

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Jun 15, 2023 4:00 PM - 7:00 PM EDT

**1. Meeting to Order**

The virtual board meeting was called to order at 4:02 PM on Thursday, June 15, 2023 by the Chairman of the Board, Tyson Judy.

**2. Board's Mission**

Chairman Judy stated 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 noted that there were no guests in attendance.

**4. Attendance**

Board members in attendance were Chairman Tyson Judy, Secretary Dee Workman, Kristi Barnett, and Tuanya Layton. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Board members Peter Chirico MD, Todd Resley, MD and Brian Martin were excused.

**5. Agenda**

Ms. Barnett made a motion to accept the agenda as presented. Secretary Workman seconded the motion and the Board concurred.

**6. Board Meeting Minutes**

A motion was made by Ms. Layton to approve the May 18, 2023 board meeting minutes. Secretary Workman seconded the motion and the Board concurred. The May 18, 2023 board meeting minutes were posted to the Board's website for public availability.

**7. Old Business**

**a. CLEAR's 2023 Introduction to Regulatory Governance Webinar Series**

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR Introduction to Regulatory Governance Webinar Series, Assessing Competence on June 22, 2023.

**b. ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting**

Chairman Judy reminded the board members and staff that funds have been approved to attend the ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting June 22-25, 2023 at the Nugget Casino Resort in Reno NV.

**c. Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting**

Chairman Judy reminded the board members and staff that funds have been approved to attend the Society of Nuclear Medicine and Molecular Imaging 2023 Annual Meeting on June 24-27, 2023 in Chicago IL.

**d. FARB 2023 Innovation in Regulation Conference**

Chairman Judy reminded the board members and staff that funds have been approved to attend the FARB 2023 Innovation in Regulation Conference on July 20-21, 2023 in Alexandria VA.

**e. FARB 2023 Regulatory Law Seminar**

Chairman Judy reminded the board members and staff that funds have been approved to attend the FARB 2023 Regulatory Law Seminar on September 21-23, 2023 in Chicago, IL.

**f. CLEAR 2023 Annual Education Conference**

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR 2023 Annual Education Conference September 27-30, 2023 in Salt Lake City, UT.

**8. Professional Development**

Chairman Judy noted that there were no professional development activities this month.

**9. Ethics**

Chairman Judy reported that the Ethics Committee, consisting of himself, Director Browning, Secretary Workman and AG Marshall had an informal meeting via video conferencing on June 15, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, and 11-FY-2023.

**a. Executive Session**

A motion was made by Secretary Layton to enter into executive session at 4:06 PM to discuss Ethics cases 04-FY-2022, 10-FY-2023 and 11-FY-2023. The motion was seconded by Ms. Barnett and the Board concurred.

A motion was made by Secretary Workman to exit out of executive session at 4:12 PM. The motion was seconded by Ms. Layton and the Board concurred.

**b. 04-FY-2022**

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement with a mandatory discipline program until 4/21/2025. Chairman Judy presented the board with the WV Pharmacy Resource Network Discipline Program quarterly update for review and discussion. No action was taken.

**c. 10-FY-2023**

Chairman Judy reported that a Summary Suspension Order had been issued on 5/25/2023 and a Consent Agreement Offer had been issued on 6/13/2023.

No action was taken.

**d. 11-FY-2023**

Chairman Judy reported that 11-FY-2023 has completed all the requirements of his consent agreement including reimbursing the Board \$250 for incurred costs.

Ms. Layton made a motion to close ethics case 11-FY-2023. After review of all available information, Ms. Barnett seconded the motion and the Board concurred.

**10. Financial Monthly Report**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on June 15, 2023 to review the May 2023 financial reports.

Chairman Judy reported that the ending cash balance was \$465,410.64 with \$24,970.00 in total revenue and \$15,823.88 in total expenditures and recommended approval.

Ms. Layton made a motion to approve the May 2023 financial report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board concurred.

**11. Purchasing Card Monthly Report - May 2023**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on June 15, 2023 to review the May 2023 purchasing card report.

Chairman Judy reported that there were \$2,773.61 in purchases and recommended approval.

Ms. Layton made a motion to approve the May 2023 Purchasing Card Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board concurred.

**12. Director's Reports**

Ms. Barnett made a motion to approve the May 2023 Director's Report as presented. After review of all available information, Dr. Resley seconded the motion and the Board concurred.

**13. Medical Imaging Schools Report**

**a. 3370 - Winchester Medical Center**

Chairman Judy reported that Valley Health Tri-State Surgical Center located in Martinsburg, WV will be a clinical setting for the Winchester Medical Center's Radiography Program and Kristina C. Malloy, R.T.(R) will be the clinical preceptor. No Action was taken.

**14. WV Legislative Auditor's Performance Evaluation & Research Division - 2023 Regulatory Board Review**

Chairman Judy reported that himself, Secretary Workman, Ms. Layton, Ms. Barnett and Director Browning met with the WV Legislative Auditor's Performance Evaluation & Research Division to discuss the 2023 Regulatory Board Review on February 22, 2023.

Chairman Judy also reported that the WV Legislative Auditor's Performance Evaluation & Research Division would be requesting additional information as the regulatory review proceeds. No action was taken.

**15. Board Member Openings**

Chairman Judy reported that we have Board Member openings for 2 radiologist and 1 citizen member and that the information is available at <https://wvrtboard.gov/Career-Opportunities>. No action was taken.

**16. Director's Employee Performance Evaluation**

Chairman Judy reported that he would be performing an Employee Performance Evaluation and encouraged the Board Members to participate with an input they may have. No action was taken.

**17. Telehealth Rules**

Ms. Barnett made a motion to add W.Va. Code of R. 18-1-6. Telehealth practice. Pursuant to W. Va. Code § 30-1-26, telehealth practice is inapplicable to the performance of medical imaging and radiation therapy. After review of all available information, Secretary Workman seconded the motion and the Board concurred.

**18. 2023 ASRT Radiation Therapy Conference**

Secretary Workman made a motion to fund participation in the 2023 ASRT Radiation Therapy Conference in San Diego, CA on October 1-3, 2023. After reviewing all available information, Ms. Barnett seconded the motion and the Board concurred.

**19. 2024 FARB Forum**

Secretary Workman made a motion to fund participation in the 2024 FARB Forum in Fort Worth, TX on January 25 - 28, 2024. After reviewing all available information, Ms. Layton seconded the motion and the Board concurred.

**20. Upcoming Meetings**

Ms. Layton made a motion to have the next Board meeting on August 17, 2023. Ms. Barnett seconded the motion and the Board concurred.

**21. Adjournment**

Secretary Workman made a motion to adjourn at 4:27 PM, Ms. Barnett seconded the motion and the Board concurred.