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DEPARTMENT OF HEALTH & HUMAN SERVICES
Public Health Service
Food and Drug Administration
SOUTHWEST REGION

Office of the Regional
Food and Drug Director
7920 Elmbrook Drive, Suite 102
Dallas, TX 75247-4982
TELEPHONE: 214-655-8100
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June 20, 2001

WARNING LETTER

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

01-SWR-WL-55/7

Phil Middlebrook
Director of Radiology
Dallas Southwest Medical Center
2929 South Hampton Road
Dallas, TX 75224

RE: Inspection ID - 1088110007

Dear Phil Middlebrook,

On June 7, 2001, a representative of the State of Texas acting in behalf of the Food and Drug Administration (FDA) inspected your facility. This inspection revealed a serious regulatory problem involving the mammography at your facility.

The Mammography Quality Standards Act of 1992 requires your facility to meet specific standards. These requirements help protect the health of women by assuring that a facility can perform quality mammography. The inspection revealed the following level 1 and repeated level 2 findings at your facility:

Level 1: The system to communicate results is not adequate for site because:

-There is no system in place to provide timely lay summaries.

Level 2 repeat: Failed to produce documents verifying that the radiologic technologist [REDACTED] (12 CEU's in 36 months) met the continuing education requirement of having taught or completed at least 15 continuing education units in mammography in 36 months.

[A finding is considered a repeat finding if the same type of violation was cited during the previous inspection, whether or not the finding is associated with the same piece of equipment (x-ray unit, processor, or darkroom) or the same personnel in a given category.]

The specific problems noted above appeared on your MQSA Facility Inspection Report, which was issued to your facility at the close of the inspection.

Level 1 and repeated level 2 findings may be symptomatic of serious underlying problems that could compromise the quality of mammography at your facility. They represent a serious violation of the law which may result in FDA taking regulatory action without further notice to you. These actions include, but are not limited to:

- Placing your facility under a Directed Plan of Correction.
- Charging your facility for the cost of on-site monitoring.
- Assessing civil money penalties up to \$10,000 for each failure to substantially comply with, or each day of failure to substantially comply with, the Standards.
- Suspension or revocation of your facility's FDA certificate, or obtaining a court injunction against further mammography.

In addition, your response should address the level 2 and repeated level 3 findings that were listed on the inspection report provided to you at the close of the inspection. The inspection revealed the following level 2 and repeated level 3 findings:

Level 2: Failed to produce documents verifying that the interpreting physician [REDACTED] met the continuing experience requirement of having interpreted or multi-read 960 mammograms in 24 months.

Level 2: Failed to produce documents verifying that the interpreting physician [REDACTED] met the continuing experience requirement of having interpreted or multi-read 960 mammograms in 24 months.

Level 2: Medical audit and outcome analysis was not done for the facility as a whole.

Level 2: Medical audit and outcome analysis was not done separately for each individual.

Level 2: Medical audit and outcome analysis was not performed annually.

Level 2: There is no designated audit (reviewing) interpreting physician.

Level 3 repeat: The required personnel qualification documents were not available during the inspection.

It is necessary for you to act on this matter immediately. You are required to respond to this office in writing within fifteen (15) working days from receipt of this letter. Please address the following:

- The specific steps you have taken to correct all of the violations noted in this letter.
- Each step your facility is taking to prevent the recurrence of similar violations.
- Equipment settings (including technique factors), raw test data, and calculated final results, where appropriate.
- Sample records that demonstrate proper record keeping procedures, if the findings relate to quality control or other records (Note: Patient names or identification should be deleted from any copies submitted).

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Please submit your response to:
Deborah M. McGee, Radiation Specialist
Food and Drug Administration
7920 Elmbrook Drive, Suite 102
Dallas, TX 75247-4982

This letter pertains only to findings of your inspection and does not necessarily address other obligations you have under the law. You may obtain general information about all of FDA's requirements for mammography facilities by contacting the Mammography Quality Assurance Program, Food and Drug Administration, P.O. Box 6057, Columbia, MD 21045-6057 (1-800-838-7715) or through the Internet at <http://www.fda.gov>.

If you have more specific questions about mammography facility requirements, or about the content of this letter, please feel free to contact Deborah M. McGee at (214) 655-8100 ext. 138.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gary L. Pierce". The signature is stylized with a large, sweeping initial "G" and a long horizontal stroke extending to the right.

Gary L. Pierce
Regional Food and Drug Director