Virtual Board Meeting

Thu Jun 12, 2025 4:00 PM - 7:00 PM EDT

1. Meeting to Order

The virtual board meeting was officially convened at 4:03 PM on Thursday, June 12, 2025, by Board Chairman Tyson Judy.

Chairman Judy stated that, in accordance with the statutory requirements for Open Meeting Notices under WV Code § 6-9A-1, the notice for this meeting was posted on the Secretary of State's website on April 22, 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.

5. Agenda

Chairman Judy stated that, in accordance with the statutory requirements for Open Meeting Notices outlined in WV Code § 6-9A-1, the meeting agenda was posted on the Board's website on June 5, 2025

Chairman Judy presented the agenda for review and discussion.

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

6. Board Meeting Minutes

Chairman Judy presented the May 8, 2025 board meeting minutes for review and discussion.

A motion was made by Dr. Smith to approve and publish the May 8, 2025 board meeting minutes. Secretary Layton 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 June 12, 2025, to review ethics cases 05-FY-2024, 07-FY-2024, 09-FY-2024, 11-FY-2024, and 06-FY-2025.

a. Executive Session

Ms. Barnett moved to enter executive session at 4:05 PM for the purpose of discussing ethics cases. The motion was seconded by Mr. Martin and unanimously approved by the Board.

Mr. Martin then made a motion to exit executive session at 4:13 PM. Mr. Jones seconded the motion, and unanimously approved by the Board.

b. 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.

c. 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.

d. 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.

e. 11-FY-2024

Chairman Judy reported that the 30-day appeal period for the final order expired on June 11, 2025, following the respondent’s license suspension due to unprofessional conduct in the workplace.

No action was taken.

f. 06-FY-2025

Chairman Judy reported that the respondent admitted to positioning patients beyond the scope of their supervised educational training without holding a medical imaging license.

Mr. Jones moved to authorize the Board to initiate a complaint. Following a review of the available information, Dr. Smith seconded the motion, and the Board unanimously approved it.

8. May 2025 Monthly Financial Report

Chairman Judy reported that the Finance Committee—comprised of himself, Secretary Layton, and Director Browning—met on June 12, 2025, to review the financial statements for May 2025.

Chairman Judy then presented the May 2025 monthly financial report for the Board’s review and discussion. Chairman Judy reported the ending cash balance for April was $447,049.21, with total revenue of $28,099.00 and total expenditures of $22,552.30. He recommended the report be approved.

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

9. May 2025 Purchasing Card Reports

Chairman Judy reported that the Finance Committee—comprised of himself, Secretary Layton, and Director Browning—met on June 12, 2025, to review the May 2025 Purchasing Card report.

He presented the report for the Board’s review and discussion, noting total purchases of $229.68 and recommending approval.

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

10. May 2025 Director's Report

Chairman Judy presented the May 2025 Director’s Report for the Board’s review and discussion. He highlighted that the report contained 74 new license applications, 33 temporary applications, 309 renewals, and 18 reinstatements, and recommended approval.

Secretary Layton moved to approve the May 2025 Director’s Report as presented. After reviewing all available information, Ms. Barnett seconded the motion, and the Board approved it unanimously.

11. 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.

b. WVSRT Annual Conference

Chairman Judy presented information about the WVSRT Annual Conference for the Board’s review and discussion, noting it will take place November 13–15, 2025, in Bridgeport, WV.

Ms. Barnett made a motion to approve funding for conference attendance. After reviewing the available information, Dr. Butcho seconded the motion, and the Board voted unanimously in favor.

c. WVSAO Licensing Board's Seminar

Chairman Judy presented details about the WV State Auditor's Office Licensing Board Seminar for the Board’s review and discussion, noting that it is scheduled for November 6, 2025, in Charleston, WV.

Chairman Judy noted that according to West Virginia Code §30-1-2a, the chairperson, executive director, or chief financial officer of each licensing board must attend the State Auditor's Office training every year and each board member shall attend at least one training during each term of office.

Ms. Barnett made a motion to approve funding for conference attendance. After reviewing the available information, Dr. Smith seconded the motion, and the Board approved it unanimously.

12. Ethics Application Question Change Regarding Criminal Convictions

Chairman Judy presented a proposed change to the ethics application question, revising it from “Have you ever had a felony or misdemeanor?” to “Have you ever had a felony or misdemeanor conviction, excluding minor traffic infractions?”

Ms. Barnett moved to approve the revised ethics application question. Following a review of the available information, Secretary Layton seconded the motion, and the Board approved it unanimously.

13. Ethics Application Question Change Regarding Mental or Physical Conditions

Chairman Judy presented the proposed ethics application question for the Board's consideration, in accordance with Rule 5.2.7: 'Do you have any mental or physical condition that could affect your ability to safely and competently perform Medical Imaging and/or Radiation Therapy?

Mr. Jones moved to approve the revised ethics application question. Following a review of the available information, Ms. Barnett seconded the motion, and the Board approved it unanimously.

14. Ethics Application Question Change Regarding Adjudications as Mentally Incompetent

Chairman Judy presented the proposed ethics question in accordance with Ethics Rule 5.2.8: "Have you ever been declared mentally incompetent, mentally ill, chemically dependent, or a risk to public safety by a court of competant jurisdiction?"

Mr. Jones moved to approve the revised ethics application question. Following a review of the available information, Ms. Barnett seconded the motion, and the Board approved it unanimously.

15. Title 18 Series 1 Legislative Rule - General Requirements

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 5, 2025, in preparation for the 2026 legislative session.

No action was taken.

16. Title 18 Series 2 Legislative Rules - Continuing Education

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 5, 2025, in preparation for the 2026 legislative session.

No action was taken.

17. Title 18 Series 3 Procedural Rule - Contested Case Hearing Procedure

Chairman Judy presented the Hearing Procedure proposed revisions for review and discussion.

Mr. Jones moved to approve the proposed revisions as presented. Following a review of the available information, Mr. Martin seconded the motion, and the Board approved it unanimously.

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

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 5, 2025 with an effective date of July 5, 2025.

Chairman Judy presented the additional revisions of the Disciplinary and Complaints Procedures for review and discussion.

Mr. Jones moved to approve the proposed revisions as presented. Following a review of the available information, Mr. Martin seconded the motion, and the Board approved it unanimously.

19. Title18 Series 5 Legislative Rule - Standard of Ethics

Chairman Judy presented the Standard of Ethics proposed revisions for review and discussion.

Mr. Jones moved to approve the proposed revisions as presented. Following a review of the available information, Mr. Martin seconded the motion, and the Board approved it unanimously.

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

Chairman Judy reported that the agency-approved rules and public comments were submited to the WV Secretary of State on June 3, 2025 with an effective date of July 3, 2025.

No action was taken.

21. Chapter 30 Article 23

Chairman Judy announced that the review of Article 23, which regulates the practice of medical imaging and radiation therapy, will begin in August and reminded those interested in participating to inform Director Browning.

No action was taken.

22. Board Member First Term Expirations

Chairman Judy reported that Tuanya Layton, Kristi Barnett, Brian Martin, and Erin Butcho have been submitted to the governor's office for reappointment.

Chairman Judy commended their commitment to the profession and expressed gratitude for their public service.

No action was taken.

23. Retain Legal Counsel

Chairman Judy presented Adriana Marshall’s resume for consideration as legal counsel. He noted that Ms. Marshall currently serves as the Board’s attorney and that the new agreement would be made directly with her, rather than through the Attorney General’s office.

Secretary Layton moved to retain Ms. Marshall as the Board's legal cousel. Following a review of the available information, Mr. Martin seconded the motion, and the Board approved it unanimously.

24. Election of Officers

a. Chairman of the Board

Mr. Jones moved to nominate Tyson Judy as Chairman of the Board. Following a review of the available information, Dr. Smith seconded the nomination, and the Board approved the nomination unanimously.

b. Secretary of the Board

Chairman Judy moved to nominate Tuanya Layton as Secretary of the Board. Following a review of the available information, Ms. Barnett seconded the nomination, and the Board approved the nomination unanimously.

25. Executive Director Evaluation

Secretary Layton moved to enter executive session at 4:43 PM to discuss personnel matters. Mr. Martin seconded the motion, and the Board unanimously approved it.

Secretary Layton then made a motion to exit executive session at 4:54 PM. Ms. Barnett seconded the motion, and unanimously approved by the Board.

Chairman Judy presented Director Browning's annual evaluation for review and discussion. He recommended a market adjustment to align Director Browning's compensation with that of executive directors at other West Virginia healthcare licensing boards.

Mr. Martin proposed a fifteen percent salary increase for Director Browning in recognition of outstanding job performance. Following a review of the information, Dr. Kassar seconded the motion, and the Board approved it unanimously.

26. Medical Imaging Schools Report

a. The Joint Review Committee on Education in Radiologic Technology

i. JRCERT Accreditations Actions

Chairman Judy presented the April 22, 2025 Joint Review Committee on Education in Radiologic Technology Accreditation Actions for review and discussion.

No action was taken.

b. Southern West Virginia Community and Technical College Radiography Program

Chairman Judy reported that Kristin Collins, Acting Program Director, completed the New Program Official eLearning Plan Course and that a progress report was submitted in support of her appointment to the position.

No action was taken.

c. University of Charleston - Beckley Radiography Program

Chairman Judy reported that Michelle Jude appointed as Program Director.

No action was taken.

d. WVU Parkersburg Pending Radiography Program

Chairman Judy reported that the self-study report has been reviewd and additional information is requested by July 9, 2025.

No action was taken.

e. Bluefield State University Radiography Program

Chairman Judy reported that the self-study report has been reviewd and additional information is requested by June 13, 2025.

No action was taken.

f. St Mary's Medical Center Radiology Program

Chairman Judy reported that Katharina Angus appointed as clinical preceptor.

No action was taken.

27. Upcoming Meetings

Dr. Butcho made a motion to have the next Board Meeting on Thursday, August 14, 2025. After review and discussion of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

28. Adjournment

Mr. Jones made a motion to adjourn the meeting at 5:00 PM. Mr. Martin seconded the motion and the Board concurred.