

WEST VIRGINIA MEDICAL IMAGING & RADIATION THERAPY TECHNOLOGY BOARD OF EXAMINERS

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NEWSLETTER 2007

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

NAME CHANGE AND NEW DISCIPLINES ADDED TO LAW.

House bill 2800 passed the Legislature in 2007. This revision of the W. Va. Code governing medical imaging and radiation therapy changed the name of the Board to reflect their new role. It also added the licensing of Nuclear Medicine and MRI technologist within West Virginia. This law also defined within the law the scope of practice for each discipline. Two new Board members were also added to the law from Nuclear Medicine and MRI. One of the main provisions of this law was to require anyone working in Nuclear Medicine and MRI to be certified in that discipline. If the individuals were not certified in the disciplines by July 1, 2007, they could receive an Apprentice license which would allow the individual to work in that discipline for up to five (5) years and obtain certification in that discipline. If, after the five (5) year time frame, the individual has not been certified in their discipline, they would no longer be allowed to work as a technologist in that field.

LICENSE RENEWAL APPLICATIONS

The Board has voted to stop sending license renewal applications to the licensee due to new postal regulations and costs. Instead, a postcard will be mailed approximately seven (7) weeks prior to expiration of the license to the individual. The majority of the licensees can go on-line to the Board's web page, www.wvrtboard.org, and renew their license by credit card. The office will verify their Continuing Education credits through the ARRT or NMTCB web pages. Your name MUST be listed on one of these web pages or you will need to send documentation of your CE's to the office before your renewal license will be issued. Please verify that your name is listed on one of the web pages and you are not on CE probation. If you are not listed or on CE probation, you will need to mail or fax documentation of your CE's to the office before we will process the renewal application. The on-line process is very simple. It is a secure web site through the WV Treasurer's office and allows you to obtain a conditional certificate which is good for seven (7) days. The conditional certificate will allow you to work until you receive your renewal license. If you do not have access to a computer at home or work, you can call the office and request an application be mailed to you. Your employer can download one for you from our web page.

IMPORTANT CE INFORMATION FOR LICENSE RENEWAL

All licensed technologist are required to submit evidence of twenty-four (24) hours of continuing education earned in the previous two (2) years 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 OR NMTCB AND RENEW ON-LINE**, your CE biennium will be checked by the Board's staff on the ARRT or NMTCB web page. If you are not listed on these web pages, 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 or verified, the application and fee will be returned to you, or, in the case of on-line renewals, will be credited back to your credit card. A renewal license will not be issued until the requirements are met.

BOARD MEETING HIGHLIGHTS FOR 2007

Meeting held on April 5, 2007

Minutes and financial reports approved as submitted. Complaints were discussed as follows: (1) Technologist asked for reinstatement of voluntarily surrendered license - Technologist requested changes to the Consent Agreement offered. Some modifications made and motion made and passed to re-offer amended Consent Agreement to individual. (2) Attempt to pass forged prescription - Individual did not sign Consent Agreement and license has expired. Board approved motion to place matter on hold and require a full hearing to resolve the matter before a license would be issued. (3) Suturing of femoral artery sheaths - Motion made to offer Consent Agreement consisting of cease and desist order and reprimand as suturing is not within the scope of practice of an individual licensed as a Radiologic Technologist. (4) Job Performance Evaluation - Individual has not met the requirements of the Consent Agreement and the Board voted to not issue a license until such time as the required evaluation is completed. (5) Reinstatement of suspended license - The Board denied the reinstatement of the suspended license. (6) Hospital on strike using unlicensed individuals to take x-rays - this was determined to be an invalid complaint as there are licensed individuals performing x-rays at the facility. (7) Doctor requested technologist to train unlicensed individuals to take x-rays - Letter received from doctors that they take all x-rays at the facility. (8) Technologist refused to allow doctor to view personal x-rays - Letter sent to hospital - awaiting response. Other discussions included a letter from Congressman Rahall inquiring why a license application was refused for an individual seeking a nursing license. Letter sent to Congressman Rahall with a copy to the Governor informing him that we do not license nurses unless they are qualified by radiologic technologist training to perform x-rays. Also, informed him that we had forwarded his letter to the appropriate nursing Board. Legislative issues - HB 2800 signed by the Governor with an effective date of June 10, 2007. This bill changed the name of the Board, added two new Board members, and requires the disciplines of Nuclear Medicine and MRI to be licensed. A committee was established to re-write the Rules to conform to the Code and would be submitted for passage during the 2008 session. The Board stated there is not a problem with a technologist doing fluoro at remote locations provided there is a live audio/video hook-up with a radiologist. The Board approved re-joining the Council on Licensure, Enforcement and Regulation (CLEAR). Due to the Administrative Secretary's pending retirement, the Board voted to hire someone part-time beginning in September, 2007, changing to full-time in January, 2008. This position would be advertised in the newspaper and a decision made by mid-August as to the individual to be hired. A discussion was held concerning the operation of PET/SPECT equipment. The Board determined that if the individual is licensed by the Board and certified in CT by ARRT, they could operate the equipment.

Meeting held on June 12, 2007

Minutes and financial reports approved as submitted. Complaints were discussed: (1) Reinstatement of voluntarily surrendered license - Individual informed the Board that they would not pursue the reinstatement of their voluntarily surrendered license. (2) Suturing femoral artery sheaths - Consent Agreement signed. (3) Job performance evaluation - Individual has not complied with the previous Consent Agreement and the Board will not issue a license until such time as the evaluation is performed and the evaluator states the individual is competent to perform the duties of a radiologic technologist. (4) Refusing to allow doctor patient to view personal x-rays - Hospital policy states patients cannot view x-rays. Matter dismissed and doctor notified. (5) Operation of x-ray equipment by medical assistant - referred to the Board of Medicine. (6) Operation of x-ray by unlicensed individuals - letter received from doctors that they take all x-rays. (7) Unlicensed personnel performing bone densitometry - Doctor responded that he was unaware that this was a violation as the company selling the equipment stated that anyone trained to operate the equipment by them could perform the studies. His office will cease allowing unlicensed individuals to operate the equipment and a letter will be sent to the company stating the law. (8) DUI misdemeanor - Since this does not affect patient care or ability to perform their job duties, the matter will be placed in the individual's file with no action taken. Recommendations were made by the Rules Committee for the Legislative Rules, Procedural Rules and Interpretative Rules. All except the Series 6 Rule were accepted as presented. Series 6 Rule was modified and then approved. All will be put out for public comment. Board was informed that the Radiologist Assistant Rule is posted on the Board of Medicine's web page for public comment. Board was informed that there have been 98 new applications for Nuclear Medicine and MRI licenses as of the date of the meeting. The Board was presented with a new design of the license. Motion passed to discontinue the issuing of the large 9 x 12 licenses. Start date of postcard reminders of license renewals instead of applications changed to January, 2008. Report given on the Joint Review Committee on Education in Radiologic Technology (JRCERT) site visit at Mountain State University's Radiologic Technologist program. Personal evaluations were presented and a 4.0 % increase in salary was recommended. However, since the Governor has directed that a maximum of 3.5% increase be given for all state employees, the Board approved the 3.5% raise for the employees of the Board. Nominations were made for Chairperson and Secretary of the Board. Alice Belmont was elected Chairperson and Melissa Haye was elected Secretary.

Meeting held on October 18, 2007

Minutes and financial report accepted as submitted. Complaints were discussed. (1) Job performance evaluation - matter closed due to death of licensee. (2) Failure to render aid to accident victim - Matter closed as there was no violation of our law. (3) Consent Agreement from 2003 - letter sent to individual informing them that they did not comply with the provisions of the Consent Agreement and license would not be reinstated. (4) Operation of x-ray by medical assistant - letter received that doctor will take all x-rays. Board approved closing matter with a letter sent to the doctor stating such but also informing the doctor that if this is reported again, the Board would take the matter to the courts for a permanent injunction and seek a monetary fine. (5) Operation of x-ray by paramedic - letter received from doctor stating he would perform all x-rays in the future. Rules completed public comment period, and Series 3, 4 and 6 were implemented with an effective date of October 12, 2007. Series 1, 2 & 5 have been reviewed by the Legislative Rule Making Review Committee and will be introduced in the 2008 Legislative session for passage. No word has been received on the appointments of the Nuclear Medicine or MRI representatives or reappointments. A letter was received from Dr. Reesman resigning from the Board. Several Nuclear Medicine technologists appeared before the Board to express their concerns about the new law governing their profession. A committee will be formed to seek a resolution to their concerns and possibly submit a change to the law in 2009. Two (2) Board members and the Executive Director attended the mandatory Auditor's Seminar for Chapter 30 Licensing Boards and gave a report to the Board. The office completed a purchasing audit conducted by the WV Department of Administration. Motion made and passed to replace old furniture and equipment for the office and change the name on the office door to reflect the new name. Part time Secretary's status will be changed to full time beginning December 3, 2007 due to Administrative Secretary

changing date of retirement to February 29, 2008.

SCHOOL INSPECTIONS HELD 2007

Mountain State University - Eight (8) year accreditation awarded

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 2007

CASE # 01-2007: SUTURING OF FEMORAL ARTERY SHEATHS

- A. Letter received that technologist performing suturing of femoral artery sheaths upon completion of cardiac cath.
- B. Letter sent to licensee requesting response
- C. Letter received from technologist admitting performing procedure but was unaware of violation of scope of practice.
- D. Consent Agreement reached and signed by both parties.

STAFF UPDATE

Carol Blosser, the Administrative Secretary for the Board, has announced she will be retiring February 29, 2008. Mrs. Blosser has been a very dedicated, hard working employee for the Board. All of the Board members wish her and her husband, Ed, many years of health and happiness in their retirement.

Whenever Carol announced her retirement, the Board advertised her position in the Beckley newspaper and received approximately 85 applications. After a careful review of the applicants and interviews, Randy Fink was selected to assume the position of Administrative Secretary upon Carol's retirement. Mr. Fink was the former postmaster at Cool Ridge and, upon his retirement from the US Postal Service, decided he wasn't quite ready for full retirement. He was hired the first of September part time to begin learning the office protocol for issuing licenses. He began full time service with the Board on December 3, 2007 to learn procedures of performing the integral details of the position.

While the Board will miss Carol, they would also like to welcome Randy on-board.

BOARD MEMBERS

Alice Belmont, Chairperson
Melissa Haye, Secretary
Nancy Godby
Jim Wilson
Nancy Oughton
I. Elaine Moore, M.D.

Radiologic Technologist
Radiologic Technologist
Radiologic Technologist
Nuclear Medicine
MRI
Licensed Physician

Robert Smith, M.D.
John Leon, M.D.
Jamie Browning
Jeanne Morris
Grace L. Peters

Radiologist
Radiologist
Department of Health Representative
Lay Member
Lay Member

STAFF

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

FINANCIAL INFORMATION

Beginning Balance as of July 1, 2006	\$ 19,598.43
Income Received FY 2007	\$ 188,357.36
Total Revenue for FY 2007	\$ 207,955.79
Disbursements for FY 2007	\$ 156,835.91
Balance in account as of June 30, 2007	\$ 51,119.88

LICENSES ISSUED FY 2007

Permanent Licenses:	351 issued
Renewal Licenses:	2,208 issued
Podiatry Permits:	2 issued
Probationary License:	5 issued
Reinstatement:	151 issued
Temporary Licenses:	79 issued
Duplicate Licenses:	0 issued
Name change Fees:	8 issued
Roster of Licensees	1 issued
Fee for WV Examination	1 issued
Attorney Reimbursement	3
Worker's Comp. Refund	2

ADDITIONAL INFORMATION

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)