Virtual Board Meeting

Thu May 8, 2025 4:00 PM - 7:00 PM EDT

1. Meeting to Order

The virtual board meeting was officially convened at 4:01 PM on Thursday, May 8, 2025, by Board Chairman Tyson Judy.

Chairman Judy stated that, in compliance with the statutory requirements for Open Meeting Notices under WV Code § 6-9A-1, notice of this meeting was posted on the Secretary of State's website on April 21, 2025.

2. Board's Mission

To align everyone's mindset, Chairman Judy presented 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 acknowledged that there were no guests in attendance.

4. Attendance

Chairman Judy confirmed the presence of a quorum.

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

5. Agenda

Chairman Judy presented the agenda for review and discussion.

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

6. Board Meeting Minutes

Chairman Judy presented the April, 10 2025 board meeting minutes for review and discussion.

A motion was made by Mr. Martin to approve and publish the April, 10 2025 board meeting minutes. Mr. Jones seconded the motion and the Board concurred.

7. Ethics

Chairman Judy reported that the Ethics Committee—comprised of himself, Secretary Layton, and Director Browning—met on May 8, 2025, to review ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, 12-FY-2024, 09-FY-2024, 11-FY-2024, and 04-FY-2025.

a. Executive Session

Mr. Jones moved to enter executive session at 4:02 PM for the purpose of discussing ethics cases. The motion was seconded by Ms. Barnett and unanimously approved by the Board.

Dr. Smith then made a motion to exit executive session at 4:05 PM. Mr. Martin seconded the motion, and unanimously approved by the Board.

b. 04-FY-2022

Chairman Judy reported that case 04-FY-2022 entered into a consent agreement on April 5, 2022, initiating a mandatory 36-month program set to conclude on April 20, 2025.

Chairman Judy stated that the order lifting probation was issued on April 21, 2025. The licensee has met all conditions of the consent agreement, and his license is now active and unrestricted.

c. 05-FY-2024

Chairman Judy reported that case 05-FY-2024 entered into a consent agreement on March 25, 2024, initiating a mandatory 18-month program set to conclude on November 17, 2025.

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

No action was taken.

d. 07-FY-2024

Chairman Judy reported that case 07-FY-2024 entered into a consent agreement on July 19, 2024, initiating a mandatory 36-month program set to conclude on January 22, 2028.

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

No action was taken.

e. 09-FY-2024

Chairman Judy reported that the hearing, originally scheduled for December 3, 2024, was rescheduled to February 11, 2025, and ultimately conducted on March 11, 2025.

Chairman Judy also stated that the Proposed Findings of Fact and Conclusions of Law were submitted to Hearing Examiner Reynolds on April 30, 2025. The case remains pending as it awaits the Hearing Examiner's recommendation and final decision.

No action was taken.

f. 04-FY-2025

Chairman Judy reported that the respondent had practiced under an expired temporary license from November 1, 2024, to February 7, 2025.

He further noted that the respondent signed a consent agreement and reimbursed all associated administrative fees.

Ms. Barnett moved to close the case. Following a thorough review of all available information, Mr. Jones seconded the motion, and the Board unanimously approved the motion.

8. April 2025 Monthly Financial Report

Chairman Judy reported that the Finance Committee—comprised of himself, Secretary Layton, and Director Browning—met on May 8, 2025, to review the financial statements for April 2025.

Chairman Judy then presented the April 2025 monthly financial report for the Board's review and discussion. Chairman Judy reported the ending cash balance for April was $441,502.51, with total revenue of $13,732.00 and total expenditures of $28,455.47. He recommended the report be approved.

Dr. Smith moved to approve the April 2025 financial report as presented. Following a review of the available information, Mr. Martin seconded the motion, and the Board unanimously approved it.

9. April 2025 Purchasing Card Reports

Chairman Judy reported that the Finance Committee—comprised of himself, Secretary Layton, and Director Browning—met on May 8, 2025, to review the April 2025 Purchasing Card report.

He presented the report for the Board's review and discussion, noting total purchases of $7,185.02 and recommending approval.

Mr. Jones moved to approve the April 2025 Purchasing Card report as presented. Following review of all available information, Mr. Martin seconded the motion, and the Board approved it unanimously.

10. April 2025 Director's Report

Chairman Judy presented the April 2025 Director's Report for the Board's review and discussion. He noted that the report included 27 new license applications, 167 renewal applications, and 9 reinstatement applications, and recommended approval.

Ms. Barnett moved to approve the March 2025 Director's Report as presented. After reviewing all available information, Dr. Smith seconded the motion, and the Board approved it unanimously.

11. FY-2026 Budget

Chairman Judy presented the FY-2026 Budget for the Board's review and discussion. He noted that their were no changes to the FY-2026 Appropriation Request requested revenue of $250,000 or requested expenditures of $275,000 previously approved by the Board in September 19, 2024 and recommended approval.

Mr. Martin moved to approve the FY-2026 Budget as presented. After reviewing all available information, Mr. Jones seconded the motion, and the Board approved it unanimously.

12. Professional Development

a. SNMMI Annual Meeting

Chairman Judy stated that funding had been approved for attendance at the Society of Nuclear Medicine & Molecular Imaging's Annual Meeting, scheduled for June 21–24, 2025, in New Orleans, Louisiana, and reminded anyone interested in attending to notify Director Browning.

No action was taken.

13. wvOASIS E-Travel Management System

Chairman Judy reported that the Board officially launched the wvOASIS E-Travel Management System on April 25, 2025. This system streamlines travel authorization, booking, and reimbursement processes, enhancing efficiency and compliance with state travel policies. He also noted that training and guidance were provided to staff to ensure a smooth transition to the new system.

No action was taken.

14. ARRT Rules and Regulations Governing Document Proposed Revisions

Chairman Judy presented the proposed revisions to the ARRT Rules and Regulations Governing Document, emphasizing key updates to certification requirements and continuing education standards. He encouraged Board members to review the changes and submit feedback via the ARRT website before the public comment period closes on May 11, 2025.

No action was taken.

15. Universal Licensing Application Process

Chairman Judy presented the Universal License application process to the Board, explaining that it is designed for individuals who hold an equivalent license in another state and intend to relocate to West Virginia. He outlined that applicants are required to submit proof of West Virginia residency and verification of good standing from each state where they have previously held a medical imaging and/or radiation therapy license.

Dr. Smith moved to approve the Universal License application process as presented. Following a review of all relevant information, Mr. Jones seconded the motion, and the Board voted unanimously in favor of approval.

16. Title 18 Series 1 Legislative Rule - General Requirements

Chairman Judy informed the Board that Title 18, Series 1 – Legislative Rule: General Requirements remains open for public comment through May 31, 2025. He presented the comments received thus far for the Board's review and discussion.

Ms. Barnett moved that, if no additional public comments are received by the deadline, the rules be submitted to the West Virginia Secretary of State as presented. Following a review of all relevant information, Dr. Smith seconded the motion, and the Board unanimously agreed.

17. Title 18 Series 2 Legislative Rules - Continuing Education

Chairman Judy informed the Board that Title 18 Series 2 Legislative Rules - Continuing Education remains open for public comment through May 31, 2025. He presented the comments received thus far for the Board's review and discussion.

Ms. Barnett moved that, if no additional public comments are received by the deadline, the rules be submitted to the West Virginia Secretary of State as presented. Following a review of all relevant information, Dr. Smith seconded the motion, and the Board unanimously agreed.

18. Title 18 Series 3 Procedural Rule - Hearing Procedure

Chairman Judy presented proposed revisions to Title 18 Series 3 Procedural Rule - Hearing Procedure for the Board's review and discussion. He urged Board members to submit any suggested changes before the next Board meeting on June 12, 2025, and reminded them that all proposed changes must be finalized and made available for public comment by June 25, 2025.

No action was taken.

19. Title 18 Series 4 Procedural Rule - Disciplinary and Complaints Procedures

Chairman Judy informed the Board that Title 18 Series 4 Procedural Rule - Disciplinary and Complaints Procedures remains open for public comment through May 31, 2025. He presented the comments received thus far for the Board's review and discussion.

Ms. Barnett moved that, if no additional public comments are received by the deadline, the rules be submitted to the West Virginia Secretary of State as presented. Following a review

of all relevant information, Dr. Smith seconded the motion, and the Board unanimously agreed.

20. Title18 Series 5 Legislative Rule - Standard of Ethics

Chairman Judy presented proposed revisions to Title 18, Series 5 – Legislative Rule: Standards of Ethics for the Board's review and discussion. He urged Board members to submit any suggested changes before the next Board meeting on June 12, 2025, and reminded them that all proposed changes must be finalized and made available for public comment by June 25, 2025.

No action was taken.

21. Title 18 Series 6 Interpretive Rule - Practice of Radiologic Technology

Chairman Judy informed the Board that Title 18 Series 6 Interpretive Rule - Practice of Radiologic Technology remains open for public comment through May 31, 2025. He presented the comments received thus far for the Board's review and discussion.

Ms. Barnett moved that, if no additional public comments are received by the deadline, the rules be submitted to the West Virginia Secretary of State as presented. Following a review of all relevant information, Dr. Smith seconded the motion, and the Board unanimously agreed.

22. Chapter 30 Article 23

Chairman Judy proposed revising the rules and regulations outlined in Chapter 30, Article 23 – Radiologic Technologists, pointing out that they have remained unchanged since 2009. He stressed the need to modernize these regulations to reflect current industry standards, align with national best practices, and uphold the Board's commitment to public health and safety.

Mr. Martin motioned initiating the review and drafting process with the intention of presenting proposed updates for Board consideration in advance of the 2026 Legislative Session. Following a review of all relevant information, Mr. Jones seconded the motion, and the Board unanimously agreed.

23. Medical Imaging Schools Report

a. The Joint Review Committee on Education in Radiologic Technology

Chairman Judy presented the March 28, 2025 Joint Review Committee on Education in Radiologic Technology Accreditation Actions for review and discussion.

No action was taken.

24. Upcoming Meetings

Mr. Jones made a motion to have the next Board Meeting on Thursday, June 12, 2025. After review and discussion of all available information, Dr. Kassar seconded the motion and the Board unanimously concurred.

25. Adjournment

Mr. Jones made a motion to adjourn the meeting at 4:20 PM. Mr. Martin seconded the motion and the Board concurred.