

**BEFORE THE WEST VIRGINIA MEDICAL IMAGING AND RADIATION
THERAPY TECHNOLOGY BOARD OF EXAMINERS**

**WEST VIRGINIA MEDICAL IMAGING
AND RADIATION THERAPY
TECHNOLOGY BOARD OF EXAMINERS,
Complainant,**

v.

Case No. 14-FY-2017

**JENNY HAMPTON,
Respondent.**

CONSENT AGREEMENT AND ORDER

After due investigation of a complaint, the West Virginia Medical Imaging & Radiation Therapy Technology Board of Examiners (“Board”) determined that there was probable cause to believe that Jenny Hampton (“Respondent”) has exhibited unprofessional and unethical conduct in the practice of medical imaging, in violation of the provisions of W. VA. CODE § 30-23-1 *et seq.* and the Rules of the Board, W. VA. CODE R. § 18-1-1*et seq.* The Respondent was provided with written notice of the allegations against her pursuant to the rules of the Board and the laws of this State.

Now, in lieu of hearing, the parties have reached an agreement for the resolution of this matter and the parties agree to entry of the following Order in disposition of this matter.

FINDINGS OF FACT

The Board adopts the following findings:

1. The Board is a regulatory Board created for the purpose of regulating the practice of medical imaging and radiation therapy. W. Va. Code § 30-23-1 *et seq.*

2. In order to carry out its regulatory duties, the Board is empowered to suspend, revoke or otherwise discipline an individual's medical imaging license pursuant to W. VA. CODE § 30-23-24 and W. VA. CODE R. § 18-4-1 *et seq.*
3. Jenny Hampton ("Respondent") is a licensee of the Board and is subject to the license requirements of the Board.
4. At all times relevant Jenny Hampton was employed as a Medical Imaging Technologist, License No. 9332, at Jefferson Urgent Care, LLC.
5. Respondent's license to practice medical imaging expired on April 30, 2017.
6. Respondent performed procedures as a Medical Imaging Technologist at Jefferson Urgent Care, LLC while her license was expired from May 1, 2017, through May 17, 2017.
7. Respondent renewed her license on May 18, 2017.
8. The Board initiated a complaint via letter dated May 25, 2017.
9. Respondent answered the board initiated complaint via electronic mail dated July 18, 2017. Respondent stated that she did not receive the letter dated May 25, 2017. Although, Respondent admitted that she had worked at Jefferson Urgent Care, LLC, from May 1, 2017, through May 17, 2017, on an expired license while practicing as a Medical Imaging Technologist.
10. Respondent appeared via telephone before the Board's Ethics Committee on August 17, 2017.

11. The Board at its August 24, 2017, Meeting, voted to find probable cause for a violation of W. VA. CODE § 30-23-24(a)(2) and W. VA. CODE R. § 18-1-4.4.b.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to take disciplinary action against Respondent.
2. Based upon the allegations set out above in the *Findings of Fact* section and pursuant to W. VA. CODE § 30-23-24, the Board may revoke, suspend, or otherwise discipline the Respondent's license to practice medical imaging technology.
3. The Board has the authority, pursuant to W. VA. CODE R. § 18-1-4.8, to levy penalties for working on an expired license.
4. Respondent's actions, as set forth in the *Findings of Fact*, constitute violations of W. VA. CODE § 30-23-24(a)(2) and W. VA. CODE R. § 18-1-4.4.b.

CONSENT

I, Jenny Hampton, by affixing my signature hereto, acknowledge the following:

1. That I have had the opportunity to consult with counsel and execute this Consent Agreement voluntarily, freely, without compulsion or duress and mindful that it has legal consequences.
2. That no person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth herein.

3. That I acknowledge that I am aware that I may pursue this matter through appropriate administrative and/or court proceedings, and I am aware of my legal rights regarding this matter, but intelligently, knowingly and voluntarily waive such rights.
4. That I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.
5. That I acknowledge that the execution of this document constitutes disciplinary action by the Board. It is therefore considered to be public information, and information regarding this matter is available to any employer, prospective employer, or any other individual who may inquire as to the license status.
6. That I admit that my actions were a violation of the statute and rules of the Board.

The Respondent, Jenny Hampton, by affixing her signature hereon, agrees to the following:

ORDER

On the basis of the foregoing, the Board does hereby **ORDER** and **DECREE** that:

1. Respondent is hereby **REPRIMANDED** for her actions in this matter.
2. Respondent shall reimburse the Board for all of the administrative and legal expenses incurred by the Board in the investigation and disposition of this case, not to exceed five hundred dollars (\$500.00), within thirty (30) days of entry of this *Consent Agreement and Order*.

3. The Board is bound by agreement and law to report the results of all disciplinary actions, including the instant matter, for posting to the Board's web page, to the West Virginia Secretary of State's Office, and ARRT.
4. This document is a public record as defined in W. VA. CODE § 29B-1-2(4).
5. Respondent acknowledges that failure to comply with this *Consent Agreement and Order* may result in additional disciplinary action.
6. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

WEST VIRGINIA MEDICAL IMAGING &
RADIATION THERAPY TECHNOLOGY
BOARD OF EXAMINERS

By: *Tuanya Layton*
Tuanya Layton, Chairperson

Entered: *2/22/2018*
Date

Agreed to by: *Jenny Hampton*
Jenny Hampton, Respondent

Feb 13 2018
Date

Jenny Hampton signed
Sworn and subscribed before me this *13th* day of *February* 2018.

My Commission expires: *4/9/2023*

Catherine M Kerns
Notary Public

