



Virtual Board Meeting

Thu Nov 21, 2024 4:00 PM - 6:00 PM EST

1. Meeting to Order

The virtual board meeting was called to order at 4:01 PM on Thursday, November 21, 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 October 31, 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 Bassam Moushmouth, MD and Caroline Hereford.

4. Attendance

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

5. Agenda

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

6. Board Meeting Minutes

A motion was made by Dr. Smith to approve the October 17, 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. Professional Development

a. WVSAO Licensing Board's Annual Seminar

Chairman Judy reported that himself, AG Marshall, Mr. Jones, Dr. Smith and Director Browning attended the WVSAO Licensing Board's Annual Seminar.

Chairman Judy also distributed the WVSAO Licensing Board's Annual Seminar Presentation Slides for review and discussion.

b. 2024 WVSRT 70th Annual Conference

Chairman Judy reported that himself, Secretary Layton, Dr. Smith, Ms. Barnett and Director Browning attended the 2024 WVSRT 70th Annual Conference November 7-9, 2024 in Bridgeport, WV.

8. Ethics

a. Executive Session

A motion was made by Mr. Martin to enter into executive session at 4:17 PM to discuss Ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, 09-FY-2024, 11-FY-2024, 12-FY-2024, 01-FY-2025, 02-FY-2025 and Caroline Hereford's Request. The motion was seconded by Dr. Smith. After review of all available information, the Board unanimously concurred.

A motion was made by Mr. Barnett to exit out of executive session at 5:10 PM. The motion was seconded by Dr. Kassar. 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-2024 has entered into a consent agreement with a mandatory discipline program until 11/18/2025. 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 a hearing is scheduled for December 3, 2024.

No action was taken.

f. 11-FY-2024

Chairman Judy reported that a hearing is scheduled for December 3, 2024.

No action was taken.

9. 12-FY-2024

Chairman Judy reported that 12-FY-2024 has entered into a consent agreement with a mandatory discipline program until 10/07/2027. Chairman Judy presented the board with the WV Pharmacy Recovery Network Discipline Program update for review and discussion.

No action was taken.

10. 01-FY-2025

Chairman Judy reported that the Ethics Committee met with the licensee and the employer and reported that the respondent worked on a lapsed license from 7/1/2024 through 10/31/2024.

A motion was made by Mr. Jones to offer a consent agreement with written reprimand and reimbursement of all administrative fees. The motion was seconded by Mr. Martin and approved by the Board.

11. 02-FY-2025

Chairman Judy reported that the Board received an anonymous complaint and a referral about a facility administering IV agents without a physician on site. Chairman Judy reported that according the Board's Statute 30-23-10 the licensed medical imaging technologists where being required to work out of their scope of practice.

Mr. Jones made a motion to request the respondent's course of action to become in compliance with the Board's Statute 30-23-10. Mr. Martin seconded the motion and the Board unanimously concurred.

12. October 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on November 21, 2024 to review the October 2024 monthly financial reports.

Chairman Judy reported that the October 2024 ending cash balance was \$473,815.69 with \$28,334.00 in total revenue and \$21,231.27 in total expenditures.

Chairman Judy presented the October 2024 monthly financial report for review and discussion and recommended approval. Ms. Barnett made a motion to approve the September 2024 financial report as presented. After review of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

13. October 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on November 21, 2024 to review the October 2024 Purchasing Card report.

Chairman Judy reported that there were \$6,800.26 in purchases and presented the October 2024 Purchasing Card report for review and discussion. Chairman Judy recommended approval.

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

14. October 2024 Director's Report

Chairman Judy reported that there were 37 new license applications, 407 renewal license applications and 6 late/reinstatement license applications processed in October 2024. Chairman Judy presented the October 2024 Director's Report for review and discussion and recommended approval.

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

15. Caroline Hereford Reinstatement Request

Bassam Moushmouth, MD spoke to the Board about a shortage of Nuclear Medicine technologists in West Virginia and the desire for Ms. Hereford to be able to reinstate her WV Nuclear Medicine License.

Caroline Hereford also spoke to the Board about her desire to reinstate her WV Nuclear Medicine License. Ms. Hereford also noted that both Nuclear Medicine National Certification

Agencies have denied her the chance to retest since her certification has been inactive for over 5 years and requested that she complete a formal didactic Nuclear Medicine Education Program to qualify for retesting. Ms. Hereford also noted that she has appealed that decision with the Nuclear Medicine Technology Certification Board.

Chairman Judy noted that according to 18CSR1 4.2.i An inactive licensee may reactivate his or her license without examination by completing the reinstatement application, providing proof of active national certification and required continuing education, and submitting payment of the reinstatement fee.

Director Browning reported that Ms. Hereford's WV Nuclear Medicine License expired on 7/31/2010, and her national certification expired on 5/3/2017. Director Browning also noted that she had informed Dr. Moushmouth and Ms. Hereford of the active national certification requirement and assured them both of an immediate issuance of her reinstatement license once she submitted her application with proof of active national certification. Director Browning noted that Ms. Hereford has never applied for a reinstatement application.

Mr. Jones made a motion to inform Ms. Hereford that she needs to submit a reinstatement application and if the application is denied according to 30-1-8 she has the right to appeal the decision through a hearing. After review and discussion of all the available information, Mr. Martin seconded the motion and the Board unanimously concurred.

16. Website Updates

Chairman Judy reported that the Board's website was updated to be in compliance with PERD's recommendation.

17. Medical Imaging Schools Report

a. The Joint Review Committee on Education in Radiologic Technology

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

No action was taken.

b. West Virginia University Hospitals Radiation Therapy Program

Chairman Judy reported that Patricia Jenkins and Michelle Wilson was appointed as Clinical Preceptors at Fairmont Regional Cancer Center.

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

Director Browning reported that she attended the JRCERT audit on November 14-15, 2024.

No action was taken.

c. West Virginia University Parkersburg Radiography Program

Chairman Judy reported that their initial accreditation request was submitted.

Chairman Judy reported that Erin Martin was appointed as the Program Director.

Director Browning noted that the Program Director was contacted and made aware of the the application requirements in 18-1-5.

No action was taken.

d. Bluefield State University Radiography Program

Chairman Judy reported that the 2023 Annual Report was submitted and an onsite evaluation is scheduled for November 2025.

Director Browning reported that she attended their Joint Advisory Meeting on 11/1/2024.

No action was taken.

e. West Virginia Northern Community College Radiography Program

Chairman Judy reported that the 2023 Annual Report was submitted.

No action was taken.

f. United Hospital Center Radiography Program

Chairman Judy reported that Fairmont Regional Medical Center and MedPoint of Harrison County will no longer be clinical settings.

No action was taken.

18. Upcoming Meetings

Mr. Jones made a motion to have the next Board Meeting on Thursday, January 16, 2025. After review and discussion of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

19. Adjournment

Mr. Jones made a motion to adjourn the meeting at 5:23 PM. Secretary Layton seconded the motion and the Board concurred.