

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

1715 Flat Top Road

P.O. Box 638

Cool Ridge, WV 25825-0638

Telephone: (304) 787-4398 Toll Free (in WV): (877) 609-9869 Fax: (304) 787-3030

Email: [wvrtboe@suddenlinkmail.com](mailto:wvrtboe@suddenlinkmail.com) Web Site: [www.wvrtboard.org](http://www.wvrtboard.org)

October 18, 2012  
BOARD MEETING

**Members Present**

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

**Members Excused**

Fred Gabriele, M.D.

**Office Staff**

Nancy Godby  
Randy Fink  
Kate Campbell, Attorney

The meeting was called to order by Ms. Oughton, Chairperson, at 5:00 PM.

Ms. Oughton established that a quorum was present.

**MINUTES:**

A motion was made by Ms. Belmont to accept the minutes of the July 19, 2012 meeting. Ms. Layton seconded the motion. The motion carried.

**FINANCIAL REPORT:**

The financial report, including the credit card expenditures, were presented by Mr. Fink. Ms. Layton made a motion to accept the financial report and credit card expenditures as presented. Ms. Belmont seconded the motion. The motion carried.

**OLD BUSINESS:**

**A. CONSENT AGREEMENTS UPDATES-COMplete**

Ms. Godby informed the Board that Tammy Adams, Alicia Parker and Tiffany Baston had paid their fines and that they had completed their responsibilities regarding their consent agreements. Ms. Godby stated that Leslie Pellegrin had been late on both of her payments for her consent agreement but that she has paid the amount due in full. Ms. Peters moved that no further action be made against this licensee. Ms. Hallis seconded the motion and the motion carried.

B. PROGRAM UPDATES

1. MOUNTAIN STATE UNIVERSITY - JRCERT SITE VISIT

Ms. Godby informed the Board that she and Ms. Layton had attended the JRCERT site visit that had been prompted by the ongoing Accreditation issues that are being addressed at Mountain State University. Ms. Godby stated that they had discussed with the JRCERT representatives the Board's concerns regarding the transferring of the Imaging Program to another institution. Ms. Godby stated that they had expressed concern that an excessive number of graduates are being graduated in the State which is flooding the job market with an excessive number of Imaging professionals. After discussion Ms. Layton made a motion to prepare a letter to send to the JRCERT expressing the concerns of the Board regarding the transferring of the program. Ms. Belmont seconded the motion and the motion carried.

C. CLOSURE DEVICES AND PULLING SHEATHS

Ms. Godby informed the Board that she is still waiting on documentation from St. Mary's Medical Center's regarding their training program. Ms. Godby also stated that CAMC is working on their training program but that they are not ready to submit the required documentation at this time.

D. STATE VEHICLE - UPDATE

Ms. Godby informed the Board that the new State vehicle has been received and that the old vehicle had been turned in. Ms. Godby stated that the Board's decals have been installed and that the vehicle should serve the Board for many years.

E. WV.GOV EMAIL ADDRESSES

Ms. Godby informed the Board that she had been successful in establishing her email address with WV.Gov and that a few issues were being worked out before changing Mr. Fink's email to the system.

F. POSITION STATEMENTS

Ms. Godby informed the Board that a special meeting had been held at Flatwoods with Ms. Layton, Ms. Oughton, Ms. Hallis and herself to revise the Board's Position Statements. Ms. Godby presented the Board with the Position Statements that were produced. After discussion Ms. Belmont made a motion to accept the proposed Position Statements with the changes that were discussed. Ms. Layton seconded the motion and the motion carried.

G. SONOGRAPHY LEGISLATION

Ms. Godby informed the Board that she had sent information to both the Board of Medicine and the Osteopathic Board regarding the pending Sonography Legislation. Ms. Godby stated that she had attended a meeting of the Osteopathic Board and made a presentation regarding the Legislation. Ms. Godby also stated that she had contacted the Board of Medicine regarding the Sonography legislation and had discussed the legislation with Robert Knittle, Executive Director. Mr. Knittle told Ms. Godby that he would present the information that he had received to his Board and would inform us of the decision on whether the Board of Medicine would support the Legislation.

## H. MRI-NUCLEAR APPRENTICE LICENSES

Ms. Godby informed the Board that following the last Board meeting the action taken regarding Apprentice Licenses was discussed by Ms. Campbell and herself. After further review of the law regarding issuing Apprentice Licenses it had been determined that the Board could not stop issuing Apprentice Licenses for the purpose of cross training unless the law was changed. After discussion Ms. Belmont made a motion that per Council's guidance the vote made at the last meeting to end the issuance of Apprentice Licenses be rescinded and that an end date be incorporated in the law for the Apprentice Licenses the next time the law is opened. Ms. Layton seconded the motion and the motion carried.

## I. COMPLAINTS - NARDONE CHIROPRACTIC CLINIC

Ms. Godby informed the Board that the complaint regarding the Nardone Clinic allowing unlicensed staff to perform imaging had been dismissed by the Chiropractic Board because the person who had brought the complaint had failed to show up to testify. Ms. Godby stated that no further action would be taken regarding this complaint.

## **NEW BUSINESS**

### A. ETHICS COMMITTEE

#### 1. 01-FY-2013

Ms. Godby informed the Board that this individual had self reported working on a lapsed license. Ms. Godby stated that the licensee had mailed the license to the Board but had used the physical address instead of the Post Office box number. The Post Office had returned the letter. The licensee did not know that the application was returned until her license had expired. She immediately notified the Board that she had worked on the lapsed license. The licensee met with Ethics Committee and expressed her remorse for the mistake. The Ethics Committee recommended that no action be taken against the licensee. Ms. Hallis made a motion that no action be taken. Ms. Layton seconded the motion and the motion carried.

During discussion Ms. Belmont made a motion to modify the applications to clearly differentiate the mailing address from the physical address. Ms. Peters seconded the motion and the motion carried.

#### 2. 02-FY-2013

Ms. Godby stated that during a regular inspection she had discovered a person who had a Temporary Permit was working as a MRI-Apprentice. The Permit holder and the facility department head did not know that a Temporary Permit holder could not work as a MRI-Apprentice. The permit holder immediately obtained his original and MRI-Apprentice license. The Ethics Committee recommended that no action be taken. Ms. Belmont made a motion to accept the Ethics Committee recommendation. Ms. Hallis seconded the motion and the motion carried. After discussion of the Ethics Committee's findings regarding the two complaints Ms. Peters made a motion that no action be taken against either of the employing facilities for allowing unlicensed personnel to work. Ms. Belmont seconded the motion and the motion carried.

During discussion Ms. Peters made a motion to send out a informational newsletter to facilities via Certified Mail and to the licensees via regular mail to update those working in the field regarding changes that could eliminate this type of problem in the future. Ms. Belmont seconded the motion and the motion carried.

B. INSPECTION REPORTS

Ms. Godby informed the Board that improper posting violations had been discovered at Stonewall Jackson Memorial Hospital, Lively Healthcare and MedExpress. Ms. Godby stated that each facility had been fined \$100.00 and that the fines had been paid. No further action will be taken regarding these violations.

C. SAFETY REPORT

Ms. Godby informed the Board that she has prepared a Safety Policy and Safety Manual using recommendations from the Safety Audit conducted by the state Board of Risk and Insurance Management carrier. The policy and manual have been reviewed by both herself and Mr. Fink and is now filed at the office. Ms. Godby informed the Board that an accident had occurred involving the state car, another driver had failed to stop at a stop light and impacted the state vehicle in the side. An investigation was performed using the Root Cause Analysis process that is detailed in the Safety Policy. The resulting report was reviewed by Ms. Layton. No further action was recommended. Ms. Godby stated that the only outstanding item remaining on the BRIM safety audit was the required Defensive Driving Training course, which has yet to be offered by the Fleet Management office. Ms. Hallis made a motion to accept the Safety Report and Root Cause Analysis report. Ms. Belmont seconded the motion and the motion carried.

D. BOARD TRAINING

Ms. Godby gave a brief training presentation covering the responsibilities of a Board Member.

E. AUDITOR'S BOARD TRAINING - DECEMBER 3,2012

Ms. Godby informed the Board that the Auditor's Board Training meeting would be held on December 3,2012 at the Charleston Marriot. The benefits of attending the training was discussed and all of the Board members were encouraged to attend. Ms. Godby asked those interested to contact her so she could make reservations for those attending.

F. EXPIRED LICENSE - RENEWAL

Ms. Godby informed the Board of a recurring problem with expired licensee's employer not responding to the letter that is sent out to inform them that their employee's license had expired. Ms. Godby stated that there was never a response from the employer informing the Board of the work status of the expired licensee except where the licensee was no longer employed by their facility. Ms. Godby suggested that a second notice be sent to the facility CEO via Certified Mail informing them of the licensee's expired status and that they are in violation if the person has worked on a lapsed license and that no response had been transmitted to the Board regarding the work status of the licensee as requested from the department head of the facility in the first letter. Ms. Layton made a motion to accept the recommended actions. Ms. Peters seconded the motion and the motion carried.

G. HEALTHCARE COMPLIANCE ASSOCIATION RENEWAL FEES

Ms. Godby addressed the Board regarding her membership in the Healthcare Compliance Association and the benefits that she receives by being involved in this organization. Ms. Layton made a motion for the Board to pay the membership dues for Ms. Godby in the amount of \$295.00. Ms. Peters seconded the motion and the motion carried.

#### H. EXECUTIVE DIRECTOR'S REPORT

Ms. Godby presented the Board with the Executive Director's Report detailing the number of inspections and other information detailing her activities since the last Board Meeting. This included reports on the Clear conference and training, the ASRT conference and the State Auditor's conference. Ms. Layton made a motion to accept the Report. Ms. Peters seconded the motion and the motion carried.

#### I. ADVANCED MEETING SCHEDULE

Ms. Godby presented the Board with a proposed meeting schedule for the upcoming calendar year. Ms. Godby suggested that if the dates were selected in advance it would make it easier for Board members to plan their schedules to accommodate attendance at the Board meetings. The Board discussed the meeting schedule and agreed on the following tentative meeting dates.(January 17, April 18, June 6 and September 19). Ms. Hallis made a motion to accept the proposed meeting schedule. Ms. Belmont seconded the motion and the motion carried.

#### J. ELECTION OF CHAIRPERSON

Ms. Oughton informed the Board that she would serve out her term as Chairperson so no action was required.

#### K. OFFICE DESK

Ms. Godby informed the Board that we were not allowed to purchase furniture outside the Statewide purchasing system and that any purchase would have to be made from the WV Correctional Industries. Ms. Godby stated that she had met with the Correctional Industries and a smaller desk than had originally priced to the Board for her to use at the Cool Ridge office was available for the price of \$2,100.00 which was inline with what was priced at Staples. Ms. Godby stated that she was using her own office furniture at her home office and that nothing had been purchased for that location. Ms. Hallis made a motion to purchase this desk. Ms. Peters seconded the motion and the motion carried.

#### L. LEGISLATIVE AUDIT

Ms. Godby informed the Board that she had been notified that our agency was scheduled for a in depth audit that will be submitted to the Legislature. Ms. Godby has already received the information that details what is being required which covers a extensive amount of financial information. Ms. Godby stated that no deadline for submitting the information was given but that the documents will be submitted as soon as possible.

#### M. CLEAR MEETING

Ms. Godby informed the Board that she had been asked to serve on the Regulatory Agency Administration Committee and the Compliance and Discipline Subcommittee with the CLEAR organization. Ms. Godby stated that there was going to be a midyear and planning meeting of these committees in Savanna Georgia from January 10 thru the 12<sup>th</sup>. Ms. Godby stated that her participation in these committees and meetings was up to the Board and that the only expense would be for the rooms, meals and travel. Ms. Belmont made a motion to approve Ms. Godby's participation in these committees and the associated travel expenses and that the funds spent be reported to the Board. Ms. Peters seconded the motion and the motion carried.

10/18/2012

Page 6

N. BOARD MEMBER CONCERNS

Ms. Oughton addressed the Board regarding a question she had received regarding updating the Board's web page. Mr. Fink stated that there was a delay in uploading the approved minutes from April 11, 2012 meeting but that they were now on the website for the public to review at this time. Mr. Fink stated that the Draft Minutes from the July 19, 2012 meeting had not been uploaded. There was discussion about whether it was appropriate to upload Draft Minutes to the website because of the possibility of changes being made to them prior to them being approved. It was agreed that Draft Minutes would no longer be posted and that only Approved Minutes would be posted on the web page.

O. SCHOOL REPORT

Ms. Hallis presented the Board with the annual Report for the Imaging Schools in the State. The Board discussed the number of students being graduated from the Imaging programs.

P. EXECUTIVE SESSION

Ms. Belmont made a motion to go into Executive Session. Ms. Peters seconded the motion and the motion carried.

Ms. Layton made a motion to end the Executive Session. Ms. Belmont seconded the motion and the motion carried.

Ms. Layton made a motion to accept Mr. Bowyer's resignation and to send him a letter requesting the Board's equipment that he has in his possession. Ms. Peters seconded the motion and the motion carried.

**Next Meeting Date and Location**

The next meeting will be held at the Country Inns and Suites at Elkview , WV on January 17<sup>th</sup> 2013. The meeting will begin at 5:00 pm.

Ms. Belmont made a motion to adjourn the meeting. Ms. Hallis seconded the motion. The motion carried.

The meeting was adjourned at 08:45 PM.

Minutes submitted by Randy Fink, Administrative Secretary.