

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

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September 16, 2009

BOARD MEETING

**Members Present**

**R**

**Members Excused**

**Office Staff**

**Guest**

Alice Belmont, Chairperson

Jamie Browning

Nancy Godby

Melissa Haye

I. Elaine Moore M.D.

Jeanne Morris

Grace Peters

James Wilson

John Leon M.D.

Nancy Oughton

Robert Smith M.D.

Grady Bowyer

Randy Fink

Nicole Cofer, Attorney

Jason Wilcox

Elizabeth Daniels

**A**

The meeting was called to order by Ms. Belmont, Chairperson, at 5:03 PM.

Mr. Bowyer introduced the attending guests, Jason Wilcox, Program Director, Mountain State University and Elizabeth Daniels, Clinical Coordinator, Mountain State University.

**MINUTES:**

A motion was made and seconded to accept the minutes of June 3, 2009 as presented. Motion carried.

**FINANCIAL REPORT:**

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

**COMPLAINTS :**

**A. Final Order-Lee Casto**

Mr. Bowyer informed the Board that Mr. Casto had not fulfilled a number of the conditions of the consent agreement that he had agreed to. Mr. Casto was notified that a hearing was scheduled, and he did not appear at the hearing. A Final Order has been issued via certified mail stating that Mr. Casto's license has been revoked and that he is not eligible to obtain a license for a period of five years. Mr. Casto was also informed that he had thirty days from June 25, 2009 to pay all fees relating to his case. Mr. Casto has not responded to that notice but these fees will have to be paid in full before Mr. Casto can apply to have his license reinstated.

B. Hearing- # 01-FY 2009

Ms. Hays informed the board that the Ethics Committee recommends the following actions be taken regarding Mr. Harrison:

1. His license be suspended for a period of two years followed by a three year probation period.
2. Require thirty (30) hours of continuing education in Medical Ethics, to be approved by the Ethics Committee no less than two weeks prior to obtaining this training. Fifteen (15) of the thirty (30) hours must be completed in the first year of the suspension and all thirty (30) must be completed within the two year suspension period. This is in addition to the twenty-four (24) hours of continuing education that must be obtained to maintain his state license during this period. It is required that the training be in a classroom setting (not online) and he is required to submit a synopsis of what he has learned to the Ethics Committee no later than two weeks after the completion of the course.
3. Mr. Harrison will be required to maintain his West Virginia State license during the two year suspension and the three year probation.
4. All fees relating to his case is to be paid within thirty days of receipt of the letter of notification.
5. Mr. Harrison is required to inform all employers of the details relating to this disciplinary action.

A motion was made and seconded to accept the recommendations made by the Ethics Committee, motion carried.

C. # 03-FY 2009 - Termination for Failure of Drug Test Given For Cause

Ms. Godby informed the board that the licensee was notified of the complaint that was filed against him. The licensee did not respond so the Ethics Committee recommends that his case be set for hearing. A motion was made to accept the recommendation of the Committee, motion was seconded and carried.

D. #01- 2010 Failure of Pre-Employment Drug Screen (Temporary Permit)

Mr. Bowyer informed the board that a complain was received regarding a Temporary Permit holder failing a pre-employment drug screening. The permit holder was notified of the complaint. No response has been received at this time. The permit holder has until September 28<sup>th</sup> to respond. Mr. Bowyer indicated that no action can be taken by the board until a response is received or the end of the 30 day notice period. A motion was made that if there was no response that the matter be set for hearing, motion was seconded and carried.

E. Complaint Against a Radiologist

Mr. Bowyer informed the board that a complaint was received by the office regarding a Radiologist. After determining that the complaint did not relate to a technologist, the complaint was forwarded to the Board of Medicine.

F. Drug Testing - Teresa Taylor - First Lab

Mr. Bowyer informed the Board that Teresa Taylor was no longer doing her drug testing thru her probation office but using First Lab. Ms Taylor is calling every day and that all tests have been negative.

G. Licensee Self Reporting

Mr. Bowyer informed the board that a licensee had self-reported a substance abuse problem, the report being received just prior to this meeting. The licensee has already informed her employer. Mr. Bowyer indicated that

a letter would be sent to the licensee and the employer and that the complaint would be submitted to the Ethics Committee at their next meeting.

**OLD BUSINESS:**

A. CT Examinations

Mr. Fink informed the board that four licensees had contacted the office to take the CT-Fusion test. One had taken the test and had passed. The three others are scheduled for the examination. Mr. Bowyer informed the Board that Chris Paugh, who is under contract by the Board for Radiation Therapy issues, has been contacted about preparing a test that would qualify Therapy licensees to operate CT in relationship to their field. A motion was made that Mr. Bowyer have Ms. Paugh prepare this test. Motion was seconded and carried.

B. Evaluation of Foreign Graduates

Ms. Haye informed the Board that she had a online session with WES (World Education Services) to evaluate their service of evaluating foreign transcripts for radiography. WES investigates foreign educational programs to see if they are a reputable. Ms. Haye indicated that the program was affordable and that many colleges use their services to evaluate foreign students transcripts. WES would inform the board if the applicant had a legitimate degree from a legitimate college in the field of radiology. The fee for this service would be at the applicant's expense. The licensee would still be required to submit all documents relating to training and work experience to our board for evaluation before they would be allowed to take the state test. A motion was made to utilize WES as our means of verifying education of foreign graduates for candidacy for our state test. The motion was seconded and carried. A motion was made that a Committee be formed to discuss further criteria that will apply to any foreign applicants for our testing and to review other boards methods of evaluation of foreign applicants. The motion was seconded and carried.

C. Board Member Reappointments

Mr. Bowyer informed the board that the Governor's office had contacted the board members whose terms had expired to determine if they were interested in being reappointed. The board members indicated that they had not received the reappointment packages from the Governor's office. Mr. Bowyer said he would contact the Governor's office to get these sent out.

D. Purchasing Card Conference

Mr. Bowyer informed the Board that he had attended the P-Card conference given by the state auditor's office at Snowshoe. At this meeting, State Auditor, Glen Gainer, presented him with the P-Card Coordinator of Year Award.

**NEW BUSINESS:**

A. Mountain State University - Starting New Programs

Ms. Belmont informed the board that Mountain State had submitted a application for the approval of two new programs including MRI and CT. The CT program would be for 5 students per semester or 10 per year, the MRI would be for 7 students per year. There was a lengthy discussion relating to accreditation and the number of slots

available for the students in clinical sites. Also discussed was a number of items that were incomplete and lacking proper signatures in the application package. A motion was made to go into executive session, the motion was seconded and carried.

A motion was made to end the executive session, motion was seconded and the motion carried.

Dr. Moore addressed the representatives of Mountain State regarding their application. They were informed that the board had determined that the application was not complete and that the board was not able to make a decision on the programs with the application package that was submitted. Dr. Moore stated that Mountain State needed to

submit a complete application no later than 30 days prior to our next board meeting. Also, Dr. Moore stated that the MRI program would have to be certified thru JRCERT and that the board would establish and provide Mountain State standards for their CT program. A motion was made that the Board not accept Mountain State programs application because it was incomplete and because the Board needs to establish program guidelines for the CT portion of the application. The motion was seconded and carried. Ms. Hays abstained.

#### B. Auditor's Seminar - Wednesday, December 2, 2009 @ Marriott

Mr. Bowyer informed the Board that the Auditor's Seminar was to be held this month but was postponed until December 2, 2009. He indicated that the Seminar was a very beneficial meeting, and he would inform the board as soon as the registration was open for the ones that were interested in attending.

#### C. ASRT Meeting - Nancy Godby

Ms. Godby thanked the board for allowing her to attend the ASRT Annual meeting. She indicated that the meeting was very informative. Ms. Godby covered topics that were addressed at the meeting including the "Image Gently" campaign which stressed the need to reduce dosage exposure, Healthcare Economics, IRS compliance, and Position Statements.

#### D. SNM Meeting - Jim Wilson

Mr. Wilson addressed the board regarding attending the SNM meeting. He indicated it was one of the best meetings he had ever attended, that the meeting was attended by professionals from all over the world. He indicated that the the Nuclear imaging community is struggling with the same issues that the Board is dealing with. He commended the Board on being proactive regarding CT-Fusion. Another large concern addressed at the meeting was radiation dosage.

#### E. Nancy Oughton - ARMIRIT

Mr. Bowyer informed the board that Ms. Oughton will be attending the ARMIRIT conference in Las Vegas in October. He also informed the Board that she has been invited to speak next year at the ARMIRIT conference regarding the West Virginia MRI law. ARMIRIT would pay all expenses to the 2010 meeting.

#### F. Site Visit Bluefield State 8/27/09

Mr. Bowyer addressed the Board regarding the site visit at Bluefield State stating that the program was excellent. Of 58 applicable standards, the program achieved a yes on all standards.

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#### G. School Program Review.

Ms. Haye provided the Board with print outs showing data related to the Radiologic Technology programs in WV.

#### H. Future Site Visits - Melissa As Primary Visitor

Mr. Bowyer informed the Board that site visits were coming up at University of Charleston and Southern West Virginia Community College in February. Ms. Haye has agreed to attend as a site visitor. Mr. Bowyer recommended that Ms. Haye, as our education representative, be our primary site visitor for the Board.

#### I. Surplus of Old Equipment - Copier, Laptop, Monitors, Etc.

Mr. Bowyer informed the Board that there is old equipment in the office taking up space that needed to be removed. A motion was made to surplus all unusable equipment, the motion was seconded and carried.

#### J. Purchase of New Computer System - Replace 7 Year Old Equipment

Mr. Bowyer informed the Board that the computer he is using at the office is 7 years old, purchased in 2002. Mr. Bowyer recommended that the Board purchase a new computer to be used as the primary computer and that he would use the one that Mr. Fink is now using. The older one would be dedicated to printing licenses. A motion was made to purchase a new computer system, the motion was seconded and carried.

#### K. Ultrasound Technologist Licensing

Mr. Bowyer addressed the Board about pursuing the licensing of ultrasound technologists. Mr. Bowyer informed the board that New Mexico and Oregon was licensing ultrasound technologists. Mr. Bowyer recommended that the Board prepare legislation to be presented to the 2011 legislature.

#### **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 Tuesday, December 1, 2009 at 5:00 PM.

The meeting was adjourned at 8:35 P.M..

Minutes submitted by Randy Fink, Administrative Secretary