Virtual Board Meeting

Thu Apr 10, 2025 4:00 PM - 7:00 PM EDT

1. Meeting to Order

   The virtual board meeting was called to order at 4:06 PM on Thursday, April 10, 2025 by the Chairman of the Board, Tyson Judy

   Chairman Judy noted that according to the Secretary of State's statutory requirement for Open Meeting Notices (WV Code § 6-9A-1), this meeting notice was published on the Secretary of State's website on April 1, 2025.

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

   Chairman Judy noted that quorum was present. He noted that the board members in attendance were Chairman Tyson Judy, Secretary Tuanya Layton, Jeffrey Jones, Esq., Kristi Barnett, Erin Butcho, MD, Melissa Jung, MD., Mindy Smith, DEL, and Adam Kassar, MD. Executive Director Jamie Browning and Assistant Attorney General Adriana Marshall, Esq. were also in attendance. Brian Martin was excused.

5. Agenda

   Secretary Layton made a motion to accept the agenda as presented. Mr. Jones seconded the motion and the Board concurred.

6. Board Meeting Minutes

   A motion was made by Ms. Barnett to approve the March 20, 2025 board meeting minutes and post them to the Board's website. Dr. Jung seconded the motion and the Board concurred.

7. Ethics

Chairman Judy reported that the Ethics Committee, consisting of himself, Secretary Layton, Director Browning, and AG Marshall met with Mike Brown of the WV Pharmacy Recovery Network on March 20, 2025 to review ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, and 12-FY-2024.

Chairman Judy reported that the Ethics Committee also reviewed ethics cases 9-FY-2024, 11-FY-2024, 04-FY-2025 and 05-FY-2025 during the Ethics Committee meeting.

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:07 PM to discuss the ethics cases. The motion was seconded by Ms. Barnett. The Board unanimously concurred.

A motion was made by Mr. Jones to exit executive session at 4:17 PM. The motion was seconded by Dr. Kassar. The Board unanimously concurred.

b. 04-FY-2022

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement on April 5, 2022 with a mandatory three year program until April 20, 2025.

Chairman Judy presented the board with an update for review and discussion.

Mr. Jones made a motion to lift the probation order on April 20, 2025. After careful review of all available information Dr. Kassar seconded the motion and the board unanimously concurred.

c. 05-FY-2024

Chairman Judy reported that 05-FY-2024 has entered into a consent agreement on March 25, 2024 with a mandatory eighteen month program until November 17, 2025.

Chairman Judy presented the board with an update for review and discussion.

No action was taken.

d. 07-FY-2024

Chairman Judy reported that 07-FY-2024 has entered into a consent agreement on July 19, 2024 with a mandatory 36 month program until January 22, 2028.

Chairman Judy presented the board with an update for review and discussion.

No action was taken.

e. 09-FY-2024

Chairman Judy reported that a hearing was scheduled for December 3, 2024 and continued to February 11, 2025 and further continued until March 11, 2025.

Chairman Judy reported that the Proposed Findings of Fact and Conclusions of Law are due to Hearing Examiner Reynolds's no later that April 30, 2025.

No action was taken.

f. 11-FY-2024

Chairman Judy presented the December 3, 2024 hearing examiner's recommended decision stating that the Board has proven the allegations and may take further disciplinary action as deemed appropriate.

Mr. Jones made a motion to suspend his license for one year. The respondent may reinstate his license when his ARRT certification is active and in good standing, he completes a fitness for duty evaluation and completes the recommended treatments (if deemed necessary) and he pays all legal fees incurred. After careful review of all available information, Dr. Kassar seconded the motion and the board unanimously concurred.

g. 04-FY-2025

Chairman Judy reported that the respondent worked on an expired temporary license from 11/1/2024 to 2/7/2025.

Chairman Judy reported that the respondent signed his consent agreement and reimbursed all administrative fees incurred.

Mr. Jones made a motion to close the case. After careful review of all available information Dr. Kassar seconded the motion and the board unanimously concurred.

h. 05-FY-2025

Chairman Judy reported that the respondent worked on an expired temporary license from from 11/1/2024 to 2/18/2025.

Chairman Judy reported that the consent agreement that includes a written reprimand and reimbursement of all incurred fees was sent to the respondent on April 9, 2025 for review and consideration.

No action was taken.

8. March 2025 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on April 10, 2025 to review the March 2025 monthly financial reports.

Chairman Judy presented the March 2025 monthly financial report for review and discussion. Chairman Judy reported that the March 2025 ending cash balance was $456,235.98 with $14,817.00 in total revenue and $18,073.19 in total expenditures. Chairman Judy recommended approval.

Dr. Smith made a motion to approve the March 2025 financial report as presented. After review of all available information, Ms. Martin seconded the motion and the Board unanimously concurred.

9. March 2025 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on April 10, 2025 to review the March 2025 Purchasing Card report.

Chairman Judy presented the March 2025 Purchasing Card report for review and discussion Chairman Judy reported that there were $603.32 in purchases. Chairman Judy recommended approval.

Ms. Barnett made a motion to approve the March 2024 Purchasing Card report as presented. After review of all available information, Dr. Smith seconded the motion and the Board unanimously concurred.

10. March 2025 Director's Report

Chairman Judy presented the March 2025 Director's Report for review and discussion. Chairman Judy reported that there were 31 new license applications, 181 renewal license applications and 13 late/reinstatement license applications. Chairman Judy recommended approval.

Dr. Jung made a motion to approve the March 2025 Director's Report as presented. After review of all available information, Secretary Layton seconded the motion and the Board unanimously concurred.

11. Professional Development

a. SNMMI Annual Meeting

Chairman Judy stated that funds were approved to attend the Society of Nuclear Medicine & Molecular Imaging's Annual Meeting on June 21-24, 2025 in New Orleans Louisiana.

No action was taken.

12. SB 458 - Universal Professional and Occupational Licensing Act of 2025

Chairman Judy presented Senate Bill 458 that will go into effect July 1, 2025 for review and discussion.

No action was taken.

13. Title 18 - Series 1 Proposed Changes

Chairman Judy presented the 18-01 Rule Changes for review and discussion.

Chairman Judy made a motion to approve the Title 18 - Series 01 Rule changes, as amended, and send the changes out for public comment by June 25, 2025. After review of all

available information, Secretary Layton seconded the motion and the Board unanimously concurred.

14. Medical Imaging Schools Report

a. Southern West Virginia Community and Technical College Radiography Program

Chairman Judy reported that JRCERT Self-Study report is due by October 2, 2025.

Chairman Judy reported the the tentative JRCERT onsite evaluation will be in April 2026.

No action was taken.

b. West Virginia University Hospitals Radiation Therapy Program

Chairman Judy reported that Mon Health Center was approved as a clinical setting.

No action was taken.

c. United Hospital Center Radiography Program

Chairman Judy reported that Micah Ford completed the Program Director training course "New Program Official eLearning Plan".

No action was taken.

d. West Virginia Northern Community College Radiography Program

Chairman Judy reported that East Ohio Regional Hospital was disaffiliated as a clinical setting.

No action was taken.

15. Next Board Meeting

Ms. Barnett made a motion to have the next Board Meeting on Thursday, May 8, 2025. After review and discussion of all available information, Dr. Smith seconded the motion and the Board unanimously concurred.

16. Adjournment

Mr. Jones made a motion to adjourn the meeting at 4:40 PM. Secretary Layton seconded the motion and the Board concurred.