



WEST VIRGINIA MEDICAL IMAGING & RADIATION THERAPY TECHNOLOGY BOARD OF EXAMINERS  
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## BOARD MEETING MINUTES

Albert T. Summers Center, 1124 Smith Street, Suite B-300, Charleston WV 25301

Thursday, May 21, 2020

### 1. Call Meeting to Order

- a. Video conference meeting was called to order at 2:02 PM by the Chairman of the Board, Rosemary Trupo.

### 2. Recognize Guests

- a. Chairman Trupo recognized Anthony Warn, Oleg Shvarts, and Mary Alice Olsan of Certemy.

### 3. Establish Quorum

- a. Board members in attendance were Chairman Rosemary Trupo, Secretary Kimberly Hoffman, Kristi Justice, Dee Workman, Sheryl Snead, and Victoria Novick. The Executive Director, Jamie Browning and Attorney General representative Keith Fisher were also in attendance. Excused were Board member Todd Resley, MD, and Mercedes Ramas, MD.

### 4. Approve Board Meeting Agenda

- a. A motion was made by Ms. Snead to approve the meeting agenda as presented. Secretary Hoffman seconded the motion and the motion was approved by the Board.

### 5. Approve Board Meeting Minutes

- a. A motion was made by Secretary Hoffman to approve the February 20, 2020 board minutes. Ms. Novick seconded the motion and the motion was approved by the Board.

## **6. Old Business**

### **a. Web-based Licensing System**

- i. Director Browning reported that InLumon's current annual contract expired May 6, 2020 and that the web-based licensing system is still not complete. Certemy presented their web-based licensing system and fielded questions by the Board.

### **b. Conference Table and Chairs**

- i. Director Browning reported that conference table was picked up on February 25, 2020 for modification and four new chairs were delivered on March 23, 2020.

### **c. Part Time Administrative Assistant**

- i. Director Browning reported that Summar Steele has been selected; Amanda Moore and Lori Elliott continue to work, as needed and available.

### **d. Passed Legislation**

- i. Director Browning reported that House Bill 4434 – Health Care Workforce Study passed with Radiologic Technologists included. Director Browning thanked Senator Maroney for his efforts.
- ii. Director Browning reported that Senate Bill 175 – Website Content passed. Director Browning reported the Board's Website is currently in compliance with all requirements.
- iii. Director Browning reported that the Board's Series 1 Rules went into effect on March 20, 2020.

### **e. CRCPD Annual Conference**

- i. Director Browning reported that the conference was cancelled due to the Coronavirus Pandemic.

### **f. ASRT Educational Symposium & Annual Governance / House of Delegates Meeting**

- i. Chairman Trupo reported that the conference was cancelled due to the Coronavirus Pandemic.

## **g. New Applications**

- i. Director Browning reported that the Low-Income Initial License Waiver Application, the Military Family Initial License Waiver Application, the Military Family Renewal CE Waiver Application and the Petition for Initial Licensure Eligibility are on the board's website and all in use.

## **7. New Business**

### **a. Ethics**

- i. The Ethics Committee, consisting of Secretary Hoffman, Ms. Justice and Director Browning met on May 14, 2020 via video conferencing to review cases 04-FY-2020 and 05-FY-2020.
- ii. A motion was made by Ms. Novick to go into executive session to discuss Ethics cases, 04-FY-2020 and 05-FY-2020. The motion was seconded by Ms. Snead and carried by the Board. The meeting went into executive session at 2:29 PM. A motion was made by Secretary Hoffman to exit the executive session of the meeting and seconded by Ms. Novick. The meeting resumed in regular session at 2:31 PM.
- iii. Secretary Hoffman made a motion to close Ethics Cases 04-FY-2020 and 05-FY-2020. After review of all available facts, Ms. Snead seconded the motion and the Board approved.

### **b. Finance**

1. The Finance Committee consisting of Secretary Hoffman, Ms. Justice and Director Browning met on May 14, 2020 via video conferencing. Secretary Hoffman reported that the Finance Committee reviewed all purchasing card transactions for January 2020, February 2020, March 2020 and the expenditure schedule for FY-2021 Budget.
2. Ms. Justice reported that the Board had a balance of \$408,698.00 on January 1, 2020 and ended with a balance of \$390,946.51 on March 31, 2020. A motion was made by Ms. Novick to accept the financial reports as presented. After review of all available information, Ms. Workman seconded the motion and the Board approved.
3. Ms. Justice reported that the expenditure schedule for FY-2021 budget was submitted to the State Budget Office prior to the May 4, 2020 deadline. Ms. Justice explained that the budgeted expenditures

total of \$225,000 remained unchanged. A motion was made by Ms. Novick to accept the financial reports as presented. After review of all available information, Ms. Workman seconded the motion and the Board approved.

**c. BRIMM Safety Requirements**

**i. Employment Practices**

1. Chairman Trupo reported that Director Browning had disseminated the CLEAR webinar information prior to the meeting and discussed all questions regarding these training webinars.
  - a. CLEAR Webinar - Foundations of Occupational and Professional Regulations
  - b. CLEAR Webinar – Roles and Responsibilities of a Board Member
  - c. CLEAR Webinar - Administrative Rule Making
  - d. CLEAR Webinar – Regulatory Response to COVID-19, Part 1
  - e. CLEAR Webinar – Regulatory Response to COVID-19, Part 2
2. Chairman Trupo reported that Director Browning had disseminated the WV Department of Personnel’s employment policies, the WV State Auditor’s Board Member Handbook, and the Board’s Bi-Laws prior to the meeting and discussed all questions regarding the Board’s employment practices.

**ii. Driver and Vehicle Safety**

1. Chairman Trupo reported that Director Browning had disseminated the Fleet Management monthly safe driving tips for January 2020, Rediscovering Driving Safety Topics, for February 2020, Turn Signal Usage and for March 2020, Five Common Driving Errors via email prior to the meeting and discussed all questions regarding these training topics.

**iii. Facility Safety**

1. Chairman Trupo reported that office is currently closed to the public and that Director Browning is working remotely as suggested in Governor Justice’s Executive Order regarding coronavirus pandemic.

**iv. Cyber Information Security and Privacy**

1. Chairman Trupo reported that Director Browning had disseminated the annual Privacy Training documents prior to the meeting and discussed all questions regarding the topic.

**v. Loss**

1. Chairman Trupo recognized all Board Members and staff for their safe practices and reported that there has been no loss of property or work time.

**d. Director's Reports**

- i. Director Browning presented the Director's Reports for January 2020, February 2020 and March 2020 for review and discussion. Ms. Novick made a motion to accept the Director's Reports as presented. After review of all available information, Secretary Hoffman seconded the motion and the Board approved.

**e. Schools Report**

**i. JRCERT & JRCNMT Update**

1. Chairman Trupo provided a summation of JRCERT accreditation actions related to the WV Medical Imaging Programs including:
  - a. University of Charleston, Beckley Campus interim report was accepted to maintain the 8 year accreditation award, and the recognition of two Acting Clinical Instructors- Tonya McPeck R.T. (R) and Kathryn Lee R.T. (R, M, CT)
  - b. WVUH Radiography Program – 8 year Accreditation Award, and recognition of additional Clinical Instructor, Debbie Ferencz R.T. (R, M)
  - c. WVUH Radiation Therapy Program – Interim Report Due in August 2020
  - d. WV Northern CC – Interim Report due December 2020

2. JRCERT voted to adopt the new 2021 Standards.
3. A review of the JRCNMT website did not reflect a spring meeting date or information regarding accreditation actions, however information regarding COVID19 changes were described including potential modification to clinical capacities considered on a case-by-case basis, and a review of 2020 program pass rate criteria in light of pandemic impacts.

**f. Executive Orders**

- i. Chairman Trupo requested Attorney General Representative, Keith Fisher to discuss the regulatory implications of the executive orders to the Board.

**g. CRNA Fluoroscopy Supervision Request**

- i. Kellon Smith of the WV Association of Nurse Anesthetists had previously proposed that certified registered nurse anesthetists be permitted to provide technologist supervision during fluoroscopic pain management procedures in lieu of supervision by a licensed practitioner as required by the current Medical Imaging & Radiation Therapy Technology Code. The WV Board of Medicine was asked to provide an opinion on the matter. Secretary Hoffman made a motion to concur with guidance of the WV Board of Medicine, which agreed with and proposed no changes to the guidelines prescribed in the current Code requiring supervision by a licensed practitioner. After review of all available information, Ms. Novick seconded the motion and the Board approved.

**h. Arkansas Reciprocity Request**

- i. Chairman Trupo reported that The Arkansas Department of Health did not have a reciprocity agreement on file. Attorney General representative, Keith Fisher reported that The Arkansas Department of Health's licensure requirements are not the same.

**i. DEXA Request**

- i. Chairman Trupo explained that Spilman, Thomas & Battles on behalf of a comprehensive health and wellness facility requested a position statement regarding the use of DEXA scans for body composition. Ms. Workman made a motion to adhere to the current Medical Imaging & Radiation Therapy Technology Code and require DEXA

scans to be prescribed by a licensed physician and administered by a licensed radiologic technologist After review of all the available information, Ms. Snead seconded the motion and the Board approved.

**j. CLEAR Educational Seminar**

- i. Director Browning suggested that the Board provide funding to permit AG Fisher to attend the 2020 Annual Educational Conference held in Seattle, Washington on September 23-26, 2020. Ms. Novick made a motion to allow AG Fisher to attend the conference. After review of all available information, Secretary Hoffman seconded the motion and the Board approved.

**k. FARB Regulatory Law Seminar**

- i. Director Browning suggested that the Board provide funding to permit AG Fisher to attend the 2020 FARB Regulatory Law Seminar hosted in Reston VA on October 2-4, 2020. Ms. Novick made a motion to allow AG Fisher to attend the conference. After review of all available information, Secretary Hoffman seconded the motion and the Board approved.

**l. Administrative Assistant**

- i. Director Browning disseminated Summar Steele's resume for review. Ms. Novick made a motion to hire Ms. Steele part time, casual basis. After review and discussion, Ms. Workman seconded the motion and the Board approved.

**m. Legislative Interim Study**

- i. Chairman Trupo provided a brief overview of the legislative interim study topics received on April 23, 2020 from Senator Mark Maynard and Delegate Gary Howell, and previously disseminated to board members by Director Browning. A proposed response to the inquiry was reviewed. Secretary Hoffman made a motion to send the prepared response to Delegate Howell and Senator Maynard explaining that the Board would be in favor of a multi professional licensing agency, if all Chapter 30 Boards were required to participate. After a very lengthy review and much debate, Ms. Novick seconded the motion and the Board approved.

**n. Practice FAQ's**

- i. Director Browning distributed proposed changes to the Frequently Asked Questions regarding the practice of medical imaging section of the Board's website. Ms. Novick made a motion to table the request pending further investigation of a few responses. Secretary Hoffman seconded the motion and the board agreed.

**o. Regulatory Review**

- i. Chairman Trupo acknowledged that Director Browning disseminated a Regulatory Review request from James Fuerhoff from the Legislative Rule Making Committee received on April 25, 2020 and a previous Regulatory Review submitted on September 10, 2018 for review prior to the meeting. After review of all available information, Ms. Novick made a motion to continue all existing rules without change. Secretary Hoffman seconded the motion and the board agreed.

**8. Upcoming Board Meetings**

- a. Board Meeting – August 20, 2020
- b. Board Meeting – November 19, 2020
- c. Board Meeting – February 18, 2021
- d. Board Meeting – May 20, 2021

**9. Adjournment**

- a. Ms. Novick made a motion to adjourn the meeting at 5:05 PM, which was seconded by Secretary Hoffman.

**10. Approval**

- a. These minutes were approved at the June 10, 2010 Board Meeting.