

**BEFORE THE WEST VIRGINIA RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS**

IN THE MATTER OF:

**PATRICIA K. PATSCH,
West Virginia Radiologic Technology License No. 4002**

CONSENT AGREEMENT

Now comes the West Virginia Radiologic Technology Board of Examiners (hereinafter "Board"), by its counsel Gregory G. Skinner, Assistant Attorney General, and Patricia K. Patsch, (hereinafter "Respondent"), for the purpose of resolving the Board Complaint No. 03 - FY 2006, against Respondent. As reflected in this agreement, the parties have reached an understanding concerning the proper disposition of the matters in controversy, and the Board, approving such an agreement, does hereby find and Order as follows:

FINDINGS OF FACT

1. Respondent currently holds radiologic technologist license no. 4002 in the State of West Virginia.
2. During all times relevant herein, Respondent was employed by the Weirton Medical Center (hereinafter "Medical Center"), located at 601 Colliers Way, Weirton, West Virginia, 26062, as a radiologic technologist.
3. On or around June 6, 2005, the Medical Center found an unidentified radiographic film, and inquired of Respondent as to its origination.
4. Respondent admitted that she had performed the x-ray, and that she had taken such x-ray without the written authorization of the Medical Center, any its

employees, any of its representatives, or from any persons authorized by law to give Respondent written authorization to lawfully perform the x-ray.

CONCLUSIONS OF LAW

1. The Board is a state entity created by W. Va. Code § 30-23-1, et seq., and is empowered and authorized to regulate the practice of radiologic technology in the State of West Virginia.

2. The Radiologic Technologists Act in W. Va. Code § 30-23-1, et seq., grants the Board power to make and enforce necessary rules and regulations for the licensing of radiologic technologists and the general practice of radiologic technology. The Act confers on the Board the right to take disciplinary action against licensees who violate its rules and regulations in order to protect the public interest and to preserve proper levels of education, experience and skill.

3. West Virginia Code § 30-23-9(b)(5) provides, in pertinent part, that the Board may take disciplinary action against a licensee who has “[e]xcept in emergency situations, failed to obtain written authorization from the attending licensed practitioner or from the patient” to perform an x-ray.

4. Respondent performed an x-ray on a patient for which she failed to obtain written authorization from the attending licensed practitioner or from the patient, as required by and in violation of W. Va. Code § 30-23-9(b)(5).

CONSENT

Respondent, both in her individual capacity and as a licensed radiologic technologist, by the execution hereof, agrees to the following:

1. Respondent has had the opportunity to consult with counsel and executes

this Consent Decree voluntarily, freely, without compulsion or duress and mindful that it has legal consequences. No person or entity has made any promise or given any inducement whatsoever to encourage Respondent to make this settlement other than as set forth herein. Respondent acknowledges that she is aware that she may pursue this matter through appropriate administrative and/or court proceedings, and is aware of her legal rights regarding this matter, but intelligently and voluntarily waives such rights.

2. Respondent consents to the entry of the following Order affecting her conduct as a state licensed radiologic technologist.

ORDER

On the basis of the foregoing, the Board hereby ORDERS as follows:

1. Respondent is hereby REPRIMANDED, and ORDERED to CEASE AND DESIST from engaging in any activity or conduct regulated by the Board that is in violation of the laws or regulations of the State of West Virginia.

2. Respondent, within thirty (30) days of the date of entry of this order, shall pay to the Board the amount of four-hundred and fifty dollars (\$450.00). Such payment by Respondent shall represent the costs incurred by the Board associated with the investigation and prosecution of the instant complaint, and the subsequent reimbursement to the Board thereof.

3. In the event Respondent violates the terms of this Consent Decree, and, subsequent to notice and hearing, the Board so finds a violation, then, in such event, the events giving rise to this Consent Decree shall be considered in the determination of the kind and extent of sanctions to be subsequently imposed.

AGREED TO BY:

Patricia K Patsch
PATRICIA K. PATSCH

5/26/06
DATE

ENTERED into the records of the West Virginia Radiologic Technology Board of Examiners this:

6th day of June, 2006.

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS,

By: Grady M. Bowyer
GRADY M. BOWYER,
EXECUTIVE DIRECTOR

6/6/06
DATE

I do not agree with this totally due to the fact my employer did not pursue this matter, but at this time I feel this is the only way to settle this.

Patricia K Patsch