

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

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BOARD MEETING

April 18, 2013

Members Present

Nancy Oughton, Chairperson
Eva Hallis, Secretary
Alice Belmont
Tuanya Layton
Grace Peters

Members Excused

Fred Gabriele, M.D.

Office Staff

Nancy Godby, Executive Director
Randy Fink, Admin. Secretary
Sharon Bleau, Secretary
Katherine Campbell, Attorney

I. Call Meeting to Order

The meeting was called to order at 5:45pm by Nancy Oughton, Chairperson at the Elkview Inn and Suites, Elkview WV.

II. ESTABLISH QUORUM

Ms. Oughton established that a quorum was present.

III. Introduction of new office staff member.

- a. The new Secretary for the Board, Sharon Bleau, was introduced to Board Members.

IV. ACCEPT AGENDA

Ms. Oughton called for a vote to accept the Agenda. Ms. Layton made a motion to accept the Agenda, Ms. Peters seconded, and the motion was approved by the Board.

V. MINUTES from January 17, 2013 Meeting

A motion was made by Ms. Layton to accept the minutes of the January 17, 2013 Board Meeting, Ms. Hallis seconded, and the motion was approved by the Board without modification.

VI. MINUTES from January 31, 2013 Meeting

A motion was made by Ms. Layton to accept the minutes of the January 31, 2013 Board Meeting that was held by Conference Call. Ms. Peters seconded, and the motion was approved by the Board without modification.

VII. FINANCIAL REPORT

The financial report, (including the credit card expenditures, travel expenditures, and a detailed spreadsheet of all expenditures year to date), were presented by Mr. Fink and Ms. Godby. Ms. Godby provided a copy of her expense report for the CLEAR Midyear Meeting. Ms. Godby detailed that the Board had paid \$921.60 for her travel expenses and that she had additional personal expense of \$510.42 for use of her vehicle that she will not ask to be reimbursed. Ms. Godby also provided detail of the Budget increase for FY-2013 to cover cost of advertising for the new Secretary, salary for the new secretary, and funds to cover increased postage costs due to

recent mailing of newsletters. Ms. Layton made a motion to accept the financial report as presented, Ms. Peters seconded and the motion was approved by the Board.

VII. OLD BUSINESS

A. Sonography Legislation:

Ms. Godby stated that despite efforts of the Board the Sonography Legislation that was proposed was never brought to the floor for discussion and stated that the Board would continue to monitor for opportunities to re-introduce this proposal in the future. No additional action was needed for this update.

B. Legislative Audit Update:

Ms. Godby informed the Board that the Legislative Auditor continues to ask questions that are addressed as soon as they are received. There has been no indication as to when the final report will be received. No additional action was needed for this update.

C. Ethics Consent Agreement and Fine Update:

- a. 03-FY-2013, Complaint: Brenda Tonkin: Ms. Godby indicated that Ms. Tonkin had signed and returned her consent agreement and paid all fees and fines. Ms. Tonkin is aware that the Ethics courses mandated by the Board must be approved in advance.
- b. 04-FY-2013, Practice Violation: Wayne Schwartzmiller: Ms. Godby indicated that Mr. Schwartzmiller had signed and returned his consent agreement and paid all fees and fines.
- c. 05-FY-2013, Practice Violation: Melissa Moran: Ms. Godby indicated that Ms. Moran had signed and returned her consent agreement and paid all fees and fines.

No additional action was needed for this update.

D. Newsletters Update:

Ms. Godby informed the Board that newsletters have been mailed to all licensees, and that this is now complete. Board members asked that the most recent newsletter be included for new graduates, and Board staff agreed to enclose a copy.

E. Expired License Renewal Letters Update:

Ms. Godby informed the Board that she had received response from all but one (1) of the second request letters that were sent to CEO's as an inquiry for licenses that were renewed after expiration. Ms. Godby indicated she will continue to use this process going forward.

F. Equipment Update:

Ms. Godby informed the Board that she continues to delay the purchase of the desk for the office in Cool Ridge pending available funds.

G. Interviews and Candidate Selection, (a-c):

Ms. Godby provided details of the newspaper posting and costs for the Secretary position. Ms. Godby and Ms. Oughton sorted through all the applications to select those for interview. Ms. Godby conducted the interviews at the Cool Ridge Office and selected Sharon Bleau. No additional action was needed for this update.

H. Mission and Vision:

Ms. Godby submitted a draft Mission and Vision that she and the Board staff had prepared for consideration. After discussion and modification to include “public safety through” in the Vision Statement. The final version will be as follows:

Mission

The West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners’ Mission is to be the driving force behind the highest quality imaging and radiation safety standards in West Virginia through the licensure of educationally prepared and clinically competent professionals.

Vision

The vision of the West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners is to ensure public safety through a highly skilled and qualified workforce across the entire state of West Virginia providing quality imaging and radiation therapy services in every community and clinical setting.

Ms. Belmont made a motion to accept the Mission and Vision with the changes stated, Ms. Peters seconded, and the motion was approved by the Board. Ms. Godby will add the Mission and Vision to the website.

I. State Testing:

1. ARRT CT Contract: Ms. Godby provided a new contract for CT State Testing through the ARRT for review and consideration. This would add CT to the current offerings of Radiology and Nuclear Medicine through the ARRT. After review and discussion of the contract from the ARRT, Ms. Belmont made a motion to accept the contract as provided, Ms. Layton seconded, and the motion was approved by the Board.

2. ARRT MRI Contract: Ms. Godby asked if the Board would want an MRI State Testing contract to be arranged from the ARRT. Ms. Belmont made a motion that Ms. Godby request an MRI State Testing contract with the ARRT, Ms. Layton seconded, and the motion was approved by the Board.

3. State Testing Application Forms: Ms. Godby reviewed State Testing Application Forms that she and Board staff had prepared for consideration. Modifications were made to the PET Fusion application that was presented. Ms. Hallis made a motion to accept the application forms with modifications, Ms. Peters seconded, and the motion was approved by the Board.

4. MRI and NM Apprentice Application and Attestation Forms: Ms. Godby reviewed MRI and NM Apprentice Application and Attestation Forms that she and Board staff had prepared for consideration that require notarized signature to document supervision during apprenticeship as well as a notarized Ethics form. The new forms and process could be used for the initial application, or if the Board desires could be used annually through the five (5) year apprenticeship. If used annually the individual would lose the ability to renew online during the five years of apprenticeship and would be required to mail their application to the Board Office. After discussion and modifications, Ms. Hallis made a motion to accept the modified application forms and require annual submission of all documents, Ms Belmont seconded, and the motion was approved by the Board.

VI. NEW BUSINESS

A. Ethics Committee:

Ms. Layton made a motion to go into Executive Session to discuss Ethics Issues for licensees, Ms. Peters seconded, and the motion was carried by the Board.

Ms. Layton made a motion to come out of Executive Session, Ms. Belmont seconded, and the motion was carried by the Board.

The Informal Ethics Committee was comprised of Ms. Oughton, Ms. Layton, Ms. Godby and Ms. Campbell.

1. ARRT Sanction List: Ms. Godby discussed the most recent ARRT Sanction list that was reviewed by Board staff to determine that one individual listed as a resident of Texas had previously been licensed in West Virginia. Board staff determined that the individual's WV Medical Imaging license expired in 1999 and is currently listed as inactive. Ms. Layton made a motion to accept this report and monitor to determine if this individual attempts to renew, Ms. Hallis seconded, and the motion was carried by the Board.

2. 06-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Belmont made a motion to accept the recommendation of the Ethics Committee, Ms. Hallis seconded, and the motion was carried by the Board.

3. 07-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Hallis made a motion to accept the recommendation of the Ethics Committee, Ms. Peters seconded, and the motion was carried by the Board with Ms. Layton abstaining from the vote.

4. 08-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Belmont made a motion to accept the recommendation of the Ethics Committee, Ms. Hallis seconded, and the motion was carried by the Board with Ms. Layton abstaining from the vote.

5. 09-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Peters made a motion to accept the recommendation of the Ethics Committee, Ms. Hallis seconded, and the motion was carried by the Board.

6. 10-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Belmont made a motion to accept the recommendation of the Ethics Committee, Ms. Peters seconded, and the motion was carried by the Board.

7. 11-FY-2013, Practice Violation: Ms. Godby informed the Board that the Ethics Committee found probable cause and recommends that the Board offer the standard Consent Agreement for working on a lapsed license to include \$100.00 in administrative fees and \$100.00 fine. Ms. Hallis made a motion to accept the recommendation of the Ethics Committee, Ms. Belmont seconded, and the motion was carried by the Board.

8. 12-FY-2013, Complaint: Ms. Godby informed the Board that the Ethics Committee reviewed the complaint and all responses received and determined that this issue is outside the jurisdiction of the Board. The Ethics Committee recommends that the Board forward this complaint to the Board of Nursing for further investigation. Ms. Peters made a motion to accept the recommendation of the Ethics Committee, Ms. Belmont seconded, and the motion was carried by the Board.

B. Inspection Results:

Ms. Godby informed the Board that posting violations were identified and \$100.00 fines were issued for each license that was improperly posted. Fines were issued for improper posting to the following facilities:

1. Cardiovascular Consultants, Hurricane
2. Thomas Memorial Hospital, Radiology Department
3. South Charleston Cardiology Consultants

All fines have been paid and transferred to the WV General Fund in accordance with established guidelines.

4. Fine Licensees for Improper Posting: Ms. Godby asked the Board whether or not to enforce the fine to licensees for improper posting. Discussion was conducted related to the regulation. Ms. Layton made a motion that we do not fine the individual licensee at this time, Ms. Peters seconded and the motion was carried by the Board.

C. Safety Committee Report:

Ms. Layton provided a summary of the Safety Committee Report that was provided to each Board Member. Ms. Layton indicated that Board staff had cleared the path of obstructions for emergency/fire escape; that MSDS Information had been posted; that emergency exit route signs had been prepared and posted, and that Ms. Godby had completed the Defensive Driving Course. Ms. Belmont made a motion to accept the Safety Committee Report, Ms. Hallis seconded, and the motion was approved by the Board.

D. Closure Devices and Pulling Sheaths:

1. WVUH, (previously approved and added staff): Ms. Godby informed the Board that West Virginia University Healthcare in Morgantown had added a staff member in accordance with the previously approved program. Ms. Godby also distributed an emailed document from WVUH and informed the Board that a modification to their existing program had been requested. After discussion Ms. Hallis made a motion to approve the addition of the staff member and to table the requested modification to allow for additional research, Ms. Peters seconded, and the motion was approved by the Board.

2. Logan Regional Medical Center, (new submission): Ms. Godby informed the Board that Logan Regional Medical Center had submitted all the required documents and requested permission for two (2) of their Radiologic Technologists to pull sheaths and hold pressure. Ms. Layton made a motion to accept the program and approve the two (2) Radiologic Technologists to pull sheaths and hold pressure, Ms. Belmont seconded, and the motion was approved by the Board.

3. Cabell Huntington Hospital, (new submission): Ms. Godby informed the Board that Cabell Huntington Hospital had submitted all the required documents and requested permission for ten (10) of their Radiologic Technologists to pull sheaths and hold pressure. Ms. Hallis made a motion to accept the program and approve the ten (10) Radiologic Technologists to pull sheaths and hold pressure, Ms. Layton seconded, and the motion was approved by the Board.

E. Faxitron

Ms. Godby discussed information received detailing the use of an imaging unit for evaluation of specimens, typically either in a Pathology Lab or in a Surgical Suite and that the Board had received an inquiry as to whether or not a medical imaging license is required to operate this type of unit. Ms. Oughton stated she contacted the manufacturer to confirm that the specimen is contained within a closed system and that there is no danger of radiation exposure to the patient in the surgical suite. Ms. Belmont indicated that these types of units are used for research at WVUH. After discussion, it was determined that imaging of specimens did not require a medical imaging license. Ms. Peters made a motion that a medical imaging license would not be required to operate a unit that imaged specimens, Ms. Belmont seconded, and the motion was approved by the Board.

F. ARRT CT Certification for NM Technologists

Ms. Godby informed the Board that NM Technologists have the ability to qualify for and take the ARRT CT Certification Examination that would allow them to perform diagnostic CT imaging. Ms. Godby and Ms. Layton provided an update of discussion that was held by NM Technologists at the recent A.A.N.M.T Spring Meeting in Charleston in which there was interest in developing a CT Apprenticeship. No action was taken by the Board.

G. School Reports:

Ms. Godby discussed the JRCERT Report Summary detailing actions taken for school programs between November 29, 2012 and March 27, 2013 that was provided to Board Members for review. No additional action was needed for this report.

H. Elimination of Cash at Board Office:

Ms. Godby suggested that the Board consider elimination of cash at the Board Office. Mr. Fink stated that we rarely have anyone to pay with cash and that if needed they could go to the Post Office and obtain a money order. After discussion, Ms. Belmont made a motion to eliminate the acceptance of cash at the Board Office, that a notice be placed on the Board's website, and that a no cash sign be placed in the window. Ms. Peters seconded, and the motion was approved by the Board.

I. Board Member Concerns:

Ms. Oughton opened the floor for discussion of any Board Member concerns. There were no issues offered for discussion.

J. Board Appointments:

Discussion was held regarding the list of resumes that had been received by the Board for consideration. Ms. Godby will prepare a letter and submit all information to the Governor for appointments. Ms. Belmont indicated that Melissa Haye had expressed an interest in rejoining the Board. Ms. Layton made a motion to accept the list with the addition of Ms. Haye, Ms. Belmont seconded, and the motion was approved by the Board.

Ms. Godby informed the Board that Dr. Gabriele has submitted a letter of resignation to the Board. Ms. Layton made a motion to accept the resignation of Dr. Gabriele, Ms. Belmont seconded and the motion was approved by the Board.

K. Development of Standard Operating Procedures:

Ms. Godby detailed to the Board that she and staff members had prepared Standard Operating Policies and Procedures during the month of March in preparation for the new Secretary joining the Board. A copy of the prepared documents was presented for review in a binder at the meeting. Ms. Godby indicated that this will be an ongoing process of development and review. No action was indicated for this item.

L. Budget:

Ms. Godby informed the Board that she is in the process of preparing for the FY-2014 Budget and presented details and projected costs to attend the following Conferences for review and approval by the Board:

1. **ASRT Conference, June 2013:** Ms. Godby presented estimated total cost of \$1,166.00 to attend;
2. **CLEAR Conference, October 2013:** Ms. Godby presented estimated total cost of \$2,984.00 to attend this meeting if she were to fly and \$3,106.00 if she drives;
3. **WVSRT Conference, October 2013:** Ms. Godby presented estimated total cost of \$539.00 to attend;
4. **Purchasing Conference, Fall 2013:** Ms. Godby indicated this is a mandatory State Meeting and that she if requesting that both she and Ms. Bleau will be required to attend. The meeting will be in Morgantown this year;
5. **Auditor's Conference, Fall 2013:** Ms. Godby indicated this is a mandatory State Meeting and requested that Ms. Bleau attend this meeting on behalf of the board.

After discussion, Ms. Belmont made a motion that Ms. Godby attend CLEAR by flight and WVSRT but not attend ASRT, that Ms. Godby and Ms. Bleau attend the Purchasing Conference, and that Ms. Bleau attend the Auditor's Conference. Ms. Peters seconded, and the motion was approved by the Board.

M. WVSRT Presentation by Executive Director:

Ms. Godby informed the Board that the West Virginia Society of Radiologic Technologists had asked that she provide two presentations at their annual meeting in Parkersburg during October 2013. Ms. Hallis made a motion that Ms. Godby attend the WVSRT Meeting and provide two presentations, Ms. Belmont seconded and the motion was approved by the Board.

N. Sanction List:

Ms. Oughton was notified that the Discipline information on the Website was not up to date. Ms. Godby indicated she had delayed due to her concerns about the content of the information that had been previously published. Ms. Godby provided the Board with a draft proposal for discussion. The proposed list would limit the information to the licensee name, license number, ethics case number, sanction issued and the date of the sanction. After discussion, Ms. Hallis made a motion to accept the recommended list with the addition of a definition of the sanction. Ms. Belmont seconded, and the motion was approved by the Board.

O. Executive Director's Report:

Ms. Godby provided a verbal description and summary of the written Executive Director Report that detailed her activity since the January 17, 2013 Board Meeting. Board members were provided with spreadsheets detailing total inspections completed to date and an updated Executive Director Performance Standards spreadsheet. Ms. Layton made a motion that the Board accept the Executive Director Report, Ms. Peters seconded and the motion was approved by the Board.

P. Board Member Training Handout:

Ms. Godby provided copies of the following handouts:

1. December 2012 State Update from ARRT;
2. March/April 2012 National Council of University Research Administrators Magazine, Best Practices to Help Prepare your Institution;
3. Defensive Driving: Avoid the Six Most Unsafe Driving Behaviors, Occupant Protection Safety Checklist, and Your Vehicle's Condition Inspection Checklist.

VI: MEETING DATES AND LOCATIONS

Ms. Oughton reminded the Board Members that the next meeting is scheduled for June 6, 2013 at the Elkview Inn & Suites. Ms. Belmont made a motion to adjourn the meeting. Ms. Peters seconded and the Board approved the motion. The meeting was adjourned at 10:00 PM.

Minutes submitted by Nancy Godby, Executive Director.

Minutes approved without modifications, June 6, 2013 Board Meeting.