



Virtual Board Meeting

Thu Apr 18, 2024 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:02 PM on Thursday, April 18, 2024, by the Chairman of the Board, Tyson Judy.

Director Browning provided documentation that in accordance with the Secretary of State's statutory requirement for Open Meetings (WV Code § 6-9A), the meeting notice was published on the Secretary of State's Website on March 25, 2024.

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 welcomed Mike Brown with the West Virginia Pharmacy Recovery Network.

4. Attendance

Chairman Judy welcomed Adam Kassar, MD to the board.

Board members in attendance were Chairman Tyson Judy, Secretary Dee Workman, Kristi Barnett, Tuanya Layton, Jeffrey Jones, Brian Martin, Erin Butcho, MD and Adam Kassar, MD. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Todd Resley, MD. was excused.

5. Agenda

Mr. Martin made a motion to accept the agenda as presented. Mr. Jones seconded the motion and the Board concurred.

6. Board Meeting Minutes

A motion was made by Ms. Barnett to approve the March 21, 2024 board meeting minutes. Mr. Martin seconded the motion and the Board concurred.

In accordance with the Secretary of State's statutory requirement for Open Meetings, the board meeting minutes were posted on the board's website for public availability.

7. Old Business

a. 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.

b. Board Member Openings

Chairman Judy reported that the Radiologic Technologist and Licensed Practitioner Board Member positions are posted and the information is available at: <https://wvrtboard.gov/Career-Opportunities>.

c. Telehealth Rules

Chairman Judy reported that our Telehealth Rules went out for public comment on June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules passed the Legislative Rule-Making Committee on 11/1/2023. Senate Bill 89 and House Bill 4133 was introduced on 1/10/2024. The Rules are now bundled into House Bill 4110 and Senate Bill 66. House Bill 4110 completed legislation on March 9, 2024. HB4110 was signed by the Governor on March 27, 2024. The Rules were filed with WVSOS on March 29, 2024 and the effective date of passage is April 1, 2024.

8. Professional Development

a. Conference of Radiation Control Program Director (CRCPD) 56th National Conference on Radiation Control

Chairman Judy noted that funds have been approved for for board members and staff to attend the Conference of Radiation Control Program Director (CRCPD) 56th National Conference on Radiation Control in Jacksonville, FL on May 20-23, 2024.

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

Chairman Judy noted that funds have been approved for board members and staff to attend the ASRT Educational Symposium and Annual Governance and House of Delegates Meeting in Orlando, FL on June 27-30, 2024.

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 April 18, 2024 prior to the Board Meeting to discuss Ethics cases 05-FY-2024, 07-FY-2024, 08-FY-2024, 09-FY-2024 and 10-FY-2024.

a. Executive Session

A motion was made by Ms. Layton to enter into executive session at 4:27 PM to discuss Ethics cases 05-FY-2024, 07-FY-2024, 08-FY-2024, 09-FY-2024 and 10-FY-2024. The motion was seconded by Mr. Jones. After review of all available information the Board unanimously concurred.

A motion was made by Ms. Layton to exit out of executive session at 5:13 PM. The motion was seconded by Mr. Martin. The Board unanimously concurred.

b. 04-FY2022

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 Recovery Network Discipline Program quarterly update for review and discussion.

No action was taken.

c. 05-FY-2024

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement with a mandatory discipline program on 4/8/2024.

Chairman Judy presented the board with an Agreed Order for review and discussion.

A motion was made by Mr. Jones to offer the Agreed Order to the licensee for consideration. After review of all available information, Ms. Barnett seconded the motion and the board unanimously concurred.

d. 07-FY-2024

Chairman Judy presented the facts of the case for review and discussion.

Ms. Layton made a motion to initiate a complaint and to send the licensee to the West Virginia Pharmacy Recovery Network for a Substance Use Disorder Assessment. After review of all available information, Mr. Martin seconded the motion and the board unanimously concurred.

e. 08-FY-2024

Chairman Judy reported that the ethics committee met with the licensee, the employer and their attorney prior the board meeting. Chairman Judy presented the facts of the case for review and discussion.

Ms. Barnet made a motion to dismiss the case for lack of probable cause. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

f. 09-FY-2024

Chairman Judy presented the facts of the case for review and discussion.

Ms. Barnet made a motion to subpoena the records of the Maryland revocation. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

g. 10-FY-2024

Chairman Judy presented the facts of the case for review and discussion.

Ms. Barnet made a motion to refer the complaint to the American Registry of Radiologic Technologist (ARRT) and the (ARDMS). After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

10. March 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on April 19, 2024 to review the March 2024 financial reports.

Chairman Judy reported that the March 2024 ending cash balance was \$486,057.55 with \$13,462.00 in total revenue and \$16,959.03 in total expenditures. Chairman Judy recommended approval of the March 2024 financial reports.

Ms. Layton made a motion to approve the March 2024 financial report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

11. March 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on April 18, 2024 to review the March 2024 Purchasing Card report.

Chairman Judy reported that there were \$256.67 in purchases and recommended approval.

Mr. Jones made a motion to approve the February 2024 Purchasing Card report as presented. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

12. March 2024 Director's Report

Secretary Workman made a motion to approve the March 2024 director's report as presented. After review of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

13. Medical Imaging Schools Report

Chairman Judy presented the Medical Imaging Schools Report for review and discussion.

Mr. Jones made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

14. Computer Purchase

Chairman Judy presented the computer purchase request for review and discussion.

Mr. Martin made a motion to purchase Three (3) HP EliteBook 650 G10 Notebooks from the Statewide Purchasing Contract for \$1,101.00 each and Three (3) HP USB-C G5 Docking Stations from the Statewide Purchasing Contract for \$158.00 each. After review of all the available information, Secretary Workman seconded the motion and the Board unanimously concurred.

15. Security Guard - Albert T Summers Center

Chairman Judy presented the security guard request for review and discussion.

Ms. Layton made a motion to provide funds for the board's part on security guard for the Albert T Summers Center. After review of all the available information, Secretary Workman seconded the motion and the Board unanimously concurred.

16. Upcoming Meetings

Mr. Jones made a motion to have the next Board meeting on May 16, 2024. Ms. Barnett seconded the motion and the Board concurred.

17. Adjournment

Mr. Martin made a motion to adjourn at 5:23 PM, Ms. Layton seconded the motion and the Board concurred.