

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

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**BOARD MEETING**

January 17, 2013

**Members Present**

Nancy Oughton, Chairperson  
Eva Hallis, Secretary  
Alice Belmont  
Tuanya Layton  
Grace Peters

**Members Excused**

Fred Gabriele, M.D.  
Randy Fink

**Office Staff**

Nancy Godby, Executive Director  
  
Katherine Campbell, Attorney

**I. ESTABLISH QUORUM**

The meeting was called to order by Ms. Oughton, Chairperson, at 5:00 p.m, and Ms. Oughton established that a quorum was present.

**II. ACCEPT AGENDA**

Ms. Oughton called for a vote to accept the Agenda. Ms. Belmont made a motion to accept the Agenda, Ms. Layton seconded and the motion was approved by the Board without abstention.

**III. MINUTES**

A motion was made by Ms. Layton to accept the minutes of the October 18, 2012 meeting, Ms. Belmont seconded and the motion was approved by the Board without modification or abstention.

**IV. FINANCIAL REPORT**

The financial report, (including the credit card expenditures, travel expenditures, and a detailed spreadsheet of all expenditures year to date), were presented by Ms. Godby. Ms. Godby stated there will be a saving of \$821.58 for printing through the Department of Corrections for Licenses compared to the previous charges and a \$50.00 monthly savings for elimination of the Verizon Internet Air Card. Ms. Godby is closely monitoring travel expenses and modifying travel plans to fit the budgetary allowances, and indicated that office staff members are closely monitoring all expenses and continuing to identify saving opportunities. Ms. Hallis made a motion to accept the financial report as presented, Ms. Layton seconded and the motion was approved by the Board without abstention.

**V. OLD BUSINESS**

**A. Program Updates-Mountain State University:**

Ms. Godby provided a copy of the JRCERT Letter in response to concerns expressed by the Board, (through a letter submitted to JRCERT by the Board Office following the October 18, 2012 Board Meeting), regarding the transfer of the Mountain State University Radiologic Technology Program to the University of Charleston. JRCERT indicated that they would monitor the job placement for the duration of the eight (8) year program approval. No additional action was needed for this update.

**B. Sonography Legislation Update, (1-3):**

Ms. Godby informed the Board that she had sent emails to all the Interim Legislative Committee Members and had only received a reply from Senator Stollings. Ms. Godby had also talked directly with Delegate Morgan at the Auditor's Seminar on December 3, 2012. Ms. Godby stated that there is little to no support for the proposed legislation and asked for direction from the Board as to next steps. Ms. Hallis made a motion that Ms. Godby continue to monitor Sonography and provide any new information to the Board but to take no further action at this time, Ms. Belmont seconded the motion, and the motion was approved by the Board without abstention.

**C. Legislative Audit Update:**

Ms. Godby informed the Board that she had received an email from the Legislative Auditor this week stating that he is working to finalize his report and that to date no significant findings had been identified. Ms. Godby praised the efforts of Mr. Fink and the organization of documents in the office that contributed to the ability of the Board to submit information in a timely and accurate manner. Ms. Godby stated that she will bring the full report to the Board for review as soon as it is received. No additional action was needed for this update.

**D. Agency Address Change Update:**

Ms. Godby informed the Board that changes had been completed to the website, letterhead and all forms as directed during the October 18, 2012 Board Meeting. All documents now include "Mailing Address" instructions to avoid future confusion and delay in delivery of mail to the Board Office's Post Office Box. This task is complete and no additional action was needed for this update.

**E. MRI-NM Apprentice Letters Update:**

Ms. Godby informed the Board that, as directed during the October 18, 2012 Board Meeting, certified mail letters had been mailed to the Human Resource Director's of all WV Hospitals detailing the Apprentice process in accordance with the 2009 Legislation that added Magnetic Resonance Imaging and Nuclear Medicine. A copy of the November 7, 2012 Newsletter was included within this distribution. Ms. Godby informed the Board that a copy of the same information was distributed through regular mail to all Medical Imaging Director's of WV Hospitals. This task is complete and no additional action was needed for this update.

**F. Newsletters Update:**

Ms. Godby informed the Board that the November 7, 2012 Newsletter is currently being mailed to all active licensees beginning December 1, 2012 for license renewals. Additional separate mailings have been completed beginning with October with anticipated completion to all active licensees prior to the next Board Meeting. The November 7, 2012 Newsletter is on the website along with the January 2, 2013 Newsletter, and the Board Members were provided with copies of both Newsletters for review. Ms. Godby stated that an update to detail completion of this task will be given at the next Board Meeting.

**G. Website Updates:**

Ms. Godby informed the Board that she had completed training with the Office of Technology for website updates on December 7, 2012 and the website has been updated with the addition of the following: FAQ for Meeting Minutes; FY-2012 Annual Report; November 7, 2012 and January 2, 2013 Newsletters; Information Request Form; Agenda (as needed); July Meeting Minutes; and newly revised Position Statements. This task is complete and no additional action was needed for this update.

**H. (H was not noted on the Agenda, no information for this item).**

**I. Expired License Renewals Update:**

Ms. Godby informed the Board that following the October 18, 2012 Board Meeting certified mail letters were sent to the eleven (11) CEO's of all organizations for those licensees that renewed after their license expired. This inquiry has been effective to date and responses are being received with licensees being scheduled for Informal Ethics Committee Meetings as appropriate. Ms. Godby will continue to monitor the list and provide an update at the next Board Meeting.

**J. Board Training Update, Auditor's Seminar:**

Ms. Godby informed the Board that she and four (4) Board Members had attended the Annual Auditor's Board Training Seminar, (Nancy Oughton, Eva Hallis, Tuanya Layton and Grace Peters). This is a mandatory training for Board Members and provides valuable information specific to Ethics and Conflict of Interest for Board Members. No additional action was needed for this report.

**K. CLEAR Midyear Business Meeting Update:**

Ms. Godby thanked the Board for allowing her to participate and attend the CLEAR Midyear Business Meeting, (a copy of the meeting Agenda was distributed to Board Members for review). This meeting was an opportunity to interact with a smaller population of CLEAR (about 80 participants) and included development of the Annual CLEAR Conference to be held in October 2013 to include review and evaluation of presentation proposals and planning toward the October event. No additional action was needed for this report.

**L. Equipment Update:**

Ms. Godby informed the Board that the former Executive Director (Grady Bowyer) had returned all equipment, the requested attestation document, and this task is complete. Ms. Godby stated that she has delayed the purchase of the office desk that was approved at the October 18, 2012 Board Meeting pending available funds due to increased postage costs for mailing letters that was not budgeted. Ms. Godby stated that she will only order the desk if the budget will support the purchase and will wait until closer to the end of the fiscal year and will provide an update for this item at the next Board Meeting.

**M. Online Renewal MRI Apprentice, Update:**

Ms. Godby informed the Board that Mr. Fink had investigated further the online renewal in which the licensee marked MRI indicating apprenticeship. Mr. Fink determined through contact with the licensee that she did not wish to start an apprenticeship and corrected the database. This task is complete and no additional action was needed for this report.

**VI. NEW BUSINESS**

**A. Ethics Committee:**

Ms. Belmont made a motion to go into Executive Session to discuss Ethics Issues for Licensees, Ms. Layton seconded and the motion was approved by the Board without abstention. Ms. Belmont made a motion to come out of Executive Session, Ms. Peters seconded and the motion was approved by the Board without abstention. The Informal Ethics Committee was comprised of Ms. Oughton, Ms. Layton, Ms. Godby and Ms. Campbell.

- 1. 03-FY-2013, Complaint:** Ms. Layton spoke for the Committee with a recommendation that action be tabled to allow for further research. Ms. Belmont made a motion to table action for this complaint to allow Ms. Godby and Ms. Campbell to complete additional research and conduct a telephone conference prior to the next Board Meeting, Ms. Peters seconded and the motion was approved by the Board.

**2. 04-FY-2013, Practice Violation:** Ms. Layton spoke for the Committee with a recommendation that the standard Consent Agreement for this violation be followed. Ms. Hallis made a motion to issue the established standard Consent Agreement for this practice violation that included a fine of \$100.00 and administrative fee of \$100.00 for a total of \$200.00 for the Licensee and a fine of \$500.00 for the facility, Ms. Belmont seconded and the motion was approved by the Board.

**3. 05-FY-2013, Practice Violation:** Ms. Layton spoke for the Committee with a recommendation that the standard Consent Agreement for this violation be followed. Ms. Belmont made a motion to issue the established standard Consent Agreement for this practice violation that included a fine of \$100.00 and administrative fee of \$100.00 for a total of \$200.00 for the Licensee and a fine of \$500.00 for the facility, Ms. Hallis seconded and the motion was approved by the Board without abstention.

### **B. Inspection Results:**

Ms. Godby informed the Board that posting violations were identified and \$100.00 fines were issued and paid by the employer for each posting violation for the following facilities: CAMC Lung Center; Pendleton Community Care; Berkeley Family Medicine; and Eric Ingersoll, MD. All fines have been paid and transferred to the WV General Fund in accordance with established guidelines. This task is complete and no additional action was needed for this report.

### **C. Safety Committee Report:**

Ms. Layton provided a summary of the Safety Committee Report that was provided to each Board Member. Ms. Layton indicated that Ms. Godby had completed a facility audit and inspection on November 21, 2012 and identified action items for completion that included development of a hazardous materials log sheet with location of hazardous materials and obtained Material Safety Data Sheets (MSDS) from manufacturers. Defensive Driving Training remains incomplete due to pending scheduling for training from the WV FLEET Management Office. Ms. Layton asked for approval of the report presented. Ms. Hallis made a motion to accept the Safety Committee Report, Ms. Belmont seconded and the Board approved the motion without abstention.

### **D. Open Meetings Advisory Opinion Number 2012-04, (O.M.A.O. 2012-04):**

Ms. Campbell provided a summary of the Open Meetings Advisory Opinion (O.M.A.O. 2012-04) regarding how Boards and Commissions are to report financials. Ms. Campbell indicated that some Boards are required to detail each expenditure rather than the summary report provided at our Board Meeting. No additional action was needed for this report from Ms. Campbell.

### **E. Closure Devices and Pulling Sheaths:**

Ms. Godby provided a summary of items submitted by four (4) facilities requesting that Radiologic Technologists that had been documented to have been educationally prepared and deemed to be clinically competent by the facility programs. Each facility met the standards outlined by the Board that include the facility training protocol, skills checklists, competency checklists, written policy and procedures, documentation of training, and job description documents. Established standards were met as follows:

**1. WVUH-Morgantown:** Ms. Godby indicated that WVUH had received approval of their program and now asks to add one (1) Radiologic Technologist to their program. Ms. Layton made a motion to accept the new addition to the WVUH-Morgantown program, Ms. Belmont seconded and the Board approved the motion.

**2. Wheeling Hospital:** Ms. Godby indicated that Wheeling Hospital had received approval of their program and now asks to add four (4) Radiologic Technologist to their existing program. Ms. Hallis made a motion to accept the new addition to the Wheeling Hospital program, Ms. Layton seconded and the Board approved the motion.

**3. WVUH-East City Hospital:** Ms. Godby indicated that WVUH-East City Hospital submitted for consideration and approval of their program and asks the Board's approval for two (2) Radiologic Technologists. Documents submitted by WVUH-East City Hospital were reviewed by Board Members in attendance. Ms. Layton made a motion to accept the new program with the request for approval as noted, Ms. Peters seconded, and the Board approved the motion.

**4. ST. Mary's Medical Center:** Ms. Godby indicated that St. Mary's Medical Center had submitted for consideration and approval their programs for both the Cardiac CATH Lab and the Interventional Vascular Lab in their Radiology Department and asks the Board's approval for twenty (20) Radiologic Technologists. Documents submitted by St. Mary's Medical Center were reviewed by Board Members in attendance.

Ms. Belmont made a motion to accept the new program with the request for approval as noted, Ms. Layton seconded, and the Board approved the motion.

**5. Approval of Future Requests:** Ms. Godby asked that the Board considers allowing her to issue approval for any addition of Radiologic Technologists for programs at these four facilities, (WVUH-Morgantown; Wheeling Hospital; WVUH East City Hospital; and St. Mary's Medical Center). Each have submitted copies of their programs that have been approved by the Board and allowing Ms. Godby to issue approval from the Board Office will serve to eliminate delays. Ms. Godby stated that she could provide an update of added Radiologic Technologists to the Board at the next regularly scheduled Board Meeting. Ms. Belmont made a motion to allow Ms. Godby to issue approval of future submissions for the Closure Devise and Sheath Program for WVUH-Morgantown, Wheeling Hospital, WVUH East City Hospital and St. Mary's Medical Center with reporting to the Board, Ms. Layton seconded and the Board approved the motion.

#### **F. School Reports:**

Ms. Godby discussed the JRCERT Report Summary detailing actions taken for school programs between October 10, 2012 and November 29, 2012 that was provided to Board Members for review. Ms. Godby also informed the Board that a late submission was received from Melissa Haye at Bluefield State College. Ms. Haye had sent a letter to the Board on January 11, 2012 to provide information with regard to her plans to add a concentration in Ultrasound within the Bachelor of Science in Radiologic Sciences degree. Ultrasound is not regulated in West Virginia and this addition is outside the oversight of our Board. No additional action was needed for this report.

#### **G. Mission and Vision Statement Development:**

Ms. Godby suggested that the Board consider development of a Mission and Vision Statement. Ms. Godby stated that other Boards have already established both and asked if the Board is comfortable with allowing her to proceed with proposals or if a subcommittee was warranted. After discussion, Ms. Peters made a motion that Ms. Godby proceed with development of draft Mission and Vision Statements for the Board to consider, Ms. Layton seconded and the Board approved the motion.

#### **H. State Testing:**

Ms. Godby reviewed the State Testing Overview that detailed the processes in place for the following national certifying agencies: American Registry of Magnetic Resonance Imaging Technologists (ARMRIT); American Registry of Radiologic Technologists (ARRT); and Nuclear Medicine Technology Certification Board (NMTCB) for eligibility of candidates for testing and their process for failed attempts. Board Members reviewed and discussed documents from each national certifying agency as well as email communications. Ms. Belmont provided a copy of the guidelines that were established by the Board their 2009 “Qualifications to sit for State Examination” document that include the following:

1. Completion of accredited program.
  - A. Accredited Program Or
  - B. Foreign Program Equivalent to a JRCERT or JRCNMT Accredited Program. The program must be evaluated and approved by an approved evaluation body at the applicant’s expense.
2. No criminal record
3. Have social security number (State Law required to be on application)
4. Pay fee (pass through to ARRT)
5. ARRT sets window for applicant to take computer examination.

After discussion of the established guidelines by Board Members, Ms. Belmont stated that the State Exam should be available to anyone that meets the requirements established in the 2009 Board document and made a motion that Ms. Godby develop application forms and details of availability of the exam with publication in the Newsletter and on the Website. Ms. Peters seconded and the Board approved the motion. Ms. Belmont requested that Ms. Godby provide copies of draft documents for review and approval at the next Board Meeting.

#### **I. Board Concerns:**

There were no concerns verbalized and no action was taken.

#### **J. Board Appointments:**

Ms. Godby stated that she had emailed Andrea Rayl in the Governor’s Office in an effort to determine when Board Appointments for vacant positions would be assigned. Ms. Godby stated that to date she had not received a response. Ms. Godby indicated that we currently have vacant positions for Radiologist, General Practitioner and Radiologic Technologists in addition to expired terms for both Ms. Belmont and Ms. Peters. Ms. Godby stated that she has already submitted the name of one (1) Radiologist and two (2) Radiologic Technologists along with CV-Resumes that each has submitted to the Board. Ms. Belmont asked that each Board Member submit names for consideration of appointment of vacant positions at the next Board Meeting and asked that Ms. Godby be prepared to submit a letter to the Governor from the Board with potential candidates. Ms. Godby stated she would await submission of additional information by Board Members at the next Board Meeting.

#### **K. Board Member Pay:**

Ms. Godby reviewed the Board Member Pay Scale for in person meetings and conference calls distributed to the Board Members as established December 1, 2009 as follows:

**In Person Meeting:** \$75.00 for meetings lasting up to four (4) hours and \$150.00 for meetings lasting in excess of four (4) hours.

**Conference Call:** \$25.00 for calls lasting up to two (2) hours; \$50.00 for calls lasting over two (2) hours but less than four (4) hours; \$75.00 for calls lasting over four (4) hours but less than eight (8) hours; and \$150.00 for calls lasting over eight (8) hours.

After discussion Ms. Peters made a motion that the current Board Member Pay Scale remain unchanged, Ms. Layton seconded and the Board approved the motion.

**L. CRCPD Information on CT Fusion for Nuclear Medicine:**

Ms. Godby reviewed CRCPD Part Z Article “Suggested State Regulations Published Advocacy Corner” submitted by a licensee suggesting applications training hours be accepted toward qualification for CT Testing. After discussion of the processing in place for CT Fusion testing and discussion of the information submitted Ms. Belmont made a motion that no action be taken, Ms. Hallis seconded and the Board approved the motion.

**M. Presentation at State NM Meeting:**

Ms. Godby informed the Board that the State NM Society had asked that she provide a presentation at their annual meeting on Saturday, March 9, 2013 in Charleston, WV. The proposed presentation would be a modification of the presentations Ms. Godby provided at the recent WVSRT Meeting and include ethical and patient satisfaction information and would incorporate the Board’s legislative rules that oversee the practice of NM in West Virginia. Ms. Layton stated that the Society anticipated 50-60 NM Technologists to be in attendance. Ms. Belmont made a motion that Ms. Godby provide the presentation as requested, Ms. Peters seconded and the Board approved the motion. Ms. Layton abstained from the vote.

**N. Executive Session for Personnel Issues:**

Ms. Hallis made a motion to go into Executive Session for discussion of Personnel Issues, Ms. Belmont seconded and the Board approved the motion. Ms. Peters made a motion to come out of Executive Session, Ms. Layton seconded and the Board approved the motion.

**O. Executive Director’s Report:**

Ms. Godby provided a verbal description and summary of the written Executive Director Report that detailed her inspection activity, participation in the CLEAR Mid Year Business Meeting, WVSRT Presentations, WV Purchasing Conference, Sonography Legislation, WV Auditor’s Seminar, Security Training, Annual Report, November and January Newsletters, Agency Safety Self Inspection, and review of upcoming events. Ms. Godby presented a sample of the Inspection Services Verification form that she has developed for use at site inspections. Board members were provided with spreadsheets detailing total inspections completed to date and an updated Executive Director Performance Standards spreadsheet. Ms. Layton made a motion that the Board accept the Executive Director Report, Ms. Hallis seconded and the Board approved the motion.

**P. Compensatory Time:**

There was no further action indicated or taken on this item.

**Q. Job Posting:**

Ms. Godby provided a copy of Mr. Fink’s resignation due to his plans to retire at the end of April 2013 and expressed her dismay with Mr. Fink’s departure stating she had hoped that he would be with the Agency for a long time. Ms. Godby provided copies of the job posting that was used for the position when Mr. Fink was hired along with WV Department of Personnel Position Descriptions for Secretary, Secretary 2 and Administrative Secretary. Ms. Godby suggested that Mr. Fink’s replacement be hired as Secretary 2 with opportunity to advance to Administrative Secretary. Ms. Belmont stated that the job posting for the newspaper would need to be updated. Ms. Godby asked if the job should be listed only in the Beckley Newspaper. Ms. Oughton stated that this might be a good time to think about moving the office to the Charleston area and that we may want to place the advertisement in the Charleston Newspaper too. Ms. Godby stated that she is concerned that rent would be significantly higher than what the Board pays for the Cool Ridge Office. There would also be costs associated with moving furniture and services from Cool Ridge to Charleston that were not budgeted. Ms. Godby also stated that we would need to review the lease to determine if we are committed

and/or when we would have the ability to relocate. After discussion, Ms. Layton made a motion that Ms. Godby prepare a job posting for Secretary 2 with potential to advance to Administrative Secretary for posting in both the Beckley and Charleston Newspapers indicating that the office is currently located in Cool Ridge but has the potential to relocate to Charleston. Ms. Belmont seconded and the Board approved the motion. Ms. Godby will prepare the job description and email out to the Board Members for input.

#### **VI: MEETING DATES AND LOCATIONS**

Ms. Godby asked if there is interest in holding the next Board Meeting earlier in the day so that everyone would be home earlier. After discussion, it was determined that evening meetings are currently the best fit for Board Members and the next meeting will be held at the Country Inns and Suites at Elkview , WV on April 18, 2013 at 5:00pm with Informal Ethics Committee immediately preceding.

Ms. Belmont made a motion to adjourn the meeting. Ms. Peters seconded and the Board approved the motion. The meeting was adjourned at 08:15 PM.

Minutes submitted by Nancy Godby, Executive Director.

Minutes approved at April 18, 2013 Board Meeting.