

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Sep 21, 2023 4:00 PM - 7:00 PM EDT

1. Meeting

The virtual board meeting was called to order at 4:01 PM on Thursday, September 21, 2023 by the Chairman of the Board, Tyson Judy.

2. Board's Mission

Chairman Judy stated the Board's purpose, mission and vision.

The purpose of the Board is to safeguard the public health, safety and welfare by regulating persons engaged in the practice of medical imaging.

The Board's 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.

The Board's Vision 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.

3. Guests

Chairman Judy noted that there were no guests in attendance.

4. Attendance

Board members in attendance were Chairman Tyson Judy, Secretary Dee Workman, Kristi Barnett, Tuanya Layton, Jeffrey Jones, Todd Resley, MD, Erin Butcho, MD and Brian Martin. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance.

5. Agenda

Mr. Martin made a motion to accept the agenda as presented. Ms. Barnett seconded the motion and the Board concurred.

6. Board Meeting Minutes

A motion was made by Secretary Workman to approve the August 17, 2023 board meeting minutes. Ms. Barnett seconded the motion and the Board concurred.

The August 17, 2023 board meeting minutes were posted to the Board's website for public availability.

7. Old Business

a. 2023 ASRT Radiation Therapy Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2023 ASRT Radiation Therapy Conference October 1-3, 2023 in San Diego, CA.

b. Chapter 30 Licensing Board Annual Seminar

Chairman Judy reminded the board members and staff that funds have been approved to attend the Chapter 30 Licensing Board Annual Seminar on November 2, 2023 at the Holiday Inn and Suites in South Charleston, WV.

c. 2024 FARB Forum

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2024 FARB Forum January 25 - 28, 2023 in Fort Worth, TX.

d. WV Legislative Auditor's Performance Evaluation & Research Division - 2023 Regulatory Board Review

Chairman Judy reported that himself, Secretary Workman, Ms. Layton, Ms. Barnett and Director Browning met with the WV Legislative Auditor's Performance Evaluation & Research Division to discuss the 2023 Regulatory Board Review on February 22, 2023.

Chairman Judy also reported that the WV Legislative Auditor's Performance Evaluation & Research Division would be requesting additional information as the regulatory review proceeds.

e. Board Member Openings

Chairman Judy welcomed Dr. Butcho to the Board. Chairman Judy reported that Governor Justice appointed Dr. Butcho on September 18, 2023 .

Chairman Judy reported that there is still a Radiologist Board Member position available and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

f. Telehealth Rules

Chairman Judy reported that our Telehealth Rules were out for public comment June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules are tentatively scheduled with the Legislative Rule-Making Committee on 11/1/2023.

Chairman Judy presented suggested changes to the Telehealth Rules by the Senate Committee on Health and Human Recourses.

Mr. Martin made a motion accept the suggested changes made by the Senate Committee on Health and Human Recourses, Mr. Jones seconded the motion and the Board unanimously concurred.

8. Ethics

Chairman Judy reported that the Ethics Committee, consisting of himself, Director Browning, Secretary Workman and AG Marshall had an informal meeting via video conferencing on September 21, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, 01-FY-2024, 02-FY-2024.

a. Executive Session

A motion was made by Ms. Layton to enter into executive session at 4:09 PM to discuss Ethics cases 04-FY-2022, 10-FY-2023, 01-FY-2024 and 02-FY-2024. The motion was seconded by Ms. Barnett. After review of all available information the Board unanimously concurred.

A motion was made by Ms. Layton to exit out of executive session at 4:21 PM. The motion was seconded by Mr. Martin. The Board unanimously concurred.

b. 04-FY-2022

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement with a mandatory discipline program until 4/21/2025. Chairman Judy presented the board with the WV Pharmacy Resource Network Discipline Program quarterly update for review and discussion.

No action was taken.

c. 10-FY-2023

Chairman Judy reported that a Summary Suspension Order had been issued on 5/25/2023, Consent Agreement Offer had been issued on 6/13/2023 and a Hearing has held on 9/7/2023.

No action was taken.

d. 01-FY-2024

Chairman Judy reported that a ARRT Subpoena was mailed certified on 9/6/2023.

Chairman Judy reported that an Information Request was mailed to the licensee certified on 9/6/2023.

No action was taken.

e. 02-FY-2024

Chairman Judy reported that the Board received a complaint on 9/18/2023 stating that a licensee failed a pre-employment drug screen for a travel assignment in West Virginia.

A motion was made by Mr. Jones to send a complaint letter including an inquiry on employment in West Virginia and a standard invitation to an ethics meeting on 10/19/2023 . The motion was seconded by Ms. Workman. After review of all available information the Board unanimously concurred.

9. Financial Reports

Chairman Judy reported that the Finance Committee, consisting of himself and Director Browning met on September 21, 2023 to review the August 2023 financial reports.

a. Financial Monthly Report - August 2023

Chairman Judy reported that the ending cash balance at the end of August 2023 was \$475,583.17 with \$23,083.00 in total revenue and \$14,003.80 in total expenditures.

Mr. Martin made a motion to approve the FY-2023 financial report as presented. After review of all available information, Ms. Barnett seconded the motion. After review of all available information the Board unanimously concurred.

10. Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself and Director Browning met on September 21, 2023 via video conferencing prior to the Board Meeting to review the August 2023 purchasing card report.

a. Purchasing Card Monthly Report - August 2023

Chairman Judy reported that there were \$184.04 in purchases.

Dr. Resley made a motion to approve the August 2023 Purchasing Card Report as presented. Mr. Jones seconded the motion. After review of all available information, the Board unanimously concurred.

11. Director's Reports - August 2023

Secretary Workman made a motion to approve the August 2023 Director's Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

12. Medical Imaging Schools Report

Secretary Workman made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Dr. Resley seconded the motion and the Board unanimously concurred.

13. WVSRT Annual Conference

Dr. Resley made a motion to fund participation in the 2023 WVSRT Annual Conference at the Lakeview Resort in Morgantown, WV on November 9-11, 2023 . After reviewing all the available information, Secretary Workman seconded the motion and the Board concurred.

14. Review Child Support Licensing Questions

Mr. Martin made a motion to table this item until more research can be done. Ms. Barnett seconded the motion and the Board concurred.

15. Review Compensation Law Licensing Questions

Mr. Martin made a motion to table this item until more research can be done. Ms. Barnett seconded the motion and the Board concurred.

16. Review Criminal Conviction Licensing Questions

Secretary Workman made a motion to change the criminal conviction licensing renewal question to "Have you been convicted of an unreported misdemeanor or a felony since your last license renewal?" After reviewing all the available information, Ms. Layton seconded the motion and the Board concurred.

17. Yealink UVC34 Video System

Mr. Jones made a motion to purchase a conference room video camera. After reviewing all the available information, Mr. Martin seconded the motion and the Board concurred.

18. Financial Internal Controls

Ms. Layton made a motion to approve the Financial Internal Controls annual review . After reviewing all the available information, Secretary Workman seconded the motion and the Board concurred.

19. Upcoming Meeting

Secretary Workman made a motion to have the next Board meeting on October 19, 2023. Ms. Barnett seconded the motion and the Board concurred.

20. Adjournment

Mr. Jones made a motion to adjourn at 4:38 PM, Mr. Martin seconded the motion and the Board concurred.