



Virtual Board Meeting

Thu Jun 20, 2024 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:06 PM on Thursday, May 16, 2024, by the Chairman of the Board, Tyson Judy.

Chairman Judy noted that according to the Secretary of State's statutory requirement for Open Meeting Notices (WV Code § 6-9A), this meeting notice was published on the Secretary of States Web site on May 20, 2024.

a. 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.

2. Guests

Chairman Judy noted that no guests were in attendance.

3. Attendance

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

4. Agenda

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

5. Board Meeting Minutes

A motion was made by Mr. Martin to approve the May 16, 2024 board meeting minutes. Ms. Layton 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.

6. Old Business

a. WV Legislative Auditor's Performance Evaluation & Research Division - 2023 Regulatory Board Review

Chairman Judy noted that the WV Legislative Auditor's Performance Evaluation & Research Division started the 2023 Regulatory Board Review on February 22, 2023 and will be requesting additional information as the regulatory review proceeds.

b. Board Member Openings

Chairman Judy announced that Governor Justice appointed Dr. Mindy Smith and Dr. Melissa Jung to the board with a term starting on July 1, 2024 and expiring on June 30, 2027.

7. Professional Development

a. 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.

b. FARB Innovation of Competency 2024

Chairman Judy noted that funds have been approved for board members and staff to attend the 2024 FARB Innovation of Competency in Atlanta GA September 19 – 21, 2024.

c. Purchasing Card Training

Chairman Judy noted that Director Browning has completed the WV State Auditor's required annual Purchasing Card training.

8. Ethics

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:12 PM to discuss Ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, 09-FY-2024, 11-FY-2024. The motion was seconded by Dr. Kassar. After review of all available information, the Board unanimously concurred.

A motion was made by Mr. Jones to exit out of executive session at 4:35 PM. The motion was seconded by Ms. Layton. 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 05-FY-2022 has entered into a consent agreement with a mandatory discipline program until 9/23/2025. Chairman Judy presented the board with the WV Pharmacy Recovery Network Discipline Program update for review and discussion.

No action was taken.

d. 07-FY-2024

Mr. Martin made a motion to issue a Summary Suspension Order, a Notice of Hearing and Statement of Charges. After discussion and review of all the available information, Dr. Resley seconded the motion and the Board concurred.

e. 09-FY-2024

Chairman Judy reported that Maryland revoked the respondent's license on June 30, 2023 due to multiple work-related issues. Chairman Judy noted that the respondent failed to report the revocation on November 24, 2023 during her West Virginia license renewal application.

Dr. Resley made a motion initiate a complaint and issue a Complaint Letter, together with a Summary Suspension Order. After discussion and review of all the available information, Mr. Jones seconded the motion and the Board concurred.

f. 11-FY-2024

Chairman Judy reported that the respondent was terminated for unethical conduct on May 22, 2024.

Mr. Martin made a motion initiate a complaint and issue a Complaint Letter, together with a Summary Suspension Order. After discussion and review of all the available information, Dr. Resley seconded the motion and the Board concurred.

9. 2024 Monthly Financial Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on June 20, 2024 to review the May 2024 financial reports.

Chairman Judy reported that the May 2024 ending cash balance was \$482,841.65 with \$27,823.00 in total revenue and \$22,205.05 in total expenditures. Chairman Judy

recommended approval of the May 2024 financial reports.

Mr. Martin made a motion to approve the Martin 2024 financial report as presented. After review of all available information, Dr. Resley seconded the motion and the Board unanimously concurred.

10. 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on June 20, 2024 to review the May 2024 Purchasing Card report.

Chairman Judy reported that there were \$8.05 in purchases and recommended approval. Chairman Judy recommended approval of the May 2024 Purchasing Card report.

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

11. 2024 Director's Report

Chairman Judy reported that there were 87 new, 42 temporary, 293 renewals and 8 late/reinstatement license applications processed in May 2024. Chairman Judy recommended approval of the May 2024 Director's Report.

12. Medical Imaging Schools Report

Chairman Judy presented the JRCERT Accreditation Actions for review and discussion.

Chairman Judy presented the St Mary's Medical Center School of Medical Imaging for review and discussion.

Chairman Judy reported that the Joint Review Committee on Education in Radiologic Technology (JRCERT) awarded The University of Charleston - Beckley an accreditation for eight (8) years.

Chairman Judy reported that Bluefield State University added OrthoVirginia as a clinical setting.

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

13. Education Requirements

Director Browning presented § 30-23-9. Requirements for Radiologic Technology license for review and discussion. Director Browning suggested that the submission of a diploma on transcript is duplicative with the certification requirement and is not in line with the surrounding state's requirements.

Mr. Martin made a motion to make the submission of a diploma or transcript optional. After review of all available information, Ms. Layton seconded the motion and the Board unanimously concurred.

14. Non Diagnostic CT Fusion License Exam

Director Browning presented § 30-23-16. Scope of Practice for Nuclear Medicine Technologist for review and discussion. Director Browning suggested alternative documented training for CT.

Secretary Workman made a motion to make the submission of completion of a Board approved comprehensive CT Course as satisfactory documented training in lieu of the WV CT Fusion Exam for the non diagnostic CT Permit. After review of all available information, Ms. Layton seconded the motion and the Board unanimously concurred.

15. Non Diagnostic CT Fusion License Documented Training

Director Browning presented § 30-23-16. Scope of Practice for Nuclear Medicine Technologist for review and discussion. Director Browning suggested alternative documented training for CT.

Mr. Martin made a motion to make the submission of transcripts documenting CT Education as satisfactory documented training for the non diagnostic CT Permit. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

16. Nuclear Medicine with Diagnostic CT License

Director Browning presented § 30-23-16. Scope of Practice for Nuclear Medicine Technologist for review and discussion. Director Browning suggested creating a License to document Nuclear Medicine technologists who have satisfied the code requirement's for diagnostic CT.

Dr. Resley made a motion to create a License for Nuclear Medicine with Diagnostic CT as mentioned in the code. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

17. 2024 WVSRT 70th Annual Conference

Mr. Jones made a motion to fund participation in the 2024 WVSRT 70th Annual Conference in Bridgeport, WV on November 7-9, 2024. Ms. Barnett seconded the motion and the Board unanimously concurred.

18. 2024 CLEAR Annual Educational Conference

Ms. Layton made a motion to fund participation in the 2024 CLEAR Annual Educational Conference in Baltimore, MD on September 16-19, 2024. Ms. Barnett seconded the motion and the Board unanimously concurred.

19. Election

Chairman Judy noted that according to § 30-23-5-i The board shall designate one of its members as chairperson and one member as secretary who shall serve at the will of the board.

Mr. Jones nominated Tyson Judy as Chairperson and Tuanya Layton as Secretary. Mr. Martin seconded the motion and the Board unanimously concurred.

20. Upcoming Meetings

Mr. Martin made a motion to have the next board meeting on August 15, 2024. Dr. Butcho seconded the motion and the Board unanimously concurred.

21. Adjournment

Chairman Judy noted that Secretary Workman and Dr. Resley's term as Board Members ends on June 30, 2024 and he thanked them for their dedication to the Board.

Secretary Workman made a motion to adjourn at 5:07PM, Dr. Resley seconded the motion and the Board concurred.