Virtual Board Meeting

Thu Sep 11, 2025 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was officially convened at 4:02 PM on Thursday, September 11, 2025, by Board Chairman Tyson Judy.

Chairman Judy stated that, in accordance with the statutory requirements for Open Meeting Notices under WV Code § 6-9A-1, the notice for this meeting was posted on the Secretary of State's website on August 13, 2025.

2. Board's Mission

To align everyone's mindset, Chairman Judy presented 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 acknowledged that there were no guests in attendance.

4. Attendance

Chairman Judy confirmed the presence of a quorum.

Board members in attendance included: Chairman Tyson Judy, Secretary Tuanya Layton, Jeffrey Jones, Esq., Kristi Barnett, Erin Butcho, MD, Melissa Jung, MD, Mindy Smith, DEL, and Adam Kassar, MD. Also present were Executive Director Jamie Browning and counsel for the Board, Adriana Marshall Esq.

Brian Martin was excused.

5. Agenda

Chairman Judy stated that, in accordance with the statutory requirements for Open Meeting Notices outlined in WV Code § 6-9A-1, the meeting agenda was posted on the Board's

website on September 4, 2025.

Chairman Judy presented the agenda for review and discussion.

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

6. Board Meeting Minutes

Chairman Judy presented the August 14, 2025 board meeting minutes for review and discussion.

A motion was made by Ms. Barnett to approve and publish the August 14, 2025 board meeting minutes. Dr. Jung seconded the motion and the Board concurred.

7. Ethics

Chairman Judy reported that the Ethics Committee—comprised of himself, Secretary Layton and Director Browning with councel Ms. Marshall in attendance —met on September 11, 2025, to review ethics cases 05-FY-2024, 07-FY-2024, 09-FY-2024, and 02-FY-2026.

a. Executive Session

Mr. Jones moved to enter executive session at 4:04 p.m. to discuss ethics cases. The motion was seconded by Ms. Barnett which was unanimously approved by the Board.

At 4:09 p.m., Dr. Smith moved to exit executive session. Dr. Kassar seconded the motion, which was unanimously approved by the Board.

b. 05-FY-2024

Chairman Judy reported that the licensee in case 05-FY-2024 entered into a consent agreement on March 25, 2024, initiating a mandatory 18-month program set to conclude on November 17, 2025.

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

No action was taken.

c. 07-FY-2024

Chairman Judy reported that the licensee in case 07-FY-2024 entered into a consent agreement on July 19, 2024, initiating a mandatory 36-month program set to conclude on January 22, 2028.

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

No action was taken.

d. 09-FY-2024

Chairman Judy reported that the Final Order was issued to the respondent on August 19, 2025, and the respondent has until September 19, 2025, to file an appeal.

No action was taken.

e. 02-FY-2026

Chairman Judy reported that an anonymous complaint was received concerning an unlicensed sonographer in West Virginia. He recommended dismissal since neither sonography nor the respondent is licensed by the Board.

Ms. Barnett moved to dissmiss the case. After review and discussion, Mr. Jones seconded the motion, and the Board unanimously approved.

8. August 2025 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton, and Director Browning, met on September 11, 2025, to review the August 2025 financial statements.

He presented the August monthly financial report, noting an ending cash balance of $458,916.26, total revenue of $21,514.00, and total expenditures of $13,747.87, and recommended its approval.

Mr. Jones moved to approve the report as presented, and after review, Dr. Smith seconded. The Board unanimously approved the motion.

9. FY-2027 Budget

Chairman Judy presented the FY-2027 Budget with a $275,000 appropriation request. He noted that there were no changes from last year’s request and recommended approval.

Ms. Barnett moved to approve the Appropriation Request of $275,000 as presented, and after review, Dr. Jung seconded the motion and the Board unanimously concurred.

10. August 2025 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton, and Director Browning, met on September 11, 2025, to review the June August Purchasing Card Reports.

He presented the report, showing total purchases of $385.50, for review, discussion, and approval.

Dr. Smith moved to approve the report as presented, and after review, Mr. Martin seconded. The Board unanimously approved the motion.

11. August 2025 Director's Report

Chairman Judy presented the August 2025 Director’s Report for the Board’s review and discussion. He highlighted that the report contained 46 new license applications, 1 temporary

application, 269 renewals, and 13 reinstatements, 1 temporary application and recommended approval.

Mr. Jones moved to approve the August 2025 Director’s Report as presented. After reviewing all available information, Dr. Smith seconded the motion, and the Board approved it unanimously.

12. FY-2025 Annual Report

Chairman Judy presented the FY-2025 Annual Report for the Board’s review and discussion. He noted that the report included an overview of the Board's financial transactions, disciplinary actions, meeting minutes, board member terms, county statistics, and the number of licenses issued. He recommended approval.

Mr. Jones moved to approve FY-2025 Annual Report as presented. After reviewing all available information, Dr. Kassar seconded the motion, and the Board approved it unanimously.

13. Senate Government Organization Information Request

Chairman Judy reported that the Senate Government Organization requested the current number of staff working for the Board and noted that the information has been provided.

No action was taken.

14. Professional Development

a. WVSAO Licensing Board Orientation Seminar

Chairman Judy reminded board members that funding had been approved for attendance at the WVSAO Licensing Board Orientation Seminar on November 6, 2025 in Charleston, WV.

Chairman Judy noted that according to West Virginia Code §30-1-2a, the chairperson, executive director, or chief financial officer of each licensing board must attend the State Auditor's Office training every year and each board member shall attend at least one training during each term of office.

b. WVSRT Annual Conference

Chairman Judy reminded board members that funding had been approved for attendance at the WVSRT Annual Conference on November 13–15, 2025, in Bridgeport, WV.

15. Title 18 Series 1 Legislative Rule - General Requirements

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 5, 2025.

He noted that the rules were reviewed and modified at the August 13, 2025 Legislative Rule Making Committee. The modified rules were submited to the WV Secretary of State on August 13, 2025, in preparation for the 2026 legislative session.

No action was taken.

16. Title 18 Series 2 Legislative Rule - Continuing Education

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 5, 2025 and reviewed at the August 13, 2025 Legislative Rule Making Committee in preperation for the 2026 legislative session.

No action was taken.

17. Title 18 Series 5 Legislative Rule - Standard of Ethics

Chairman Judy reported that the agency approved rules and public comments were submited to the WV Secretary of State on June 5, 2025.

He noted that the rules were reviewed and modified at the August 13, 2025 Legislative Rule Making Committee. The modified rules were submited to the WV Secretary of State on August 13, 2025, in preparation for the 2026 legislative session.

No action was taken.

18. Chapter 30 Article 23 Code Revision

Chairman Judy reported that he, Director Browning, Secretary Layton, Dr. Smith, Ms. Barnett, and Ms. Marshall have met several times to work on the revision of Chapter 30, Article 23.

Chairman Judy presented the draft revision of Chapter 30, Article 23, which regulates the practice of medical imaging and radiation therapy, for review and discussion. He requested that everyone be prepared to vote at the October meeting.

Mr. Jones moved to request legislative sponsorship of the revised Chapter 30, Article 23. After reviewing all available information, Dr. Butcho seconded the motion, and the Board approved it unanimously.

19. Radiologist Assistant

Chairman Judy noted that the Board of Medicine is willing to transfer the licensure of Radiologist Assistants to our Board, since their profession is closely aligned with our Board.

Mr. Kassar moved to transfer the licensure of Radiologist Assistants in the code revision to our Board. After reviewing all available information, Dr. Jung seconded the motion, and the Board approved it unanimously.

20. Temporary License

Chairman Judy recommended eliminating the temporary license in the code revision to enhance public safety, noting that allowing uncertified radiographers to work independently could increase the risk of misadministration of ionizing radiation. He also observed that certification testing is more readily available now than it was in 2007, when the code was last revised.

Ms. Barnett moved to eliminating the temporary license in the Code revision to enhance public safety. After reviewing all available information, Secretary Layton seconded the motion, and the Board approved it unanimously.

21. Medical Imaging Schools Report

a. Univerisity of Charleston Radiography Program

Chairman Judy reported that Shelby Smith was appointed as clinical preceptor at St. Francis Hospital, Brandi Taylor was appointed as clinical preceptor at CAMC Women's & Children's, Charles Roy was appointed as clinical preceptor Montgomery General Hospital, Holly Fields was appointed as clinical preceptor at Roan General Hospital, and Brandi Taylor was appointed as clinical preceptor at West Virginia OrthoNeuro. He also reported that Roane General Hospital and Montgomery General Hospital were recognized as a clinical setting sites.

b. St. Mary's Medical Center Radiography Program

Chairman Judy reported that thier annual report was submitted.

No action was taken.

c. West Virginia University Hospitals Radiation Therapy Program

Chairman Judy reported that thier annual report was submitted.

No action was taken.

d. St. Mary's Medical Center Radiography Proram

Chairman Judy reported that thier interim report was submitted. He also noted that Allison Nicole Matthews was appointed as clinical preceptor.

e. West Virginia University Hospitals Magnetic Resonance Program

Chairman Judy reported that thier interim report was submitted.

No action was taken.

22. Upcoming Meetings

Ms. Barnett made a motion to have the next Board Meeting on Thursday, October 9, 2025. After review and discussion of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

23. Adjournment

Mr. Jones made a motion to adjourn the meeting at 4:32 p.m. Dr. Kassar seconded the motion and the Board concurred.