

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

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NEWSLETTER 2006

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.

LAST ISSUE TO BE MAILED

The Board has voted to make this issue the last issue of the newsletter to be mailed in bulk. The 2007 Newsletter will be posted on the Board's web page during the first quarter of 2008. Anyone desiring to receive a hard copy will need to contact the office. The newsletter will be in Adobe format and can be mailed or e-mailed upon request.

LICENSE RENEWALS

The on-line credit card renewal has been a huge success. 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. A license will not be issued unless the CE requirements are verified. If the office cannot verify your CE's and you do not respond to the request to verify the CE's, the transaction will be voided, the amount of the charge credited back to your credit card and a letter will be sent to you and your employer. If this results in your license expiring before a new one is issued, you **will** be charged a reinstatement fee of \$ 25.00.

In the past, if you mailed in your license application without your ARRT card, the office would attempt to obtain the information from the ARRT. However, more and more people are taking advantage of the office by not submitting their CE information. So, beginning **March 1, 2007**, regardless of the situation, unless there is documentation of your Continuing Education enclosed with your application and appropriate fee, the application and fee will be returned to you. The office **WILL NO LONGER** verify Continuing Education for **mailed** renewals - it must be submitted with the application and appropriate fee. As with the credit card transactions, if the office returns your application and fee due to incomplete information and your license expires, you will be charged the \$ 25.00 reinstatement fee.

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 technologists 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.rrt.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 CE documentation is not submitted with the renewal application and fee, the application and fee will be returned to you. A renewal license will not be issued until the requirements are met.

LEGISLATIVE UPDATE

The Board submitted a SUNRISE application to the legislature requesting permission to license Nuclear Medicine technologist, MRI technologist, Ultrasound technologist and Radiologist Assistants / Radiology Practitioner Assistants. The information in the Sunrise application was researched by the WV Performance Evaluation Research Division (PERD) and a report submitted to the Joint Committee on Government Organization in July, 2006. PERD's report stated that Nuclear Medicine and MRI technologist should be licensed by the Board, the name of the Board changed to the WV Medical Imaging and Radiation Therapy Technology Board of Examiners, ultrasound technologist should not be licensed and the RA / RPA's should be licensed by the WV Board of Medicine. The Committee approved the report and counsel for that committee began drafting legislation based on the report. Legislation will be introduced during the 2007 Legislative session implementing the licensure of Nuclear Medicine and MRI technologist. Once the legislation is written by the Legislature, it will be posted under the "For Your Information" section on the Board's web page. If this legislation is passed by the Legislature and signed by the Governor, it will probably take effect July 1, 2007. The Board of Medicine will

be promulgating Rules for the 2008 legislative session to license the RA's / RPA's. Again, a notice will be posted on the Board's web page concerning these Rules.

BOARD MEETING HIGHLIGHTS FOR 2006

Meeting held on March 28, 2006

Alice Belmont elected Chairperson to fill the vacancy resulting in Mark Wilcox asking not to be re-appointed. Minutes and financial reports approved as submitted. Complaints were discussed as follows: (1) Taking of x-rays without written authorization. Board approved the offering of a Consent Agreement to technologist. (2) Technologist asked for reinstatement of voluntarily surrendered license. Technologist will be invited to an informal meeting with the Ethics committee to discuss reasoning to reinstate license. (3) Failure of drug test. Technologist will be requested to attend informal meeting with the Ethics committee. (4) Technologist submitted application for license after conviction of a felony. Technologist is awaiting an ARRT Ethics review. Will be asked to attend an informal meeting with the Ethics committee. Ethics Committee will meet with individuals and submit report and recommendations at the next Board meeting. Past complaints were discussed: (1) Doctor requesting medical assistants be allowed to perform bone densitometry examinations - Denied.

(2) Individual under Consent Agreement has had drug test performed - results reviewed by the Board's doctors - all test negative. (3) Reported that a mobile clinic may be using unlicensed operators - facility submitted valid licenses of technologists. Mr. Bowyer stated that the Series 1 and Series 5 Rules had been passed and awaiting the Governor's signature. Reported that continued research was being done on the Board's Sunrise application to license Nuclear Medicine techs, MRI techs, Ultrasound techs and RA/RPA's. Board of Medicine requested our Board review job description of a radiologic technologist working as a physician's assistant. Letter sent to the Board of medicine stating the interventional procedures listed were not within the scope of practice for a radiologic technologist. Motion was made and passed to make the 2006 newsletter the final version to be mailed to all licensees. Motion made and passed to send an informal email to all technologist with an email address on the Board's database of matters of importance.

Meeting held on June 6, 2006

Minutes and financial reports approved as submitted. Complaints were discussed: (1) Taking of x-rays without written authorization - Consent Agreement signed by technologist and accepted by the Board. (2) Reinstatement of voluntarily surrendered license - letter sent to technologist requesting further evaluation by a doctor of the Board's approval. (3) Failure of drug test - whereas individual had not signed for any of the certified letters, motion made and passed to hand-deliver letter to individual giving 30 days to respond or license would be revoked. (4) Violation of Consent Agreement - failure of drug test - licensee addressed the Board. Board voted to offer last-chance Consent Agreement after 3 month license suspension. Board voted to post all final orders of disciplinary action on the web page. Draft of pending legislation would be e-mailed to Executive Director within a few days and copy would be sent to each member. Sending an informal email to all licensees with e-mail address on file was discussed. Office Internet provider was contacted and stated that sending of 50 e-mails an hour would constitute SPAM. Board voted to rescind the motion made and passed at the last meeting on the sending of an informal e-mail. Executive Director has delivered CD's of the law and Rules to all graduate students. Motion was made and passed to rotate the Board meetings to different areas to allow more individual the opportunity to attend. St. Mary's RT Program was granted an 8 year accreditation by the JRCERT.

Individual working as scrub tech in a cath lab requested to address the Board concerning the Board's determination that only licensed individuals or the physician may "pan" the fluoroscopic units during a cardiac cath. Informed individual that this law has been in effect since 1978 and has not been changed. The Series 6 Rule simply clarify the Scope of Practice. Personal evaluations were presented for the staff and 4 % raises approved. Elections were held and Alice Belmont was elected Chairperson and Jamie Browning elected Secretary.

Meeting held on October 17, 2006

Minutes and financial report accepted as submitted. Danny Bailey was asked to attend and explain to the Board why they should re-issue his license after a felony conviction. Mr Bailey presented the Board with character references, court documents, reinstatement papers by the ARRT, reinstatement of his New York, New Jersey and Ohio licenses. Board voted to re-issue Mr. Bailey's license without restrictions. Rebecca Cook-Bowman was requested to address the Board to explain the occurrences leading up to her termination and reasons she felt the allegations were not true. Complaints were discussed: (1) Violation of Consent Agreement - moved, seconded and passed for the license remain on indefinite suspension. (2) Termination for failure to complete disability evaluation - motion made, seconded and passed to require this individual submit to a disability evaluation examination to determine fitness to work as a radiologic technologist. (3) Reinstatement of voluntarily surrendered license - Individual has met the request of the Ethics committee and will be offered a Consent Agreement. (4) Attempting to pass forged Rx - motion made, seconded and passed to offer individual Consent Agreement. (5) Taking of x-rays without written authorization - Consent Agreement signed and Order filed. (6) Forging ARRT certificate - Consent Agreement expires 10/16/06. However, due to inability to contact individual, all requirements of the Consent Agreement have not been completed. Consent Agreement will remain in effect until requirements met. (7) Suturing of femoral artery sheaths - letter will be sent to licensee and facility requesting response to allegation. The draft of the proposed legislation was discussed. The Board's legislative committee will meet to fine-tune the language. Motion made, seconded and passed to increase our part-time individual's pay by \$ 0.50 per hour. Motion made, seconded and passed to accept the ARRT's Scope of Practice as the Scope of Practice for licensees. The Scope of Practice will be posted on the Board's web page.

SCHOOL INSPECTIONS HELD 2006

NONE

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 2006

CASE # 01-2006: MEDICAL ASSISTANT PERFORMING X-RAYS

- A. Call received that unlicensed medical assistant performing x-rays at a clinic
- B. Certified Notice of Complaint sent

- C. Letter received from facility that employee had been disciplined and in-service given to all employees concerning the law.
- D. Case dismissed by Board

Robert Smith, M.D.
Radiologist

Jeanne Morris
Lay Member

Grace L. Peters
Lay Member

CASE # 02-2006: MEDICAL ASSISTANT PERFORMING X-RAYS

- A. Notification received that medical assistant and/or nurses performing bone densitometry scans
- B. Certified Notice of Complaint sent
- C. Doctor responded that he wasn't aware of the law and would perform all bone densitometry scans himself
- D. Case dismissed by the Board

STAFF

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

CASE # 03-2006: MEDICAL ASSISTANT PERFORMING X-RAYS

- A. Notification received that medical assistant performing bone densitometry scans
- B. Certified Notice of Complaint sent
- C. Doctor responded that he wasn't aware of the law and would perform all bone densitometry scans himself
- D. Case dismissed by the Board

FINANCIAL INFORMATION

Beginning Balance as of July 1, 2005	\$ 24,011.28
Income Received FY 2006	\$ 141,545.00
Total Revenue for FY 2006	\$ 165,556.28
Disbursements for FY 2006	\$ <u>145,957.85</u>
Balance in account as of June 30, 2006	\$ 19,598.43

CASE # 04-2006: UNLICENSED INDIVIDUAL OPERATING X-RAY EQUIPMENT

- A. Notification received that medical assistant performing x-rays
- B. Certified Notice of Complaint sent to doctor
- C. Doctor responded that his facility does not possess x-ray equipment
- D. Case dismissed by the Board

LICENSES ISSUED FY 2005-06

Permanent Licenses:	256 issued
Renewal Licenses:	2,133 issued
Podiatry Permits:	6 issued
Probationary License:	3 issued
Reinstatement:	115 issued
Temporary Licenses:	87 issued
Duplicate Licenses:	2 issued
Name change Fees:	7 issued
Roster of Licensees	3 issued
Fee for WV Examination	1 issued
Attorney Reimbursement	1

CASE # 05-2006: TECHNOLOGIST DISMISSED FOR EGREGIOUS MISCONDUCT

- A. Letter received that technologist had been dismissed from hospital due to egregious misconduct by attempting to pass a forged prescription
- B. Certified Notice of Complaint letter sent to licensee
- C. Subpoena Duces Tecum sent to hospital
- D. Response received from licensee
- E. Information received from hospital
- F. Contact made with WV State Police concerning investigation on their part. Information obtained which contained confession.
- G. Investigation continuing

ADDITIONAL INFORMATION

Due to Charter Communications being bought out by Suddenlink Communications, the office and Executive Director will have to change their e-mail addresses. When this change takes effect, a notice will be posted on the Board's web page. Please watch for this announcement and make the changes as directed.

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

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

BOARD MEMBERS

Alice Belmont, Chairperson
Radiologic Technologist

Jamie Browning, Secretary
Department of Health Representative

Melissa Haye
Radiologic Technologist

Nancy Godby
Radiologic Technologist

I. Elaine Moore, M.D.
Licensed Physician

Shawn Reesman, M.D.
Radiologist