



Virtual Board Meeting

Thu Sep 19, 2024 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:01 PM on Thursday, September 19, 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 August 26, 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. and Erin Butcho, MD. Executive Director Jamie Browning and Assistant Attorney General Adriana Marshall, Esq. were also in attendance. Adam Kassar, MD was excused.

5. Agenda

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

6. Board Meeting Minutes

A motion was made by Mr. Martin to approve the August 15, 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 reported that the WV Legislative Auditor's Performance Evaluation & Research Division 2024 Regulatory Board Review was presented on Sunday August 25, 2024 at the interim meeting of the Joint Committee on Government Organization.

Chairman Judy spoke in opposition to consolidation with the Board of Medicine.

No action was taken.

8. Professional Development

a. 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 on November 7-9, 2024.

Chairman Judy reported that himself, Director Browning, Secretary Layton, Ms. Barnett and Mr. Martin are registered to attend.

9. Ethics

a. Executive Session

A motion was made by Mr. Martin to enter into executive session at 4:07 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 Mr. Jones. After review of all available information, the Board unanimously concurred.

A motion was made by Ms. Barnett to exit out of executive session at 4:17 PM. The motion was seconded by Mr. Jones. 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 respondents' Summary Suspension would be lifted once the respondent has enrolled in and complies with the terms of the Pharmacy Recovery Network Program.

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 the West Virginia license renewal application.

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

Chairman Judy reported that a Consent Agreement offer was sent to the respondent on September 7, 2024.

No action was taken.

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.

Mr. Jones made a motion to offer an Amended 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 12-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 respondents' Suspension would be lifted once the respondent has enrolled in and complies with the terms of the Pharmacy Recovery Network Program.

No action was taken.

10. August 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on September 19, 2024 to review the August 2024 monthly financial reports.

Chairman Judy reported that the August 2024 ending cash balance was \$489,353.58 with \$21,278.00 in total revenue and \$22,298.75 in total expenditures. Chairman Judy presented the August 2024 monthly financial report for review and discussion and recommended approval.

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

11. August 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on September 19, 2024 to review the August 2024 Purchasing Card report.

Chairman Judy presented the August 2024 Purchasing Card report for review and discussion. Chairman Judy reported that there were \$493.92 in purchases and recommended approval.

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

12. August 2024 Director's Report

Chairman Judy presented the August 2024 Director's Report for review and discussion. Chairman Judy reported that there were 56 new license applications, 3 temporary license applications, 257 renewal license applications and 7 late/reinstatement license applications processed in July 2024. Chairman Judy recommended approval of the August 2024 Director's Report.

Ms. Layton made a motion to approve the August 2024 Director's Report as presented. After review of all available information, Dr. Smith seconded the motion and the Board unanimously concurred.

13. FY 2026 Budget

Chairman Judy presented the FY 2026 Budget for review and discussion. Chairman Judy noted that the estimated revenue is \$250,000 and the estimated expenditures is \$275,000. Chairman Judy recommended approval of the FY 2026 Budget.

Mr. Jones made a motion to approve the FY 2026 Budget as presented. After review of all available information, Dr. Jung seconded the motion and the Board unanimously concurred.

14. General Fund Transfer Request

Chairman Judy presented a \$29,043.68 General Fund Transfer Request from the WV State Treasurer's Office for review and discussion. Chairman Judy reported that the money was transferred to the General Fund as requested on September 7, 2024.

No action was taken.

15. FY-2024 Annual Report

Chairman Judy presented the FY-2024 Annual Report for review and discussion. Chairman Judy recommended passage.

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

Ms. Layton made a motion to print 25 copies of the FY-2024 Annual Report. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

16. WV Board of Risk Management 2024 Liability Insurance Questionnaire

Chairman Judy presented WV Board of Risk Management 2024 Liability Insurance Questionnaire for review and discussion. Chairman Judy reported that the questionnaire was submitted as requested on September 4, 2024.

No action was taken.

17. Medical Imaging Schools Report

a. WVU Hospitals Radiation Therapy Program

Chairman Judy reported that there is a JRCERT Site Visit scheduled for November 14-15, 2024.

No action was taken.

b. Southern West Virginia Community and Technical College Radiography Program

Chairman Judy reported that Kristin Collins was appointed as the Program Director.

No action was taken.

c. West Virginia Northern Community College Radiography Program

Chairman Judy reported that East Ohio Regional Hospital was added as a clinical site.

Chairman Judy reported that the JRCERT Self Study report was submitted and additional information was requested.

Chairman Judy also presented the August 5, 2024 Advisory Committee Meeting Minutes for review and discussion.

No action was taken.

d. University of Charleston - Beckley Radiography Program

Chairman Judy reported that Courtney Hall was appointed as a clinical coordinator.

Chairman Judy reported that Amy Green was appointed as a clinical preceptor at Summersville Regional Medical Center.

Chairman Judy reported that Wythe County Community Hospital was added as a clinical setting.

Chairman Judy reported that the 2023 JRCERT Annual Report was submitted.

No action was taken.

e. United Hospital Center Radiography Program

Chairman Judy reported that the 2023 JRCERT Annual Report was submitted.

No action was taken.

f. St Mary's Medical Center Radiography Program

Chairman Judy reported that an Associate Degree option will be added.

Chairman Judy reported that Marshall Health was added as a clinical setting.

Chairman Judy reported that the 2023 JRCERT Annual Report was submitted.

No action was taken.

g. WVU Radiography Program

Chairman Judy reported that WVU Cheat Lake Physicians was added as a clinical setting.

Chairman Judy reported that Fairmont Medical Center was added as a clinical setting.

No action was taken.

h. University of Charleston Radiography Program

Chairman Judy reported that the 2023 JRCERT Annual Report was submitted.

No action was taken.

i. JRCERT Accreditation Actions

Chairman Judy presented the August 2024 JRCERT Accreditation Actions for review and discussion.

No action was taken.

18. Upcoming Meetings

Mr. Jones made a motion to have the next Board Meeting on Thursday, October 17, 2024. After review and discussion of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

19. Adjournment

Mr. Martin made a motion to adjourn the meeting at 4:38 PM. Dr. Smith seconded the motion and the Board concurred.