



April 2, 2024

VIA FACSIMILE (630) 515-1078

Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352
Attention: Magdalena R. Gryglak

Re: Notice of Change of Information – Helen Newberry Joy Hospital Corporation-
Transitioning to a Michigan Nonprofit Corporation Act Hospital; NRC License #21-
32004-01

CHANGE OF CONTROL NOTICE

Dear Ms. Gryglak or to Whom It May Concern:

Helen Newberry Joy Hospital currently holds a Materials License issued by the U.S. Nuclear Regulatory Commission ("NRC"), License # 21-32004-01 ("License"). In connection with the License, please accept this letter as notice of a transition, which is currently contemplated to become effective on or about July 1, 2024. The transition will be from a County Health Facility Corporation autonomously operated by a Board of Trustees selected by the Luce County Board of Commissioners under the Michigan Municipal Health Facilities Corporations Act, to an independent directorship nonprofit corporation with the Board of Trustees independently governing as the board of directors under the Michigan Nonprofit Corporation Act. No change in the composition of the Board of Trustees is planned or expected after the transition.

Although a Municipal Health Facilities Corporations Act hospital corporation's operations are conducted on a public and not-for-profit basis, it is not a "nonprofit corporation" under the Michigan Nonprofit Corporation Act ("Nonprofit Act"). Transitioning to a nonprofit corporation under the Nonprofit Act will provide Helen Newberry Joy Hospital with agility to react to the many rapid changes affecting the health care market. This transition will also provide Helen Newberry Joy Hospital with greater flexibility to react to potential business development opportunities or arrangements improving the ability to provide continuing quality care to our communities.

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This letter provides a brief description of the contemplated transition and additional information we believe the NRC may require. Note that, with the exception of the Act under which the Helen Newberry Joy Hospital will operate, no other changes are requested with respect to the license, and the transition will not result in any plans to change: (i) facility operations; (ii) personnel or duties that relate to the License; or (iii) facility location, equipment, facilities, radiation safety program, use, possession, waste management, or other procedures that relate to the License.

While we are providing a description of the transition to be transparent and informative with the NRC, it is our understanding that no further action on Helen Newberry Joy Hospital's part is required with regard to the License. It is also our understanding that no further action should be required on behalf of the NRC as it relates to the License in connection with this transition.

Helen Newberry Joy Hospital is and will continue to be a tax-exempt nonprofit hospital under Internal Revenue Code Section 501(c)(3) serving the underserved areas and residents of the Upper Peninsula in Michigan. A restructuring of the hospital corporation through this transition to a nonprofit corporation with the hospital becoming subject to the Nonprofit Act does not impact its corporate status and although the Corporation is restructured, it is considered a continuation of the original corporation under Michigan law. The formal name of the corporation that owns the hospital facility is "Helen Newberry Joy Hospital Corporation" and "Helen Newberry Joy Hospital" is and will continue to be used as the name of the same hospital facility. Helen Newberry Joy Hospital is licensed by NRC to use:

- a. Any byproduct material permitted by 10 CFR 35.100 for any uptake, dilution and excretion study;
- b. Any byproduct material permitted by 10 CFR 35.200 for any imaging and localization study;

To facilitate this transition, the corporate governing structure of Helen Newberry Joy Hospital will be changed to a nonprofit directorship corporation, which legally has no "owners" but is controlled entirely by a Board of Trustees (legally the directors) in a nonprofit context. After the transition, Helen Newberry Joy Hospital will carry on and operate the hospital in substantially the same manner, including with regard to day-to-day decision-making. Consequently, the ultimate control over the license will continue to be vested in Helen Newberry Joy Hospital.

In addition to the above description of the transition, we are providing the following, consistent with our understanding of additional information the NRC will require to act on this request:

1. ***Description of any changes in personnel or duties that relate to the licensed program, including training and experience for new personnel.***

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There will not be any changes in personnel or duties that relate to the licensed program arising out of the transition.

2. Description of any changes in organization, location, facilities, equipment or procedures that relate to the licensed program.

There will be no changes in organization, location, facilities, equipment or procedures that relate to the licensed program and the organization, location, facilities, equipment, and procedures that relate to the licensed program will remain intact.

3. Description of the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.

The surveillance program (surveys, wipe test, quality control) records are complete and up to date. The surveillance program will continue without change following the transition. Records of program audits are available for review as are the NRC inspection reports, and there are no open items requiring corrective action.

4. Confirmation that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.

Helen Newberry Joy Hospital has not decommissioned any facility with respect to its nuclear medicine program and no decommissioning will be performed as a result of the transition. All records that would be required for possible future decommissioning will remain at Helen Newberry Joy Hospital and be available to assist in performing decommissioning if it becomes necessary.

5. Confirmation that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.

Although there is no "transferee" in relation to this transition, Helen Newberry Joy Hospital will continue to abide by all constraints, conditions, requirements and commitments previously made.

6. Provide documentation that the transferor and transferee agree to the change in ownership or control of the licensed material and activity, and the conditions of transfer; and the transferee is made aware of all open inspection items and its responsibility for possible resulting enforcement actions.

Although there is no "transferee" in relation to this transition, Helen Newberry Joy Hospital as it had under the Michigan Municipal Health Facilities Act and now under

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the Michigan Nonprofit Corporation Act, will continue to abide by all constraints, conditions, requirements and commitments previously made.

If you have any questions or need further information regarding the Transaction, please feel free to contact Dr., Zachary Smith, Radiation Safety Officer, Helen Newberry Joy Hospital, who can be reached at the following phone number: (906) 485-2793. Dr., Zachary Smith is the current Radiation Safety Officer and will continue in that role following the transition.

Should you have any questions or concerns regarding this notice, please contact myself or Gregory Drutchas, counsel for Helen Newberry Joy Hospital, at greg.drutchas@kitch.com, at your earliest convenience.

Thank you for your attention to and assistance with this matter.

Very truly yours,



Hunter Nostrant
President and CEO
Helen Newberry Joy Hospital and
Healthcare Center

cc: Greg Drutchas, Kitch Attorneys & Counselors, PC

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