



In Person Board Meeting

Thu Aug 15, 2024 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:05 PM on Thursday, August 15, 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 State's website on June 24, 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 noted that no guests were in attendance.

4. Attendance

Board members in attendance were Chairman Tyson Judy, Secretary Tuanya Layton, Kristi Barnett, Brian Martin, Melissa Jung, MD., Mindy Smith, DEL, Jeffrey Jones, Esq. Erin Butcho, MD. and Adam Kassar, MD. Executive Director Jamie Browning and Assistant Attorney General Adriana Marshall, Esq. were also in attendance.

5. Agenda

Ms. Barnett 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 Mr. Martin to approve the June 20, 2024 board meeting minutes. Dr. Butcho 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. WV Legislative Auditor's Performance Evaluation & Research Division - 2024 Regulatory Board Review

Chairman Judy noted that the WV Legislative Auditor's Performance Evaluation & Research Division started the 2024 Regulatory Board Review on February 22, 2023 and will present their final report on Sunday August 25, 2024 at 3:00PM at the interim meeting of the Joint Committee on Government Organization.

Chairman Judy presented the draft PERD audit report and the draft PERD audit response for review and discussion.

8. Professional Development

a. 2024 CLEAR Annual Educational Conference

Chairman Judy noted that funds have been approved for board members and staff to attend the 2024 CLEAR Annual Educational Conference in Baltimore, MD. September 16 – 19, 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. 2024 WVSRT 70th Annual Conference

Chairman Judy noted that funds have been approved for board members and staff to attend the 2024 WVSRT 70th Annual Conference in Bridgeport, WV November 7-9, 2024.

9. Ethics

a. Executive Session

A motion was made by Dr. Butcho to enter into executive session at 4:22 PM to discuss Ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, 09-FY-2024, 11-FY-2024 and 12-FY-2024. The motion was seconded by Dr. Kassar. After review of all available information, the Board unanimously concurred.

A motion was made by Ms. Barnett to exit out of executive session at 4:53 PM. The motion was seconded by Dr. Butcho. 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 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

Chairman Judy reported that 07-FY-2022 has entered into a consent agreement with a mandatory discipline program. Chairman Judy presented the board with the WV Pharmacy Recovery Network Discipline Program update for review and discussion.

Chairman Judy reported that her Summary Suspension would be lifted once the WV Pharmacy Recovery Network Discipline Program reported that she had a negative drug test.

No action was taken.

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 Maryland revocation on November 24, 2023 during her West Virginia license renewal application.

Chairman Judy reported that West Virginia issued a Summary Suspension on July 9, 2024.

Chairman Judy reported that the Ethics Committee met with the respondent for approximately one (1) hour prior to the Board Meeting and shared the findings with the Board for review and discussion.

Mr. Jones made a motion to offer a Consent Agreement and issue a Notice of Hearing and Statement of Charges if the consent agreement is not accepted within 30 days. After review and discussion of all the available information, Mr. Martin seconded the motion and the Board concurred.

f. 11-FY-2024

Chairman Judy reported that the Board received a complaint on June 5, 2024 stating the respondent was recording coworkers in the employee bathroom.

Chairman Judy reported that West Virginia issued a Summary Suspension on July 9, 2024.

Chairman Judy noted that the respondent did not attend the Ethics Committee Meeting or respond to the complaint letter.

Mr. Jones made a motion to offer a Consent Agreement and issue a Notice of Hearing and Statement of Charges if the consent agreement is not accepted within 30 days. After review and discussion of all the available information, Mr. Martin seconded the motion and the Board concurred.

g. 12-FY-2024

Chairman Judy reported that the Board received a self reported complaint on June 24, 2024 stating the respondent was working while impaired.

Chairman Judy noted that the respondent did not attend the Ethics Committee Meeting or respond to the complaint letter. Chairman Judy reported that the employer did attend the Ethics Committee Meeting.

Mr. Jones made a motion to offer a Consent Agreement and issue a Notice of Hearing and Statement of Charges if the consent agreement is not accepted within 30 days. After review and discussion of all the available information, Mr. Martin seconded the motion and the Board concurred.

10. June 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on August 15, 2024 to review the June 2024 monthly financial report.

Chairman Judy reported that the June 2024 ending cash balance was \$485,095.68 with \$19,903.00 in total revenue and \$17,648.97 in total expenditures. Chairman Judy presented the June 2024 monthly financial report for review and discussion and recommended approval.

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

11. FY-2024 Annual Financial Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on August 15, 2024 to review the FY-2024 annual financial report.

Chairman Judy reported that the June 2024 ending cash balance was \$485,095.68 with \$241,960.00 in total revenue and \$221,952.53 in total expenditures. Chairman Judy presented the FY-2024 annual financial report for review and discussion and recommended approval.

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

12. July 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on August 15, 2024 to review the July 2024 monthly financial report.

Chairman Judy reported that the July 2024 ending cash balance was \$490,374.33 with \$22,786.00 in total revenue and \$17,507.35 in total expenditures. Chairman Judy presented the July 2024 monthly financial report for review and discussion and recommended approval.

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

13. June 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on August 15, 2024 to review the June 2024 Purchasing Card report.

Chairman Judy presented the June 2024 P Card report for review and discussion. Chairman Judy reported that there were \$3,858.33 in purchases and recommended approval.

Dr. Butcho made a motion to approve the June 2024 Purchasing Card report as presented. After review of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

14. July 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on August 15, 2024 to review the July 2024 Purchasing Card report.

Chairman Judy presented the July 2024 Purchasing Card report for review and discussion. Chairman Judy reported that there were \$718.63 in purchases and recommended approval.

Ms. Barnett made a motion to approve the July 2024 Purchasing Card report as presented. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

15. June 2024 Director's Report

Chairman Judy presented the June 2024 Director's Report for review and discussion. Chairman Judy reported that there were 50 new license applications, 9 temporary license applications, 241 renewal license applications and 9 late/reinstatement license applications processed in June 2024. Chairman Judy recommended approval of the June 2024 Director's Report.

Mr. Jones made a motion to approve the June 2024 Director's Report as presented. After review of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

16. FY 2024 Director's Report

Chairman Judy presented the FY 2024 Annual Director's Report for review and discussion. Chairman Judy reported that there were 556 new license applications, 64 temporary license applications, 3,009 renewal license applications and 87 late/reinstatement license applications processed in FY 2024. Chairman Judy recommended approval of the FY 2024 Director's Report.

Mr. Martin made a motion to approve the FY Annual 2024 Director's Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

17. July 2024 Director's Report

Chairman Judy presented the July 2024 Director's Report for review and discussion. Chairman Judy reported that there were 48 new license applications, 292 renewal license applications and 10 late/reinstatement license applications processed in July 2024. Chairman Judy recommended approval of the July 2024 Director's Report.

Mr. Jones made a motion to approve the June 2024 Director's Report as presented. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

18. Medical Imaging Schools Report

a. JRCERT Accreditation Actions

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

No action was taken.

b. United Hospital Center

Chairman Judy reported that Lisa Knight, Morgan Koon and Ashleigh Lamb were named as clinical preceptors at United Hospital Center.

Chairman Judy reported that the clinical capacity was increased to two (2) at St. Joseph's Hospital.

No action was taken.

c. West Virginia University Hospitals Radiation Therapy Program

Chairman Judy reported that Elisabeth Mailo and Meghan Chapman were appointed as clinical preceptors at West Virginia University Hospital's Radiation Therapy Program.

No action was taken.

d. Bluefield State University Radiography Program

Chairman Judy reported that OrthoVirginia was added as a clinical setting for the Bluefield State University Radiography Program.

Chairman Judy reported that the clinical capacity was increased to four (4) at Beckley Veterans Administration Medical Center.

No action was taken.

e. West Virginia Northern Community College

Chairman Judy reported that West Virginia Northern Community College has submitted their JRCERT Self and additional information is required by July 17, 2024.

No action was taken.

f. West Virginia University Hospitals Radiography Program

Chairman Judy reported that Amy Clark was appointed as clinical preceptors at WVU Medicine University Town Center.

Chairman Judy reported that West Virginia University Hospital's Radiography Program submitted their 2023 Annual Report.

No action was taken.

g. West Virginia University MRI Program

Chairman Judy reported that West Virginia University MRI Program submitted their 2023 Annual Report.

No action was taken.

19. Legislature Request

Chairman Judy reported that the Board submitted to the WV Legislature that the Board completed 3716 license applications with 1.5 employees in FY-2024.

No action was taken.

20. Internet Circuit Fees

Chairman Judy reported that the Office of Technology bill has increased \$530 per quarter or \$2,120 annually.

No action was taken.

21. ARRT LXMO Exam

Chairman Judy reported that the ARRT is now offering a Limited X-ray Operator Exam.

Dr. Smith made a motion to not allow Limited X-ray Operator's to be licensed in West Virginia. After review of all the available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

22. 2024 Annual Debt Management Certification

Chairman Judy reported that the Board has no debt and submitted certification as requested.

No action was taken.

23. Security Guard Memorandum of Understanding

Chairman Judy presented the Security Guard Memorandum of Understanding for review and discussion.

No action was taken.

24. FY 2025 Agency Procurement Designation

Chairman Judy presented the Agency Procurement Designation for review and discussion.

No action was taken.

25. Upcoming Meetings

Mr. Martin made a motion to have the next Board Meeting on Thursday, September 19, 2024. After review and discussion of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

26. Adjournment

Mr. Jones made a motion to adjourn the meeting at 5:12PM. Mr. Martin seconded the motion and the Board concurred.