



Virtual Board Meeting

Thu Mar 21, 2024 4:00 PM - 6:00 PM EDT

1. Meeting to Order

The virtual board meeting was called to order at 4:08 PM on Thursday, March 21, 2024, by the Chairman of the Board, Tyson Judy.

Chairman Judy stated that in accordance with the Secretary of State's statutory requirement for Open Meetings (WV Code § 6-9A), the meeting notice was published on the Secretary of State's Website on February 20, 2024.

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, Tuanya Layton, Jeffrey Jones, Brian Martin, Erin Butcho, MD and Todd Resley, MD. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance.

5. Agenda

Mr. Jones made a motion to accept the agenda as presented. Ms. Layton seconded the motion and the Board concurred.

6. Board Meeting Minutes

A motion was made by Ms. Barnett to approve the February 15, 2024 board meeting minutes. Mr. Martin seconded the motion and the Board concurred.

7. Old Business

a. 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.

b. Board Member Openings

Chairman Judy reported that the Radiologist, Radiologic Technologist and Licensed Practitioner Board Member positions available and the information is available at: <https://wvrtboard.gov/Career-Opportunities>.

c. Telehealth Rules

Chairman Judy reported that our Telehealth Rules went out for public comment on June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules passed the Legislative Rule-Making Committee on 11/1/2023. Senate Bill 89 and House Bill 4133 was introduced on 1/10/2024. The Rules are now bundled into House Bill 4110 and Senate Bill 66. House Bill 4110 completed legislation on March 9, 2024.

8. Professional Development

a. Conference of Radiation Control Program Director (CRCPD) 56th National Conference on Radiation Control

Mr. Jones made a motion to fund participation for board members and staff to attend the Conference of Radiation Control Program Director (CRCPD) 56th National Conference on Radiation Control in Jacksonville, FL on May 20-23, 2024. Ms. Layton seconded the motion and the Board unanimously concurred.

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

Mr. Jones made a motion to fund participation for board members and staff to attend the ASRT Educational Symposium and Annual Governance and House of Delegates Meeting in Orlando, FL on June 27-30, 2024. Ms. Layton seconded the motion and the Board unanimously concurred.

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 March 21, 2024 prior to the Board Meeting to discuss Ethics case 07-FY-2024.

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:15 PM to discuss Ethics case 07-FY-2024. The motion was seconded by Dr. Butcho. After review of all available information the Board unanimously concurred.

A motion was made by Ms. Layton to exit out of executive session at 4:30 PM. The motion was seconded by Mr. Martin. The Board unanimously 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 Recovery Network Discipline Program quarterly update for review and discussion.

No action was taken.

c. 05-FY-2024

Chairman Judy reported that the licenses has been Summarily Suspended and offered a consent agreement including a mandatory discipline program with the WV Pharmacy Recovery Network.

No action was taken.

d. 07-FY-2024

A motion was made by Mr. Jones to subpoena the records for case 07-FY-2024. The motion was seconded by Dr. Butcho. After review of all available information, the Board unanimously concurred.

10. February 2024 Monthly Financial Report

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on March 21, 2024 to review the February 2024 financial reports.

Chairman Judy reported that the February 2024 ending cash balance was \$489,554.58 with \$11,743.00 in total revenue and \$15,311.32 in total expenditures. Chairman Judy recommended approval.

Ms. Barnett made a motion to approve the February 2024 financial report as presented. After review of all available information, Ms. Layton seconded the motion and the Board unanimously concurred.

11. February 2024 Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on March 21, 2024 to review the February 2024 Purchasing Card report.

Chairman Judy reported that there were \$2,507.80 in purchases and recommended approval.

Mr. Martin made a motion to approve the February 2024 Purchasing Card report as presented. After review of all available information, Dr. Resley seconded the motion and the Board unanimously concurred.

12. February 2024 Director's Report

Ms. Barnett made a motion to approve the February 2024 Purchasing Card report as presented. After review of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

13. Medical Imaging Schools Report

Secretary Workman made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

14. Introduced Legislation

Director Browning reported that all passed legislation that could affect the board is posted on the board's website. The board reviewed and discussed Senate Bill 438 - Modifying roster requirements of authorizing entities and Senate Bill 687 - Clarifying Legislative Auditor's scope of authority.

No action was taken.

15. Upcoming Meetings

a. April 18, 2024

Secretary Workman made a motion to have the next Board meeting on April 18, 2024. Ms. Layton seconded the motion and the Board concurred.

16. Adjournment

Mr. Martin made a motion to adjourn at 4:44 PM, Secretary Workman seconded the motion and the Board concurred.