

**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 Web Site: www.wvrtboard.org

June 3, 2009

BOARD MEETING

Members Present	Members Excused	Office Staff	Guests
Alice Belmont, Chairperson	John Leon M.D.	Grady Bowyer	Lella Miller
Jamie Browning	Robert Smith M.D.	Randy Fink	Matt Ellison
Melissa Haye	Jean Morris	Nicole Cofer,	Tommy Parsons
I. Elaine Moore M.D.		Attorney	
Nancy Godby			
Grace Peters			
Nancy Oughton			
James Wilson			

The meeting was called to order by Ms. Belmont, Chairperson, at 5:35 PM.

MINUTES:

A motion was made and seconded to accept the minutes of March 25, 2009 with an amendment of spelling. Motion carried.

FINANCIAL REPORT:

The financial report including the credit card expenditures were presented by Mr. Fink. Motion was made and seconded to accept the financial report and credit card expenditures as presented. Motion carried.

COMPLAINTS :

A. Hearing- Lee Casto

A hearing was held on January 29, 2009 before Hearing Examiner Jack McClung. Testimony was given by Mr. Bowyer and evidence presented by Ms. Cofer concerning Mr. Casto's failure to abide by the Consent Agreement he signed and was entered into the record of the Board on July 18, 2008. Ms. Cofer offered suggestions as to what action the Board could take against the license of Mr. Casto. After discussions, a motion was made and seconded to revoke Mr. Casto's license. This motion did not carry. A second motion was made, seconded and passed to revoke Mr. Casto's license for a period of 5 years and require Mr. Casto to pay all administrative costs that have been incurred by the Board relating to his case within 30 days of notification of this action.

B. Hearing- # 01 - FY 2009

A hearing was held on January 29, 2009 with testimony by Ms. Godby and Mr. Bowyer for the Board. Several

additional witnesses were called for testimony. At the request of the defense, the hearing was kept open for presentation of additional evidence and testimony. The hearing was re-convened on April 2, 2009 for presentation of additional evidence and testimony concerning Complaint # 01- FY 2009. Ms. Cofer informed the Board that she has submitted the Proposed Finding of Fact and Conclusions of Law to the Hearing Examiner, Jack McClung. Mr. McClung will issue his final ruling in the near future.

C. Operation of Bone Densitometry Unit by Unlicensed Person

Mr. Bowyer discussed the complaint and made a recommendation that, based on the response from the doctor, the complaint be dismissed. Motion was made and seconded that the complaint be dismissed. Motion carried.

OLD BUSINESS:

A. Legislative Update: Mr. Bowyer informed the Board that the code update was vetoed by the Governor because of the title. The Legislature re-passed the legislation with an amended title and the bill is awaiting the Governor's action.

B. Series 6 Rule: Mr Bowyer informed the Board that the Series 6 Rule was submitted for public comment on April 30, 2009 and that no comments were received by the ending date of June 2, 2009. Mr Bowyer stated that he would final file this Rule with an effective date of July 3, 2009.

The Board voted to go into Executive session to discuss office procedure. Upon returning to the public session, the following were presented:

C. Position Statements - The Board reviewed the Position statements developed by a committee of Board members. The statements were amended in two areas from the committee report. A motion was made and seconded that the position statements be accepted as amended. The motion carried.

D. CT Training - A discussion was held on the type of training required for technologist to perform fusion imaging and radiation therapy treatment planning utilizing CT. Mr. Bowyer was asked to develop a testing protocol relating to Radiation safety as stated in the law. Mr. Bowyer presented a series of recommendation from a testing vendor for this testing.

NEW BUSINESS:

A. Mr. Bowyer informed the Board that he had received a request from a licensed nuclear medicine technologist (NMTCB) asking that permission be granted by the Board to allow the performing of diagnostic CT examinations by certified NMTCB technologist. After review of the material submitted and discussion, a motion was made, seconded and approved that Mr. Bowyer would send a letter denying this request. The letter would also state that only ARRT-R certified technologists are allowed to perform CT procedures for diagnostic purposes.

B. On-Line License Applications: Mr. Bowyer informed the Board that the on-line application process for an original license started in April. This process had been very successful, reducing the processing time and accuracy of the information. Mr. Bowyer presented the Board with information describing the process. Mr. Fink informed the board that 50% of the permanent licenses that have been issued since the implementation of this process have come thru the online procedure.

C. On-Line Application for Temporary Licenses: Mr. Bowyer informed the Board that he is in the

process of developing an on-line application procedure for the issuing temporary permits to graduates of the West Virginia approved schools of the Radiological Sciences. Mr. Bowyer briefly stated how he envisions the procedure to work. He will be presenting this to the West Virginia Treasurer's office for the writing of the web code, with an expected start date of April, 2010.

D. Treasurer's Office-Lockbox - Lella Miller & Matt Ellison: A presentation was made by Lella Miller & Matt Ellison from the treasurer's office concerning the implementation of a new lock box procedure by the State Treasurer for handling applications and checks. They explained that once the Treasurer's office would receive an application for the Board, the application and all supporting documents would be scanned and uploaded to a secure server. The Board would then download the images and process it in the normal procedure. The checks would be deposited directly into our account on that day. This process could also have the potential of scanning data fields by an optical character reader (OCR) and this data could be automatically transferred to our data base. This process would almost completely eliminate the need for the office to make deposits plus it would ensure the monies are deposited within 24 hours of receipt, as per state law. This would also save the office staff time in a number of ways and increase accuracy of the database. After some discussion, a motion was made, seconded and passed to have this process implemented by the office when it is available.

E. Auditor's Seminar: Mr. Bowyer informed the Board that the West Virginia State Auditor's Seminar for Chapter 30 Licensing Boards would be held on October 14, 2009 at the Charleston Marriott. Ms. Hays indicated that this seminar was very beneficial and the material was extremely helpful. Mr. Bowyer indicated that he would notify the Board members when the registration process opens and seek their desire to attend at that time.

F. New School Proposals: Ms. Hays informed the board that two new school proposals had been submitted to the Board.

1. The first proposal was for a MRI Program submitted by WVU Hospital. After review of the material submitted and discussion, a motion was made, seconded and carried approving the starting of this program.
2. The next proposal was for a Nuclear Medicine Program submitted by Bluefield State College. After review of the material and discussion, a motion was made, seconded and carried to approve this program, with Ms. Hays abstaining.

G. New Apprentice Licenses: Mr. Bowyer showed the Board the new Apprentice licenses that are now being used by the office. Using the printer to apply the apprentice status on the licenses improved the appearance over the rubber stamp that had been in use.

H. Board Appointments: Mr. Bowyer informed the Board that he has been in contact with the Governor's representative concerning the recommended appointments to the Board, but there has not been movement on these appointments. Mr. Bowyer indicated that the appointed members whose terms have expired can continue serving until re-appointed or replaced.

I. Qualification's For the State Exam: Ms. Belmont presented the Board with the committee's recommended qualifications for individual's desiring to sit for the state examination. After some discussion, a motion was made, seconded and passed to adopt the committee's recommendations.

J. Invoice Imaging: Mr. Bowyer informed the board that the office has started scanning all invoices

approved for payment and electronically submitting the scanned invoices and supporting documentation to the Auditor's office for payment. Mr. Bowyer indicated that the images are available to the office as a electronic document through the Auditor's office, these documents backed up on the Auditor's server and copies are also retained on the office computers. Mr. Bowyer also presented the Board with a Imaged Invoice Retention Policy that he has developed and had approved by the Office of Administration and the Department of History and Archives. The policy states that the original paper copies will be maintained in the office for a period of 60 days after the invoices have been paid. After the sixty (60) day period, the documents will be destroyed by shredding.

K. Ms. Godby suggested that an amended agenda be kept with the minutes for each Board meeting due to the changes made in the original agenda. Ms. Godby also asked that, in future agendas, an asterisk be placed by the items that require a vote by the board.

Personnel Evaluations and Pay

A motion was made, seconded and approved to go into executive session to discuss personnel evaluations.

Upon returning for Executive Session, a motion was made to accept the new pay raise schedule for board employees as presented by Ms. Belmont. The motion was seconded and carried.

Mr. Bowyer discussed Mr. Fink's job performance using the WV Department of Personnel's Employee Performance Appraisal Evaluation form. Mr. Bowyer told the board that the evaluation indicated a rating score of 2.26, which equates to a pay percentage increase of 3.5%. A motion was made and seconded to grant Mr. Fink the 3.5 % raise. The motion carried.

Ms. Belmont discussed Mr. Bowyer's job performance evaluation. Ms. Belmont discussed the evaluation with the board and indicated that the evaluation came out to a rating score of 2.18, which equates to a pay percentage increase of 2.75%. A motion was made to increase Mr. Bowyer's salary 2.75%. The motion was seconded and carried.

Election of Officers

Mr. Hays was nominated to the position of Board Secretary. Being no further nominations, a motion was made, seconded and passed to close the nominations and elect Ms. Hays by acclamation.

Ms. Belmont and Ms. Godby were nominated for the position of Chairperson. Being no further nominations, the process was moved, seconded and passed to close the nominations and vote. Mr. Fink counted the ballots and declared that Ms. Belmont had been elected Chairperson.

Next Meeting Date and Location

The next meeting will be held at Tamarack in Beckley WV on Wednesday, September 16, 2009. The meeting will begin at 5:30 pm.

The meeting was adjourned at 09:10PM.

Minutes submitted by Randy Fink, Administrative Secretary.

APPROVED 9/16/09