

WEST VIRGINIA MEDICAL IMAGING & RADIATION THERAPY TECHNOLOGY BOARD OF EXAMINERS

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NEWSLETTER 2008

This newsletter is published annually so that the licensees may be better informed of the operations of the Board. We encourage you to submit your comments and recommendations to the address above.

NEW EMPLOYEE.

With the retirement of the Board's Administrative Secretary, a new employee had to be brought in and trained. The Board staff selected Randy Fink, former postmaster at Cool Ridge, as the new Administrative Secretary. Randy took over the position on March 1, 2008 and has done an excellent job of reforming the office to a more technology friendly office. Several changes have been made to speed the application and licensing process along. Randy continues the office focus of turning the license application process over on a daily basis and sending the licenses out the day they are received provided the application is complete. The Board is very proud of the job Randy has done and is happy to have him on-board.

LICENSE RENEWAL APPLICATIONS

The Board has stopped sending license renewal applications to the licensee due to new postal regulations and costs. Instead, a postcard is being mailed approximately seven (7) weeks prior to expiration of the license to the individual. The majority of the licensees now go on-line to the Board's web page, www.wvrtboard.org, and renew their license by credit card. Credit cards being accepted are Visa, Master Card, Discover, American Express, Diners and bank debit cards. The office must be able to verify your Continuing Education credits through the ARRT or NMTCB web pages. Your name MUST be listed on one of these web pages or you will need to send documentation of your CE's to the office before your renewal license will be issued. Please verify that your name is listed on one of the web pages and you are not on CE probation. If you are not listed or on CE probation, you will need to mail or fax documentation of your CE's to the office before we will process the renewal application. The on-line process is very simple and user-friendly. It is a secure web site through the WV Treasurer's office and allows you to obtain a conditional certificate which is good for seven (7) days. The conditional certificate will allow you to work until you receive your renewal license. If you do not have access to a computer at home or work, you can call the office and request an application be mailed to you. Your employer can download one for you from our web page. The renewal fee is the same regardless of whether you do it on-line or mail a check to the office. But, the **BIG** advantage is that the turn-around time is a matter of minutes instead of days with a mailed-in application so you can legally continue working since you have a Conditional Certificate stating you have renewed your license.

IMPORTANT CE INFORMATION FOR LICENSE RENEWAL

All licensed technologists are required to submit evidence of twenty-four (24) hours of

continuing education earned in the previous two (2) years before licenses are renewed. To determine what is required, please read the statements below.

If you are **ACTIVE ARRT or NMTCB**, and you mail your application to the office, make a copy of your **active ARRT or NMTCB card** showing continuing education requirements have been met. Submit the copy of the card with your application for renewal and fee. If you have lost your ARRT card, you can go to the ARRT web page (www.arrt.org) and print out and submit your credential information. This is the only documentation you will need to submit for continuing education. If this documentation is not submitted, our application and check will be returned as **INCOMPLETE**. If this causes your license to expire, you will be charged an additional fee of \$ 25.00 and your employer will be notified that you do not have a valid license and cannot legally work as a medical imaging or radiation therapy technologist in West Virginia.

If you are **ACTIVE ARRT OR NMTCB AND RENEW ON-LINE**, your CE biennium will be checked by the Board's staff on the ARRT or NMTCB web page. If you are not listed on these web pages, you will need to submit documentation of twelve (12) hours of continuing education immediately to the office. Your license will not be issued until CE documentation is verified. The CE's must have been earned since your previous renewal or twenty-four (24) hours earned in the previous two (2) years before your annual license can be mailed to you. There are no exceptions to this - **DOCUMENTATION OF CE COMPLIANCE IS REQUIRED**. This CE documentation cannot be hand written information but must be provider certificates or some other official document.

If you are **NON-ACTIVE ARRT OR A GRANDFATHERED LICENSEE**, you must submit documentation that you have obtained twelve (12) hours of continuing education earned since your previous license renewal or twenty-four (24) hours earned in the previous two (2) years. **DOCUMENTATION OF CE COMPLIANCE IS REQUIRED**. This CE documentation cannot be hand written information but must be provider certificates or some other official document.

If the appropriate CE documentation is not submitted or verified, the application and fee will be returned to you, or, in the case of on-line renewals, will be credited back to your credit card. A renewal license will not be issued until the requirements are met.

BOARD MEETING HIGHLIGHTS FOR 2008

Meeting held on October 18, 2007

Board welcomed Randy Fink recently hired to assume position of Administrative Secretary upon retirement of Carol Blosser. Minutes and financial reports along with the credit card purchases were approved as submitted. Complaints were discussed: (1.) Job Performance Evaluation - case dismissed due to death of licensee. (2.) Failure to render aid to accident victim - Case dismissed as unfounded. (3.) Consent Agreement signed in 2003 - letter to be sent to licensee informing of non-compliance of Consent Agreement and license will not be reinstated. (4.) Operation of x-ray by medical assistant - letter received stating only doctors will take the x-rays in the future. Letter will be sent informing of dismissal of complaint but informing facility that if another complaint of this type is received, the Board will go to court to seek an injunction against the facility. (5.) Operation of x-ray by paramedic - letter received stating only doctors will take the x-rays in the future.

Letter will be sent informing of dismissal of complaint but informing facility that if another complaint of this type is received, the Board will go to court to seek an injunction against the facility. Legislative updates - Series 3,4 and 6 Rules took effect October 17, 2007. Series 1,2 and 5 passed out of the Legislative Rule Making Review Committee and will be introduced in the Legislature in January, 2008. Old Business - No appointments have been made by the Governor's office, including the position of Dr. Reesman, who resigned. New Business - Nuclear Medicine community spokesperson requested permission to address the Board concerning the law recently passed involving nuclear medicine technologists. A committee was formed of board members and nuclear medicine community to work out a solution for presentation at a future board meeting. Two Board members and Executive Director gave a report on their attendance at the WV Auditor's Seminar for Licensing Boards. Report was given on the Purchasing Audit conducted by the WV Department of Administration's Purchasing Division. Permission was requested and approved to replace old office furniture and equipment. Board was informed of a letter sent to the office from an individual complaining of the licensing fees. Response was sent explaining the need for the fees and that the fees are consistent with other licensing boards in WV. Permission was given to obtain contract to replace the name of the office door with the Board's new name. Permission granted to change Mr. Fink's status from part-time to full time December 1, 2007.

Meeting held on March 19, 2008

Board welcomed new members, James Wilson representing Nuclear Medicine technology and Nancy Oughton representing MRI. Previous minutes and financial statements along with credit card purchases were approved as submitted. Letter was read from former Administrative Secretary expressing gratitude to the Board for her six years of employment. Complaints were discussed as follows: (1.) A former licensee who was under a Consent Agreement since 2003 requested reinstatement. It was determined licensee had not fully complied with 2003 Consent Agreement. Board requested licensee submit to a random drug test and complete the continuing education credits required under the Consent Agreement. Drug test was positive but was determined licensee did have a legitimate prescription for the drug. Licensee informed the board that, due to financial hardship, licensee would not be able to obtain the required CE's at this time and requested the request for reinstatement be pulled from consideration at this time. (2.) Board was informed that a facial center is using a Mini CT unit capable of 3-D imaging without licensed operators. Letter will be sent to cease operation until they have a properly licensed operator. Legislative update - Series 1, 2 and 5 Rules have passed the legislature and awaiting the Governor's signature. Will be implemented immediately upon signature. Old Business - Reported that the Board now has full membership of eleven members. New Business - (1.) Workforce WV conducted an unemployment audit of the office for the year 2006 and reported no errors with zero difference on all reports. (2.) Committee will meet to iron out language to be submitted to the 2009 legislature concerning imaging issues with nuclear medicine multi-modality units. (3.) Barium swallow examinations - technologist performing modified barium swallow fluoro examinations with a speech pathologist and without a licensed physician supervising. Representative from the Speech Pathology department was to submit questions or appear before the board to resolve this issue but no one showed up or questions submitted. The board agreed with the Executive Director that this test has to be done under direct supervision of a licensed physician, either in person or via a direct audio/visual connection. (4.) Wheeling Hospital's Radiologic Technology will be reviewed by the Joint Review Committee on Education in Radiologic Technology (JRCERT) for re-accreditation in April, 2008. (5.) Research will be done concerning proper

method of disposing of old records stored at the office since 1978. (6.) Wording of the letter sent when a licensee does not submit a copy of the ARRT card or documentation of CE's with a paper application was discussed and changed. (7.) Design of the new license was shown to the Board members which can be printed directly from the database. Also, programming completed to allow the printing of mailing labels directly from the renewal of the licenses.

Meeting held on June 19, 2008

Previous meeting minutes and financial statements, including purchasing card expenditures, approved as submitted. Complaints - (1.) Operation of mini CT unit by non-licensed individuals - letter from doctors stating they would operate the unit in the future. Letter will be sent dismissing complaint however will be worded so that any future complaints of this nature concerning this office will result in seeking of a court injunction. (2.) - Podiatrists allowing individuals without a proper permit to operate x-ray - Letter from doctors stating they will perform their own x-rays. Letter will be sent dismissing complaint however will be worded so that any future complaints of this nature concerning this office will result in seeking of a court injunction. (3.) - Licensee terminated for failure of drug test given for cause - Licensee admitted to the allegations and Board voted to offer a Consent Agreement. (4.) - Standard protocol development - Board voted to adopt a standard protocol and post on the web page as to what a licensee can expect if they admit to illegal drug or alcohol use. Old Business - (1.) Board adopted recommendation of Legislative Committee concerning re-write of the scope of practice dealing with the operation of a multi-modality unit by nuclear medicine technologists. (2.) Legislative committee will review the entire W. Va. Code dealing with Medical Imaging and Radiation Therapy Technology and suggest possible changes to be submitted to the Legislature during the 2009 Legislative session. (3.) New license designed now being used by staff and has increased efficiency in the office, thus saving time and money. New Business - (1.) eGFR Calculation for Creatinine - determined that this is a facility responsibility and not within the scope of the Board to create a policy dealing with this issue. (2.) Needs Assessment for new schools - Procedure developed by Education chairperson and Executive Director (in conjunction with program directors of the radiologic technology programs within WV) requiring anyone desiring to start a new program of radiologic technology must complete and submit to the Board for approval prior to starting the program. Was also approved that the Administrator, chief radiologist and director of medical imaging / chief technologist submit documentation that they agree with the establishment of a new program within their facility. Adoption was also approved that notification be made to Program Directors of any existing program in state that consideration is being given to the establishment of a new program. (3.) Changes in Dental Hygiene laws - Dental hygienist would be allowed to perform x-rays without being under the direct supervision of a dentist. Letter sent to the Dental Board stating this could violate existing law and asked that they recede from this position. This will be submitted to the Legislature during the 2009 legislative session and will be monitored closely and discussed with legislators. (4.) Approval received from State Archives to destroy any non essential, non historical records. (5.) Approval given for Executive Director to attend annual Council on Licensure, Enforcement and Regulation (CLEAR) conference in Anchorage, Alaska. (6.) Attendance at other national conferences (ASRT, NMS, ARMRIT) should have a representative from our Board attend and will be discussed at a future meeting. (7.) Joint Review Committee on Education in Radiation Therapy site visit at WV University - Completed and very minor items needed addressed by facility. (8.) WVSRT meeting - Board will have two representative attend this meeting to answer any questions which may arise from the membership concerning licensure in WV. Personal

Evaluations - Executive Director and Administrative Secretary were given job performance evaluations and 3% raises approved. Re-Appointments - Board members whose terms had expired were re-appointed by the Governor. Election of officers - Alice Belmont from Morgantown was re-elected Chairperson and Melissa Haye from Bluefield re-elected Secretary. Excessive Radiation - Eva Hallis, Program Coordinator of the Radiologic Technology Program for Southern West Virginia Community and Technical College, addressed the board regarding the excessive radiation exposure that some patients are being subjected to, especially during pediatric CT exams. Ms. Hallis will submit an article dealing with this issue and a link to ASRT's Image Gently web page to the Board for posting on the Board's web page.

SCHOOL INSPECTIONS HELD 2008

Wheeling Hospital	04/03-04/2008	Grady Bowyer	8 years
WV University Therapy Program	05/08-09/2008	Alice Belmont	8 years

ETHICS COMMITTEE

The ethics committee is a committee appointed from within the board to review all complaints in regard to professional issues that have been reported to the board of examiners. The purpose of this committee is to review all issues and make recommendations to the full board of examiners about what course of action should be taken against the complaint or if the complaint does not warrant any actions. **ALL** final decisions are made by the full board upon this recommendation, and they can be either agreed on or other recommendations may be decided upon after discussion. After this is completed by the board, the executive director and board's attorney follow the procedure to present the consequences to the technologist per the rules of the board.

It is strongly urged that each technologist in the State of West Virginia follow the ethics of the profession and to ultimately provide the very best patient care to all patients that we serve. Also, all students are urged to learn about ethics and to model them for fellow students and technologists in the clinical education settings in which they are assigned. Ethics is a professional responsibility by all technologists and should be followed. Ethics defined states that it is a "*system of moral principles: the ethics of a culture*"; "*the rules of conduct recognized in respect to a particular class of human actions or a particular group, culture, etc.: medical ethics...*" As professionals we all are encouraged to follow the ASRT Code of Ethics for the Imaging Sciences. Imaging managers, program directors and faculty stress the importance of following these codes to promote professionalism and to ensure optimum patient care.

COMPLAINT INFORMATION

The Board's Executive Director actively investigates any and all complaints reported to the office. These complaints can range from a simple misunderstanding of the law to a blatant violation of the law. As licensed technologists, everyone has an obligation to police your chosen profession. If you are aware of a violation of the WV Code or any of the rules, it is your legal, moral and ethical responsibility to report these violations to the proper authorities. Reporting the infractions does not stop with a simple letter, but a willingness to stand up for your profession and be willing to testify, if needed. All efforts will be taken to try and maintain your confidentiality, however, you may be required to

testify at a Board hearing or even appear in court. Regardless, you must be willing to fight for your jobs and professionalism.

SUMMARY OF COMPLAINTS/INVESTIGATIONS FY 2008

CASE # 01-2008: FAILURE TO RENDER AID TO ACCIDENT VICTIM

- A. Written complaint that licensee hit victim with car then failed to render aid
- B. Certified Notice of Complaint sent to licensee
- C. Response received with documentation showing licensee called 911, had statement from fire assistant chief that happened on scene stating licensee had rendered aid
- D. Call was made to police department to determine if charges had been filed against licensee - was told wasn't licensee's fault - victim pulled into path of vehicle
- E. Ethics Committee reviewed material submitted Board reviewed information submitted, cell phone records, and conversation with police department and made recommendation to Board to dismiss as unfounded
- F. Case dismissed and complainant and licensee so notified.

CASE # 02-2008: DOCTOR HAVING PARAMEDIC TAKE X-RAYS

- A. Complaint received that doctor is allowing paramedic to take x-rays
- B. Certified Notice of Complaint sent to doctor with copy to doctor's licensing board
- C. Letter received from doctor stating all x-rays would be taken by the doctor
- D. Case dismissed

CASE # 03-2008: UNLICENSED INDIVIDUALS OPERATING I-CONE CT UNIT

- A. Complaint received that unlicensed individuals operating I-cone CT unit
- B. Certified Notice of Complaint sent to doctors with copy to doctor's licensing board
- C. Response received that unit is used as dental panoramic unit and doctors are dentist
- D. Letter sent to doctors that their response failed to mention that doctors were also MD's
- E. Phone call from doctor explaining the operation of the unit. Stated the unit was used for "simple broken jaw fractures", which is a medical procedure.
- F. Letter from doctors agreeing to perform all medical procedures themselves
- G. Case dismissed

CASE # 04-2008: PODIATRIST ALLOWING NON-PERMITTEES TO OPERATE X-RAY

- A. Complaint received that podiatrist allowing individuals to operate podiatric x-ray unit without permit
- B. Certified Notice of Complaint sent to podiatrist with copy to podiatrist's licensing board
- C. Letter received from podiatrist stating all x-rays will be performed by podiatrist in the future
- D. Case dismissed

CASE # 05-2008: PODIATRIST ALLOWING NON-PERMITTEES TO OPERATE X-

RAY

- A. Complaint received that podiatrist allowing individuals to operate podiatric x-ray unit without permit
- B. Certified Notice of Complaint sent to podiatrist with copy to podiatrist's licensing board
- C. Letter received from podiatrist stating all x-rays will be performed by podiatrist in the future
- D. Case dismissed

CASE # 06-2008: LICENSEE TERMINATED DUE TO FAILURE OF DRUG SCREEN GIVEN FOR CAUSE

- A. Complaint received that licensee had been terminated for failure of drug screen given for cause
- B. Certified Notice of Complaint sent to licensee
- C. Certified Subpoena Duces Tecum sent to facility
- D. Response to Subpoena Duces Tecum received
- E. Response received from licensee admitting to drug use
- F. Ethics Committee recommend to Board that a Consent Agreement be offered with one (1) year license suspension, two (2) additional years of license probation, drug rehab and aftercare, drug testing, additional continuing education courses, and payment of administrative cost
- G. Board approved offering of Consent Agreement with stipulations
- H. Consent Agreement offered to licensee by certified mail or hearing
- I. Licensee agreed to and signed Consent Agreement
- J. Order entered and filed with the Secretary of State's office

CASE # 07-2008: LICENSEE TERMINATED FOR VIOLATION OF STANDARDS OF BEHAVIOR

- A. Complaint received that licensee was terminated for violation of facility's standards of behavior
- B. Certified Notice of Complaint sent to licensee
- C. Response received from licensee stating it "was a practical joke taken the wrong way"
- D. Board voted to send strong educational letter informing licensee of what kind of behavior is expected of a licensed medical imaging professional. Since no law was violated, no disciplinary action taken other than educational letter.

BOARD MEMBERS

Alice Belmont, Chairperson
Melissa Haye, Secretary
Nancy Godby
Jim Wilson
Nancy Oughton
I. Elaine Moore, M.D.
Robert Smith, M.D.
John Leon, M.D.

Radiologic Technologist
Radiologic Technologist
Radiologic Technologist
Nuclear Medicine
MRI
Licensed Physician
Radiologist
Radiologist

Jamie Browning
Jeanne Morris
Grace L. Peters

Department of Health Representative
Lay Member
Lay Member

STAFF

Grady M. Bowyer, R.T. (R)
Randy Fink

Executive Director
Administrative Secretary

FINANCIAL INFORMATION

Beginning Balance as of July 1, 2007	\$ 51,119.88
Income Received FY 2008	\$ 191,390.00
Total Revenue for FY 2008	\$ 242,509.88
Disbursements for FY 2008	\$ 169,488.40
Balance in account as of June 30, 2008	\$ 73,054.48

LICENSES ISSUED FY 2008

Permanent Licenses:	310 issued
Renewal Licenses:	2,338 issued
Podiatry Permits:	3 issued
Probationary Licenses:	3 issued
Reinstatement:	144 issued
Temporary Licenses:	103 issued
Duplicate Licenses:	4 issued
Name change Fees:	8 issued
Roster of Licensees	2 issued

ADDITIONAL INFORMATION

Be sure to go to our web page for on-line renewal of your license, important information, license searches, pending legislation, FAQ's, etc. The address is:

[HTTP://WWW.WVRTBOARD.ORG](http://www.wvrtboard.org)