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REPLY TO: Charleston  
SENDERS E-MAIL: [tkirk@pffvw.com](mailto:tkirk@pffvw.com)  
[www.pffvw.com](http://www.pffvw.com)

April 10, 2014

RECEIVED

4-10-14

WV MI&RTT BOARD

Nancy A. Godby, Executive Director  
WV Medical Imaging & Radiation Therapy Technology Board of Examiners  
1715 Flat Top Road  
PO Box 638  
Cool Ridge, WV 25825-0638

**RE: *Duncan, Nancy v. WV Medical Imaging & Radiation, et al***  
**Kanawha County Circuit Court**  
**Complaint No. 07-FY-2014**

Dear Executive Director Godby:

I am forwarding to you the original signed *Consent Agreement* for consideration by the Board at its June 5, 2014 meeting. Please let me know if the Board approves the Agreement.

Of course if you have any questions in the interim, let me know. Once again, I appreciate your assistance and that of Kate's in working on this matter.

Very truly yours,

Theresa M. Kirk

TMK/jah  
Enclosure

cc: Katherine Campbell, Esquire  
Robert A. Fisher  
Joanna Valleau, Claim No. 6121286108US - BRIM 501-020383



BEFORE THE WEST VIRGINIA MEDICAL IMAGING AND RADIATION  
THERAPY TECHNOLOGY BOARD OF EXAMINERS

WEST VIRGINIA MEDICAL IMAGING & RADIATION  
THERAPY TECHNOLOGY BOARD OF EXAMINERS,

Complainant,

v.

Complaint No. 07-FY-2014

NANCY DUNCAN

Respondent.

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4-10-14

WV M&RTT BOARD

CONSENT AGREEMENT

1. Complainant, a regulatory board established by W. Va. Code §30-23-1 et seq. contends that Respondent violated W. Va. Code §30-23-2 and W. Va. C.S.R §18-1-4.4 when she renewed her professional radiologic technologist's license, by paying the appropriate fee, one and a half days late after the license expired on July 1, 2013 and performing procedures as a medical imaging technologist during that one and a half day period while the license was expired. There are no allegations that the Complainant was not current on her continuing education requirements or was not otherwise eligible for renewal upon submission of the required license renewal form, proof of continuing education compliance, and payment.
2. Respondent strongly denies that her late renewal was willful or unethical or that it rises to the level of actionability.
3. The parties desire to amicably resolve this disagreement.

Upon consideration of the above, Respondent agrees that she will forthwith be more mindful of time requirements associated with her license renewal, and will not pursue civil claims related to these events against Complainant. Upon Complainant's acceptance of this Agreement, Respondent will tender \$200, the standard fine as issued by the Board. Complainant agrees that it will not pursue further action related to Respondent's late renewal on July 2, 2013, of her professional license, or her practice during the time the license was lapsed. The Respondent shall not pursue any legal action against the Complainant arising out of facts from this incident.

Respondent acknowledges that her action in signing this agreement, and the Board's action in approving the agreement, constitutes action taken as authorized by, and in accordance with, W.Va. Code § 30-23-2, and any other related Code sections and Legislative Rules, if any, and a finding that the Respondent failed to timely renew her license.



The parties acknowledge that pursuant to the Freedom of Information Act, this document is a public record. Further, this Agreement shall be reported and processed in accordance with applicable laws and the Board's normal procedures.

This document constitutes the entirety of the parties' Agreement.

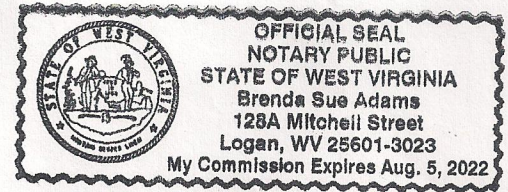
AGREED TO BY:

*Nancy Godby* 06-06-2014  
Nancy Godby, Executive Director  
West Virginia Medical Imaging & Radiation  
Therapy Technology Board of Examiners

Sworn and subscribed before me this 6<sup>th</sup> day of June, 2014.

My commission expires: August 5, 2022

Notary signature: Brenda Sue Adams



Nancy Duncan  
Nancy Duncan

Sworn and subscribed before me this 3<sup>rd</sup> day of April, 2014.

My commission expires: April 17, 2022.

Notary signature: Tamus Delaine Rowe

