

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Apr 20, 2023 4:00 PM - 7:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:17 PM on Thursday, April 20, 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, Kristi Barnett, Tuanya Layton and Brian Martin. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Board members Peter Chirico MD, Secretary Dee Workman, and Todd Resley, MD, were excused.

5. Agenda

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

6. Board Meeting Minutes

a. March 16, 2023

A motion was made by Mr. Martin to approve the March 16, 2023 board meeting minutes Ms. Barnett seconded the motion and the Board concurred.

The March 16, 2023 board meeting minutes were posted to the Board's website for public availability.

7. Old Business

a. CLEAR's 2023 Introduction to Regulatory Governance Webinar Series

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR Introduction to Regulatory Governance Webinar Series, Professional Discipline on May 18, 2023 and Assessing Competence on June 22, 2023.

b. ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting

Chairman Judy reminded the board members and staff that funds have been approved to attend the ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting June 22-25, 2023 at the Nugget Casino Resort in Reno NV.

c. FARB 2023 Innovation in Regulation Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the FARB 2023 Innovation in Regulation Conference July 20-21, 2023 in Alexandria VA.

d. CLEAR 2023 Annual Education Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR 2023 Annual Education Conference September 27-30, 2023 in Salt Lake City, UT.

8. Professional Development

a. CLEAR Webinar - Roles and Responsibilities of a Board Member

Chairman Judy noted that he, Secretary Workman, Ms. Layton and Ms. Barnett attended CLEAR Webinar - Roles and Responsibilities of a Board Member on March 23, 2023.

9. Ethics

Chairman Judy reported that the Ethics Committee, consisting of himself, Director Browning and AG Marshall had an informal meeting via video conferencing on May 20, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 07-FY-2023, 08-FY-2023, 09-FY-2023, 10-FY-2023, and 11-FY-2023.

A motion was made by Mr. Martin to enter into executive session at 4:25 PM to discuss Ethics cases 04-FY-2022, 07-FY-2023, 08-FY-2023, 09-FY-2023, 10-FY-2023 and 11-FY-2023. The motion was seconded by Ms. Layton and the Board concurred.

A motion was made by Ms. Barnett to exit out of executive session at 4:35 PM. The motion was seconded by Mr. Martin and the Board concurred.

a. 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.

b. 07-FY-2023

Chairman Judy reported that 07-FY-2023 has completed all the requirements of his consent agreement including reimbursing the Board \$250 for incurred costs.

Ms. Layton made a motion to close ethics case 07-FY-2023. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

c. 08-FY-2023

Chairman Judy reported that 08-FY-2023 has completed all the requirements of his consent agreement including reimbursing the Board \$250 for incurred costs.

Ms. Layton made a motion to close ethics case 08-FY-2023. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

d. 09-FY-2023

Chairman Judy reported that 09-FY-2023 was offered a Consent Agreement on 3/30/2023 and has 30 days to respond.

e. 10-FY-2023

Chairman Judy presented the Board with a redacted complaint received by the Board on 3/28/2023.

Ms. Layton made a motion to send a complaint letter and schedule an informal meeting for 10-FY-2023. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

f. 11-FY-2023

Chairman Judy reported that the licensee worked for 14 months without a current medical imaging license.

A motion was made by Ms. Layton to offer a consent agreement with written reprimand and reimbursement of all administrative fees. The motion was seconded by Mr. Martin and approved by the Board.

10. March 2023 Financial Monthly Report

Chairman Judy reported that the Finance Committee, consisting of himself and Director Browning met on April 20, 2023 to review the March 2023 financial reports.

Mr. Martin made a motion to approve the March 2023 financial report as presented showing a balance of \$463,712.67 After review of all available information, Ms. Barnett seconded the motion and the Board concurred.

11. March 2023 Purchasing Card Monthly Report

Chairman Judy reported that the Finance Committee, consisting of himself and Director Browning met on April 20, 2023 to review the March 2023 purchasing card report.

Mr. Martin made a motion to approve the March 2023 Purchasing Card Report as presented with \$591.47 in total purchases. After review of all available information, Ms. Layton seconded the motion and the Board concurred.

12. March 2023 Director's Reports

Ms. Barnett made a motion to approve the March 2023 Director's Report as presented. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

13. Medical Imaging Schools Report

Chairman Judy presented the JRCERT Accreditation Actions for review and discussion. No action was taken.

14. 2023 Legislative Session

AG Marshall presented passed legislation that could possibly effect the Board. No action was taken.

**15. 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. No action was taken.

16. Board Member Openings

Chairman Judy reported that we have Board Member openings for 2 radiologist and 1 citizen member and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

17. Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting

Mr. Martin made a motion to fund participation in the Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting in Chicago IL on June 24 - 27, 2023. After reviewing all available information, Ms. Barnett seconded the motion and the Board concurred.

18. Budget - FY 2024 Expenditure Schedule

Ms. Barnett made a motion to approve the FY 2024 Expenditure Schedule as presented with an annual budget of \$228,026. After review of all available information, Ms. Layton seconded the motion and the Board concurred.

19. Upcoming Meetings

Ms. Barnett made a motion to have the next Board meeting on May 18, 2023. Ms. Layton seconded the motion and the Board concurred.

20. Adjournment

Mr. Martin made a motion to adjourn at 4:55 PM, Ms. Barnett seconded the motion and the Board concurred.