Level 1 heading on your MQSA Facility Inspection Report, which was issued at the close of the inspection.

In addition, your response should address the level 2 noncompliances that were listed on the inspection report provided to you at the close of the inspection. The Level 2 noncompliances are as follows:

- The interpreting physician, [REDACTED] does not have the initial training of 40 hours of continuing medical education in mammography, and
- [REDACTED] does not have the required initial experience in the reading and interpretation of mammograms (reading and interpreting mammograms from the examinations of at least 240 patients in 6 months).

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This letter is not intended to be an all-inclusive list of deficiencies at your facility. It is your responsibility to ensure adherence to each requirement of the Mammography Quality Standards Act of 1992 and regulations under the Act. The specific deficiencies noted in the letter and in the printed summary of test results listed under the Level 1 heading on your MQSA Facility Inspection Report, issued at the close of the inspection, may be symptomatic of serious underlying problems in your facility's quality assurance program for mammography.

You should take prompt action to correct these violations. Failure to promptly correct these violations may result in regulatory action being initiated by the Food and Drug Administration without further notice. A facility may be subject to civil money penalties up to \$10,000 for each failure to substantially comply with, or each day on which a facility fails to substantially comply with the Standards. A facility may also have its certificate suspended or revoked for failure to comply with the Standards. Continuation or any activity related to the provision of mammography by a facility that constitutes a serious risk to human health may result in injunction.

You should be advised that FDA regulations do not preclude enforcement of requirements under State laws and regulations. In some cases, State requirements may be more stringent than requirements under FDA regulation. You may receive a letter or notification from the State advising you of this fact. When conducting corrective actions, you should take into consideration the more stringent State requirements. A copy of your response to the FDA should always be sent to the State radiation control office that conducted the inspection referenced in this letter. You may choose to address both FDA and State requirements in your response.

Please notify this office in writing within 15 working days of receipt of this letter, of the specific steps you have taken to correct the noted violations including an explanation of each step being taken to prevent the recurrence of similar violations. If corrective action cannot be completed within 15 working days, state the reason for the delay and the time within which the correction will be completed.

The original copy of your response should be sent to Timothy J. Couzins, Compliance Officer, Food and Drug Administration, 7200 Lake Ellenor Drive, Suite 120, Orlando, Florida 32809. Also send a copy to the State Radiation Control Office at the Department of Health and Rehabilitative Services, Office of Radiation Control, P.O. Box 210, Jacksonville, FL 32231.

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If you have any questions regarding this letter or how to ensure you are meeting MQSA standards, please call Penny E. Glebowski, FDA Investigator, at (813) 228-2671 ext. 17.

Sincerely yours,

A handwritten signature in black ink that reads "Douglas D. Tolen". The signature is written in a cursive style with a long horizontal line extending to the right.

Douglas D. Tolen
Director, Florida District