



DEPARTMENT OF HEALTH & HUMAN SERVICES

m 39211

New York District

Food & Drug Administration
300 Pearl Street, Suite 100
Buffalo, NY 14202

July 11, 2000

WARNING LETTER NYK 2000-84

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Mirabito, Administrator
Chenango Memorial Hospital
179 North Broad Street
Norwich, New York 13815

RE: Facility ID Number 157594

Dear Mr. Mirabito:

Your facility was inspected on June 29, 2000 by a representative of the New York State Department of Health, acting on behalf of the Food and Drug Administration (FDA). This inspection revealed serious regulatory problems involving the mammography at your facility.

Under a United States Federal law, the Mammography Quality Standards Act of 1992, your facility must meet specific requirements for mammography. These requirements help protect the health of women by assuring that a facility can perform quality mammography. The inspection revealed the following Level 1 findings at your facility:

- *Mammograms were processed in the [REDACTED] processor when it was out of limits on 23 days.*
- *Phantom QC records were missing for 5 weeks for the [REDACTED] unit.*

The specific problems noted above appeared on your MQSA Facility Inspection Report which was issued to your facility at the close of the inspection. These problems are identified as Level 1 because they identify failure to meet significant MQSA requirements.

Because these conditions may be symptomatic of serious underlying problems that could compromise the quality of mammography at your facility, they represent violations 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 MQSA standards; suspension or revocation of your facility's FDA certificate; obtaining a court injunction against further mammography.

In addition, your response should address the Level 2 findings that were listed on the inspection report provided at the close of the inspection. The Level 2 findings are:

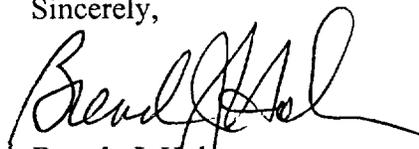
- *There is no written procedure for handling consumer complaints.*
- *There is no written procedure for infection control.*
- *Corrective actions for processor QC failures were not documented at least once for the [REDACTED] processor.*
- *Corrective action for a failing image score was not documented for the [REDACTED] unit before performing further exams.*
- *The phantom QC is not adequate for the [REDACTED] unit because the operating level for the background density is less than 1.20 OD units.*

It is necessary for you to act on this matter immediately. Please explain to this office in writing within fifteen (15) working days from the date that you receive this letter each step your facility is taking to correct these violations and to prevent the recurrence of similar violations.

Please submit your response to the attention of Lisa M. Utz, Compliance Officer, U.S. Food and Drug Administration, 300 Pearl Street, Olympic Towers, Suite 100, Buffalo, New York 14202.

Finally, you should understand there are many FDA requirements pertaining to mammography. 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, Maryland 21045-6057 (1-800-838-7715), or through the Internet at <http://www.fda.gov>.

Sincerely,



Brenda J. Holman
District Director