

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Feb 15, 2024 4:00 PM - 6:00 PM EST

1. Meeting to Order

The virtual board meeting was called to order at 4:07 PM on Thursday, February 15, 2024, by the Chairman of the Board, Tyson Judy.

Chairman Judy stated that according to the Secretary of State's statutory requirement for Open Meeting Notices (WV Code § 6-9A), this meeting notice was published on the Secretary of State's Website on January 22, 2024.

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 and Todd Resley, MD. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Brian Martin and Erin Butcho, MD were excused.

5. Agenda

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

6. January 18, 2024 Board Meeting Minutes

A motion was made by Ms. Barnett to approve the January 18, 2024 board meeting minutes. Secretary Workman seconded the motion and the Board concurred.

The board meeting minutes were then posted on the board's website for public availability.

7. Old Business

a. 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.

b. Board Member Openings

Chairman Judy reported that there is a Radiologist, Radiologic Technologist and Licensed Practitioner Board Member positions available and that the information is available at: <https://wvrtboard.gov/Career-Opportunities>.

c. Telehealth Rules

Chairman Judy reported that our Telehealth Rules went out for public comment on June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules passed the Legislative Rule-Making Committee on 11/1/2023. Senate Bill 89 and House Bill 4133 was introduced on 1/10/2024. The Rules are now bundled into House Bill 4110 and Senate Bill 66. House Bill 4110 passed the House on 2/15/2024 and is now in the Senate Judiciary Committee.

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 February 15, 2024 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, 04-FY-2024, 05-FY-2024 and 06-FY-2024.

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:12 PM to discuss Ethics case 04-FY-2022, 10-FY-2023, 04-FY-2024, 05-FY-2024 and 06-FY-2024. The motion was seconded by Secretary Workman. After review of all available information the Board unanimously concurred.

A motion was made by Dr. Resley to exit out of executive session at 4:37 PM. The motion was seconded by Ms. Layton. 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 Recovery 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, a Hearing has held on 9/7/2023 and a Final Order was issued on 1/18/2024.

d. 04-FY-2024

Chairman Judy reported that the Ethics Committee met with the licensee and the employer and presented all the available information.

Mr. Jones made a motion to dismiss the case for lack of probable cause. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

e. 05-FY-2024

Chairman Judy reported that the Ethics Committee met with the licensee and the employer and presented all the available information.

Mr. Jones made a motion to Summarily Suspend the license and offer a consent agreement with a mandatory discipline program with the WV Pharmacy Recovery Network. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

f. 06-FY-2024

Chairman Judy reported that the board received a self reported complaint and presented all the available information.

Mr. Jones made a motion to dismiss the complaint for lack of probable cause. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

9. January 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on February 15, 2024 to review the January 2024

financial reports

Chairman Judy reported that the January 2024 ending cash balance was \$493,122.90 with \$15,947.00 in total revenue and \$15,919.71 in total expenditures. Chairman Judy recommended approval.

Dr. Resley made a motion to approve the January 2024 financial report as presented. After review of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

10. January 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on February 15, 2024 to review the January 2024 Purchasing Card report

Chairman Judy reported that there were \$50.00 in purchases and recommended approval.

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

11. January 2024 Director's Report

Ms. Layton made a motion to approve the January 2024 Director's Report as presented. After review of all available information, Dr. Resley 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, Ms. Barnett seconded the motion and the Board unanimously concurred.

13. Introduced Legislation

Director Browning reported that all introduced legislation that could affect the board is posted on the board's website and is updated daily. The board reviewed and discussed the list of introduced legislation.

14. Upcoming Meetings

a. March 21, 2024

Mr. Jones made a motion to have the next Board meeting on March 21, 2024. Ms. Layton seconded the motion and the Board concurred.

15. Adjournment

Mr. Jones made a motion to adjourn at 4:51 PM, Secretary Workman seconded the motion and the Board concurred.