

**WEST VIRGINIA MEDICAL IMAGING & RADIATION
THERAPY TECHNOLOGY BOARD OF EXAMINERS**

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March 25, 2009

BOARD MEETING

Members Present	Members Excused	Office Staff	Guest
Alice Belmont, Chairperson	John Leon M.D.	Grady Bowyer	Tommy Parsons
Jamie Browning	Nancy Godby	Nicole Cofer, Attorney	
Melissa Haye	I. Elaine Moore M.D.		
Jeanne Morris			
Grace Peters			
Nancy Oughton			
Robert Smith M.D.			
James Wilson			

The meeting was called to order by Ms. Belmont, Chairperson, at 5:20 PM.

MINUTES:

A motion was made and seconded to accept the minutes of October 8, 2008 as presented. Motion carried.

FINANCIAL REPORT:

The financial report including the credit card expenditures were presented by Mr. Bowyer. Motion was made and seconded to accept the financial report and credit card expenditures as presented. Motion carried.

COMPLAINTS :

A. Ms. Cofer discussed the Consent Agreement negotiated with the licensee concerning Complaint # 02-FY2009 - self reporting of conviction of attempt to commit a felony. The signed Consent was received in the office that day and, if acceptable to the Board, would be approved and entered into the record. After explaining and discussion, motion was made and seconded to accept the Consent Agreement as negotiated. Motioned carried. Mr. Bowyer will inform the licensee that the Consent Agreement has been accepted, instructions on the points of the agreement requiring immediate attention.

B. Mr. Bowyer informed the Board that hearing was held concerning the violation of the Consent Agreement agreed to by Lee S. Casto and the Board. The hearing was held on January 29, 2009 and the final ruling from the Hearing Examiner, Jack McClung, is pending.

C. Mr. Bowyer informed the Board that hearing was held concerning the Complaint # 01-FY2009, injection of medication without a physicians involvement. The hearing is being re-convened on April 2, 2009 before Jack McClung, Hearing Examiner, for further presentation of evidence.

LEGISLATION UPDATE:

A. Mr. Bowyer informed the Board that the proposed changes submitted to the Legislature for revisions to the W. Va. Code dealing with the Board have been approved by the House of Delegates and is in the Senate's Government Organization Committee. The bill, HB 2423, should be on the agenda next week and, if approved, be submitted to the floor of the Senate for approval. If approved by the Senate without any changes, will then be sent to the Governor for approval. The Board discussed the effective date of this legislation and decided to place an effective date of July 1, 2009 upon passage and signing.

OLD BUSINESS:

A. Scope of Practice Position Statements - The Board discussed this matter and decided to place this matter in a committee consisting of Ms. Belmont, Ms. Haye, Ms. Godby, Ms. Oughton, & Mr. Wilson for discussion and drafting of Positions Statements for the scope of practice for all licensees. Chris Paugh, Director of the Radiation Therapy Program at WV University Hospitals, will be invited for input on matters relating to Radiation Therapy, since there isn't a Radiation Therapy representative on the Board.

NEW BUSINESS:

A. Operation of fluoroscopic unit by a physician assistant in surgery: This matter was brought before the Board for discussion and resolution. The Board, after discussion, determined that only a licensed technologist or a licensed practitioner (ex. - physician) can operate the fluoroscopic unit in surgery. A motion was made and seconded to adopt this statement. Motion carried. This includes turning the unit on, setting the control factors, adjusting settings previously made by the surgeon, manipulating a fluoroscopic unit to obtain a better view & turning off the unit at the conclusion of the procedure. If the physician assistant is licensed by the WV Board of Medicine as a Radiologist Assistant (RA-C), they would be able to perform these duties. Mr. Bowyer will submit a written response to the facility.

B. Operation of a CT unit for Radiation Therapy Planning by a n individual licensed as a Radiation Therapy Technologist (RT (T)): This matter was brought before the Board for discussion and resolution. The Board, after discussion, determined that only a licensed technologist as RT (R) or a licensed practitioner (ex. - physician) can operate the CT unit for therapy planning. A motion was made and seconded to adopt this statement. Motion carried. Mr. Bowyer will submit a written response to the facility.

C. Radiologic Technologist doing non-interpretative fluoroscopic procedures for a physician assistant: This matter was brought before the Board for discussion and resolution. The Board, after discussion, determined that a licensed technologist can perform non-interpretative fluoroscopic examinations for a physician assistant provided the facility has a written policy stating such. The physician assistant cannot perform the fluoroscopic procedure unless they have a license from the Medical Imaging Board. A motion was made and seconded to adopt this statement. Motion carried. Mr. Bowyer will submit a written response to the facility.

D. Qualifications for sitting for the state examination: The Board discussed this matter and decided to place this matter in a committee consisting of Ms. Belmont, Ms. Haye, Ms. Godby, Ms. Oughton, & Mr. Wilson for discussion and drafting of the qualifications for individuals wanting to sit for the state examination.

E. Changes to Series 6 Rule: The Board discussed this matter and decided that 4.8 of the Series 6 Rule

should be changed. A motion was made, seconded and passed to have Mr. Bowyer begin the procedure to change this Interpretative Rule. The new Series 6 Rule, section 4.8, will read "Interpretative fluoroscopic procedures are to be performed only under the direct supervision of a West Virginia licensed physician, with the exception of spotting of the terminal ileum by a properly trained, licensed radiographer. Direct supervision is defined as a West Virginia licensed physician being in the room or by live remote audio / video."

F. Signature on licenses: Mr. Bowyer discussed a Legislative Audit of several years ago in which the Board was cited for having signed, uncompleted licenses in the office. Procedures have been implemented to print the signature onto the license directly from the computer. This allows much greater security of the licenses as there are two log-on ID's and passwords that must be used in order to complete the licensing process.

G. Purchase of projector: Mr. Bowyer was approached by a Board member about the possibility of purchasing a projector for use in committee meetings and board meetings. After discussion, motion was made, seconded and passed to have Mr. Bowyer purchase an Epson EX90 projector for the Board's use.

H. Electronic mailing lists: The Board office has been asked several times to sell electronic mailing lists instead of mailing labels. After discussion, a motion was made, seconded and passed that an Excel spreadsheet electronic mailing list would be sold in lieu of the printing of mailing labels **upon request**. The cost of purchase will remain the same as the mailing labels.

I. Minimum starting salary: Mr. Bowyer informed the Board that the minimum starting salary for the Administrative Secretary's position has been upgraded. The administrative Secretary is currently making over \$ 3,000.00 less than the minimum starting salary. Mr. Bowyer urged the Board to upgrade the salary to the minimum starting salary effect July 1, 2009. A motion was made, seconded and unanimously approved for Mr. Bowyer to begin the paperwork to implement this increase effective July 1, 2009.

J. American Registry of MRI Technologist (ARMRIT) Conference: Ms. Oughton attended the ARMRIT in Las Vegas as the Board's representative. She reported that this was a very good meeting and a lot of discussion was done concerning the role of an MRI technologist in today's healthcare field.

K. WV Society of Radiologic Technologist: Ms. Godby attended the conference as the Board's representative. In her absence, Ms. Hays gave a report on the meeting as she was also there but representing her program instead of the Board. Ms. Hays stated that the speakers were high quality and attendance was up for this meeting, actually more technologist than students.

L. Request to buy notebook computer for use by the Attorney General's representative to the Board: Mr. Bowyer discussed the need for our AG representative to have access to electronic documents of all of our laws, complaint files, disciplinary actions, court papers, etc especially during a hearing. At the last hearing of the Board, both of the files were several inches thick and time was spent looking through the pages for certain documents. By having the entire file available electronically, the hearings and other matters would run a lot smoother. After discussion and the opinion of our AG rep, a motion was made, seconded and unanimously approved to proceed with the purchase of a notebook computer (not a laptop) for the Board's attorney general representative's use.

M. Changes in State testing protocol: Discussion was held on the American Registry of Radiologic Technologist (ARRT) change in testing protocol for state examinations. ARRT policy will change in that the state exam will count towards the applicant's three exams in three years. The committee consisting of Ms. Belmont, Ms.

Haye, Ms. Godby, Ms. Oughton, & Mr. Wilson will look more closely at this and draft a state exam protocol to mirror the ARRT protocol. This draft protocol will be submitted to the Board at the June 2009 meeting for discussion and implementation.

N. Attendance at national and state conferences: It was announced Mr. Wilson will be attending the national Nuclear Medicine conference representing the Board in June in Toronto, Canada. Ms. Oughton will attend an MRI national conference sometime during the year, once it is announced. The Board also hopes to send a representative to the ASRT Annual Governance and House of Delegates meeting in New Mexico and to the Council on Licensure, Enforcement and Regulations (CLEAR) in Denver, Colorado.

NEXT MEETING DATE AND LOCATION:

The next board meeting will be held at the Sleep Inn Motel, Exit 1 - Mink Shoals Exit off I-79 on Wednesday, June 3, 2009 at 5:00 PM.

The meeting was adjourned at 8:25 P.M..

Minutes submitted by Grady M. Bowyer, R.T. (R), Executive Director

AMENDED AND APPROVED 6/3/09.