

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

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NEWSLETTER 2004

This newsletter is published and mailed to the licensees so that they may be better informed of the operations of the Board. We encourage you to submit your comments and recommendations to the address above.

ON-LINE CREDIT CARD RENEWALS

In September, 2003, the Board's office and the WV Treasurer's office put the on-line credit card renewal into operation. The Board has issued over 700 licenses by credit cards since the system was implemented. An individual can renew their technologist license using Visa, Master Card, Discover Card, American Express and Diners Club by going to the Board's web page, www.wvrtboard.org and clicking on the "Credit Card on-line Renewals". This is a five (5) step process which, when completed, will allow the technologist to print a Conditional Certificate to allow them to work for seven (7) days until their annual renewal license is processed and mailed from the office. It is very important that you proceed through all the steps of the process. If you have problems with any of the steps in the process, please contact the office. Since Continuing Education verification is done by the office, it is vitally important that your name be listed on the ARRT's web page. If your name is not listed, it can delay the issuing of your annual renewal license until you verify compliance with the CE requirements to the office.

The Board has also added a Change of Information section to their web page. This section will allow you to notify the Board of changes in your address, employer status, telephone numbers, email addresses, etc. However, a change of name will not be permitted. A change of name requires a copy of your marriage certificate or court document to be submitted to the office. There is a \$ 10.00 fee for a Change of Name on a license.

Another important section of the web page is the FAQ section. Questions that have commonly been asked of the Board and staff have been published with the answers as they pertain to the law. If you have a question, check this section out, since the answer may already be published. If the question and answer are not listed, send the question to the office &, not only will you receive the response, but the question and answer will be published for everyone to read for future reference.

Remember, the Board is not required to send you an application for renewal. It is your responsibility to keep your license current. The Board sends the renewal notices out as a matter of courtesy and will continue to do so for the foreseeable future.

IMPORTANT CE INFORMATION FOR LICENSE RENEWAL

All licensed technologist are required to submit evidence of twenty-four (24) hours of continuing education before licenses are renewed. To determine what is required, please read the statements below.

If you are **ACTIVE ARRT**, make a copy of your **active ARRT card** showing continuing education requirements have been met. Submit

the copy of the card with your application for renewal and fee. If you have lost your ARRT card, you can go to the ARRT web page (www.arrt.org) and print out and submit your credential information. This is the only documentation you will need to submit for continuing education.

If you are **ACTIVE ARRT AND RENEW ON-LINE**, your CE biennium will be checked by the Board's staff on the ARRT web page. If you are not listed on the ARRT web page, you will need to submit documentation of twelve (12) hours of continuing education earned since your previous renewal or twenty-four (24) hours earned in the previous two (2) years before your annual license can be mailed to you. There are no exceptions to this - **DOCUMENTATION OF CE COMPLIANCE IS REQUIRED**. This CE documentation cannot be hand written information but must be provider certificates or some other official document.

If you are **NON-ACTIVE ARRT OR A GRANDFATHERED LICENSEE**, you must submit documentation that you have obtained twelve (12) hours of continuing education earned since your previous license renewal or twenty-four (24) hours earned in the previous two (2) years. **DOCUMENTATION OF CE COMPLIANCE IS REQUIRED**. This CE documentation cannot be hand written information but must be provider certificates or some other official document.

If the appropriate documentation is not submitted with the renewal application and fee, a renewal license will not be issued until the requirements are met.

LEGISLATIVE UPDATE

Series 1 Rule is being submitted to the Legislature for revision in 2005. This legislation will increase all of the fees **EXCEPT** the annual renewal fee. It will remain at \$ 50.00 until at least 2006.

Due to ever increasing office / operational expenses and unfunded mandates, the Board feels an increase in the annual renewal license will be required in the next year or two. The Board, at its September 16, 2004 meeting, approved a possible increase of \$ 15.00 bringing the renewal fee to \$ 65.00. However, this fee increase must be approved by the Legislature and will probably be requested during the 2006 Legislative session. The Board will be sending out information with the renewal applications, posting information on the web page and having a public comment period on this matter before submitting to the Legislature.

The Board also wrote a new interpretive Rule, 18CSR6, which is the **PRACTICE OF RADIOLOGIC TECHNOLOGY**. This Rule, effective June 10, 2004, defines what the Board feels are the procedures for the practice of Radiologic Technology within the state. This Rule, along with all of the Board's Rules, can be obtained from our web page or the Secretary of State's Administrative Law Division.

BOARD MEETING HIGHLIGHTS FOR 2004

Meeting held on March 25, 2004

Chairman welcomed new Board member, Jamie Browning. Minutes from December 2, 2003 meeting were approved. Discussion was held on the excessive amount of postage purchased in February. Was informed by Ms. Blosser that this was for the mailing of the newsletter. Financial statements were approved as distributed. Complaints were discussed. Complaint A - technologist had multiple misdemeanor convictions in Putnam County. Voluntarily surrendered license. Case dismissed. Complaint B - Nurse alleged technologist was getting prescriptions from a doctor, having filled & giving to another individual. Technologist submitted medical records, x-ray reports, & insurance information to indicate the prescriptions was for her personal use. Case dismissed with a letter sent to the Nurses Board concerning the filing of a frivolous complaint. Committee draft of the Definition of Radiologic Technology was presented to the Board for discussion. After a lengthy discussion and recommendations from Attorney Skinner, the Rule was passed and will be implemented as an Interpretative Rule. Mr. Bowyer advised the Board of changes needed to the Series 1 Rule. Most would be word changes or changing of the wording. Ms. Blosser gave a report on the increases of running the office for the past year and known increases for the upcoming year. Board approved increasing all fees except the annual renewal fee. It was also decided to place a notice on the web page of a possible increase of the annual renewal fee at a future date due to increased operational costs, fees lost in credit card transactions, unfunded mandates, etc. Mr. Bowyer informed Board of Dr. Schreiman's resignation and the Dr. Dameron had indicated that he would be resigning due to increased workload. Board approved the recommendation of I. Elaine Moore, M.D. and approaching of Terry Shank, M.D. as replacements for Dr. Schreiman and Dr. Dameron, respectively. Ms. Belmont and Ms. Browning expressed desire to be reappointed at the end of their current terms. Mr. Bowyer will send a letter to the Governor stating the Board's recommendations. The discussion to be held on the Radiology Assistant was tabled. Mr. Bowyer and Attorney Skinner informed the Board of a possible lawsuit against all Boards having offices outside of the city of Charleston. Reported that 136 students would be graduating from the State's Radiologic Technologist programs this spring.

Meeting held on June 10, 2004

Minutes from March 25, 2004 meeting were approved. Financial statements were approved. Series 1 Rule has been filed with the Secretary of State's office and the Legislative Rule-Making Review Committee. After review by the Committee, the Rule will be introduced in the Legislature in February, 2005. The Series 6 Interpretative Rule, Practice of Radiologic Technology, is now in effect. Copies would be mailed to all cath labs in the state. A complaint concerning dental personnel taking hand x-rays for bone growth was discussed. Since the Board does not have jurisdiction over dental assistants or hygienist, the matter was referred to the Dental Board. Was informed by the Dental Board that this was common practice in orthodontic offices. Informed Dental Board that this was not acceptable to our Board as operators of x-ray in dental offices are exempt from our law for intra-oral x-rays only. Dental Board will discuss at their July meeting. Board was informed that the regulation booklets have been delivered to all graduating students. Also informed that all hospitals have been inspected at least once. Informed that letter was sent to the Governor's office concerning re-appointments and replacement. Recommended that Ms. Browning attend Auditor's Seminar for Licensing Boards with Mr. Bowyer. Requested that Radiation Therapist's licenses be a different color than Radiologic Technologist. Denied. Personal evaluations were reported and raises for Board's employees were approved. PET/CT tabled until next meeting. Dr. Moore was elected Chairperson and Susie Bellomy elected Secretary for FY 2005.

Meeting held on September 16, 2004

Meeting called to order and new members, Dr. Moore and Dr. Baek were introduced. Minutes from June 10, 2004 meeting and financial report approved as submitted. PET/CT was discussed and, as written, law requires operation by a licensed technologist or the physician. Members of the Nuclear Medicine community were present and requested the Board consider licensing Nuclear Medicine Technologist under their law. The Board, after a lengthy discussion, informed the Nuclear Medicine community representative that they would be supportive of a change in the WV Code to allow these technologist licensure under the Board's law. The Board advised that any Code change would have to include all nuclear medicine technologist in the state, not just the ones to operate PET/CT scanners. Mr. Bowyer informed the Board and nuclear medicine community representatives that the earliest a Code change could be implemented would be during the 2006 Legislative session. Series 1 Rule has completed the pre-legislative action and will be introduced during the next session. Discussion of the annual renewal fee was held and, after presentation of ever increasing increases in office operation, unfunded mandates and dwindling number of technologist renewing their licenses, a decision was made to seek an increase in the annual renewal fee by \$ 15.00 during the 2006 legislative session. Memo concerning the reasoning behind the proposed increase will be posted on the Board's web page and mailed with the renewal applications. The Board went into Executive Session and, upon return to the public session, discussed the complaints active before the Board. Complaint A - dismissed for Breach of Patient Confidentiality - Board approved seeking a signed Consent Agreement of one (1) year probation, medical ethics CE & reimbursement of costs. Complaint B - dismissed for Forging Prescriptions - tabled until criminal charges in Circuit Court are resolved. Complaint C - Failure of Drug Screen for Cause - Board approved seeking a signed Consent Agreement of three (3) years license suspension, completion of recognized drug rehab program, drug testing, thirty-six hours CE's while suspended, and cost reimbursement. Complaint D - Dental personal taking hand x-rays for growth - Board approved seeking Attorney General's opinion as to which Board's law has precedence. Radiology Assistant information presented by Dr. Reesman. Board informed of school site visit at United Hospital in Clarksburg with JRCERT scheduled for November 4-5, 2004. Board informed of WVSRT conference at Stonewall Jackson Conference Center in October. Board informed that 118 temporary permits have been issued to graduates, 9 have already applied for their permanent license, 73 have passed their ARRT examination, 9 have failed the ARRT examination and 27 still have to take their examination.

Meeting held on December 2, 2004

Minutes from September 16, 2004 meeting and Financial report approved. Complaints were discussed. (1) Consent Agreement was reached on Breach of Patient Confidentiality. License was placed on **PROBATION** for one (1) year, must complete a medical ethics CE course & reimburse Board for investigative expenses. (2) Dismissal for failure of drug screen for cause - licensee has not responded to certified letters so a hearing has been scheduled for February 8, 2005 at the Board of Medicine's conference room. (3) Dental personnel taking hand x-rays - Attorney Skinner has been in contact with the Dental Board's attorney concerning this matter. The Attorney General's opinion will be discussed at the next Dental Board meeting. (4) Technologist forging prescriptions - pending before the Circuit Court of Boone County. The Board choose to wait until the case has completed criminal action before determining action on the license. Information was given the Board on the results of a drug test given to a licensee under the provisions of their Consent Agreement with the Board. The results were negative for all drugs tested. Discussion was held on an individual requesting a license who was discharged for stealing drugs. The Board voted to table this discussion until more information could be obtained concerning the facts of the

matter. Report was given on the JRCERT site visit at United Hospital Center. Discussion was held on the request by Collin Career Center for recognition as a state-approved school of Radiologic Technology. Program denied recognition due to failure to obtain JRCERT accreditation. Request was received and discussed concerning licensing nuclear medicine technologist. The request, from the Appalachian Association of Nuclear Medicine Technologist, asked that a committee be formed to work together and draft legislation to require all state nuclear medicine technologist be licensed. Committee was formed and notice was sent to the Appalachian Association. Two members, Alice Belmont, R.T. & James Baek, M.D., were not approved by the Senate. Names of three technologist, along with the name(s) of interested radiologist, will be submitted to the Governor-elect for appointments as soon as he assumes office. Committee was formed to review all expenditures of the Board's office to ensure everything possible is being done to hold expenditures to an absolute minimum before requesting an increase in the license renewal fee.

SCHOOL INSPECTIONS HELD 2004

United Hospital Center - November 4-5, 2004 - Pending

COMPLAINT INFORMATION

The Board's Executive Director actively investigates any and all complaints reported to the office. These complaints can range from a simple misunderstanding of the law to a blatant violation of the law. As licensed technologists, everyone has an obligation to police your chosen profession. If you are aware of a violation of the WV Code or any of the rules, it is your moral and ethical responsibility to report these violations to the proper authorities. Reporting the infractions does not stop with a simple letter, but a willingness to stand up for your profession and be willing to testify, if needed. All efforts will be taken to try and maintain your confidentiality, however, you may be required to testify at a Board hearing or even appear in court. Regardless, **you must be willing to fight for your jobs and professionalism.**

SUMMARY OF COMPLAINTS/INVESTIGATIONS FY 2004

1. Case # 01 - FY 2004 - Non-licensed individual operating bone densitometry unit. Letter from facility with name of licensed technologist that operates unit. - Case dismissed
2. Case # 02 - FY 2004 - ARRT revoked due to altering of expiration date. Consent Agreement reached for suspension of State license for three (3) years and reimbursement of cost of investigation.
3. Case # 03 - FY 2004 - LPN performing Bone Densitometry exams. Letter from doctor stating they do not have bone densitometry unit. Case dismissed.
4. Case # 04 - FY 2004 - Facility using unlicensed individuals in Cath lab. Resolved with publishing of Series 6 Rule.
5. Case # 05 - FY 2004 - Facility using unlicensed individuals in Cath lab. Resolved with publishing of Series 6 Rule.
6. Case # 06 - FY 2004 - Misdemeanor conviction of possession of controlled substance and petit larceny. Voluntarily surrendered license. Case closed.
7. Case # 07 - FY 2004 - Technologist breached patient confidentiality. Consent Agreement reached for one (1) year probation, CE course on Medical Ethics & reimbursement of investigative costs.

BOARD MEMBERS

I. Elaine Moore, M.D., Chairperson
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Susan Bellomy, Secretary
Radiologic Technologist
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Jamie Browning
Department of Health Representative
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STAFF

Grady M. Bowyer, R.T. (R), Executive Director
Carol Blosser, Administrative Secretary

FINANCIAL INFORMATION

Beginning Balance as of July 1, 2003	\$ 43,851.01
Income Received FY 2003-04	\$ 120,175.00
Total Revenue for FY 2003-04	\$ 164,026.01
Disbursements for FY 2003-04	\$ <u>131,620.47</u>
Balance in account as of 6/30/04	\$ 32,405.54

LICENSES ISSUED FY 2003-04

Permanent Licenses:	207 issued
Renewal Licenses:	1,976 issued
Podiatry Permits:	2 issued
Probationary License:	5 issued
Reinstatement:	120 issued
Temporary Licenses:	117 issued
Duplicate Licenses:	2 issued
Name change Fees:	11 issued
Roster of Licensees	5 issued
Fee for WV Examination	3 issued

ADDITIONAL INFORMATION

Be sure to go to our web page for on-line renewal of your license, important information, license searches, pending legislation, etc. The address is:

[HTTP://WWW.WVRTBOARD.ORG](http://www.wvrtboard.org)