

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu May 18, 2023 4:00 PM - 7:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:06 PM on Thursday, April 20, 2023 by the Chairman of the Board, Tyson Judy.

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, Todd Resley, MD and Brian Martin. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Board member Peter Chirico MD, was excused.

5. Agenda

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

6. April 20, 2023 Board Meeting Minutes

A motion was made by Ms. Barnett to approve the April 20, 2023 board meeting minutes. Mr. Martin seconded the motion and the Board concurred.

The April 20, 2023 board meeting minutes were posted to the Board's website for public availability.

7. Old Business

a. CLEAR's 2023 Introduction to Regulatory Governance Webinar Series

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR Introduction to Regulatory Governance Webinar Series, Assessing Competence on June 22, 2023.

b. ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting

Chairman Judy reminded the board members and staff that funds have been approved to attend the ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting June 22-25, 2023 at the Nugget Casino Resort in Reno NV.

c. Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting

Chairman Judy reminded the board members and staff that funds have been approved to attend the Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting on June 24-27, 2023 in Chicago IL.

d. FARB 2023 Innovation in Regulation Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the FARB 2023 Innovation in Regulation Conference on July 20-21, 2023 in Alexandria VA.

e. CLEAR 2023 Annual Education Conference

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR 2023 Annual Education Conference September 27-30, 2023 in Salt Lake City, UT.

8. Professional Development

a. CLEAR Webinar - Professional Discipline

Chairman Judy reported that Ms. Barnett attended CLEAR Webinar on Professional Discipline on May 18, 2023.

9. 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 May 18, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 09-FY-2023, 10-FY-2023, and 11-FY-2023.

a. Executive Session

A motion was made by Ms. Layton to enter into executive session at 4:12 PM to discuss Ethics cases 04-FY-2022, 09-FY-2023, 10-FY-2023 and 11-FY-2023. The motion was seconded by Mr. Martin and the Board concurred.

A motion was made by Mr. Martin to exit out of executive session at 4:31 PM. The motion was seconded by Ms. Layton and the Board 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 Resource Network Discipline Program quarterly update for review and discussion. No action was taken.

c. 09-FY-2023

Chairman Judy reported that 09-FY-2023 has completed all the requirements of his consent agreement including reimbursing the Board \$250 for incurred costs.

Dr. Resley made a motion to close ethics case 09-FY-2023. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

d. 10-FY-2023

Chairman Judy presented the Board with a redacted complaint received by the Board on 3/28/2023.

Chairman Judy reported that 10-FY-2023 did not attend the scheduled informal Ethics Meeting or respond to the certified letter received on 4/27/2023.

Dr. Resley made a motion to summarily suspend the Respondent's license. Should the Respondent enter into a consent agreement with the Board wherein the Respondent agrees to enter into a mandatory disciplinary program with the WV Pharmacy Recovery Network Discipline Program for drug testing and monitoring, the summary suspension will be lifted by the Board at that time. After review of all available information, Mr. Martin seconded the motion and the Board concurred.

e. 11-FY-2023

Chairman Judy reported that 11-FY-2023 was offered a Consent Agreement on 4/24/2023 and has 30 days to respond. No action was taken.

10. April 2023 Financial Monthly Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on May 18, 2023 to review the April 2023 financial report.

Chairman Judy reported that the ending cash balance was \$456,264.52 with \$12,006.00 in total revenue and \$19454.15 in total expenditures.

Secretary Workman made a motion to approve the April 2023 financial report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board concurred.

11. April 2023 Purchasing Card Monthly Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on May 18, 2023 to review the April 2023 purchasing card report.

Mr. Martin made a motion to approve the April 2023 Purchasing Card Report as presented with \$3,006.21 in total purchases. After review of all available information, Ms. Layton seconded the motion and the Board concurred.

12. April 2023 Director's Report

Secretary Workman made a motion to approve the April 2023 Director's Report as presented. After review of all available information, Dr. Resley seconded the motion and the Board concurred.

13. Medical Imaging Schools Report

a. JRCERT Accreditation Actions

Chairman Judy presented the JRCERT Accreditation Actions for review and discussion. No action was taken.

b. 0310 Bluefield State University

Chairman Judy reported that Robin L. Maynor, R.T.(R) was appointed as clinical preceptor at Beckley Appalachian Regional Hospital. No action was taken.

c. 0415 Southern WV Community and Technical College

Chairman Judy reported that Havilah R. Adkins, D.N.P., R.T.(R)(BD), APRN, CPNP-PC was appointment as the Program Director. No action was taken.

14. 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. No action was taken.

15. Board Member Openings

Chairman Judy reported that we have Board Member openings for 2 radiologist and 1 citizen member and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

Chairman Judy reported that he, Secretary Workman and Director Browning had a interview with the Citizen Board Member candidates on May 18, 2023 and detailed the candidates qualifications.

Mr. Martin made a motion that the Board recommend Jeffery Jones to the Governor for the Citizen Board Member. After review of all available information, Dr. Resley seconded the

motion and the Board concurred.

16. State Employee Pay Raise

Chairman Judy reported that Governor Justice signed the Budget Bill including an Across-the-Board 5% increase for state employees in the amount of \$2,300 annualized effective on July 1, 2023.

Dr. Resley made a motion that the Board give Director Browning \$2,300 raise effective on July 1, 2023 . After review of all available information, Mr. Martin seconded the motion and the Board concurred.

17. Legal Name on License

Dr. Resley made a motion that the entire legal name be displayed on the license . After review of all available information, Mr. Martin seconded the motion and the Board concurred.

18. FARB 2023 Regulatory Law Seminar

Ms. Layton made a motion to fund participation in the FARB 2023 Regulatory Law Seminar in Chicago IL on September 21-23, 2023. After reviewing all available information, Secretary Workman seconded the motion and the Board concurred.

19. CLEAR Webinar - How regulatory agencies are using big data to predict non-compliance

Chairman Judy reported that CLEAR is having a webinar on How regulatory agencies are using big data to predict non-compliance on June 7th at 1:00PM. No action was taken.

20. CLEAR Webinar - Regulation 101

Chairman Judy reported that CLEAR is having a webinar on Regulation 101 on June 15th at 4:00PM. No action was taken.

21. FY 2024 - Election of Officers

a. Chairman of the Board

Ms. Barnett nominated Tyson Judy for the Chairman of the Board in FY 2024. After reviewing all available information, Mr. Martin seconded the motion and the Board concurred.

b. Secretary

Dr. Resley nominated Dee Workman for the Secretary of the Board in FY 2024. After reviewing all available information, Mr. Judy seconded the motion and the Board concurred.

22. Upcoming Meetings

a. June 15, 2023

Ms. Barnett made a motion to have the next Board meeting on June 15, 2023. Secretary Workman seconded the motion and the Board concurred.

23. Adjournment

Mr. Martin made a motion to adjourn at 4:50 PM, Ms. Barnett seconded the motion and the Board concurred.