

BOARD MEETING
MARCH 27, 2003

West Virginia Radiologic Technology Board of Examiners

1715 Flat Top Road

P.O. Box 638

Cool Ridge, WV 25825

Telephone: (304) 787-4398 Toll Free (in WV): (877) 609-9869

Fax: (304) 787-3030 E-mail: wvrtboe@charter.net

BOARD MEETING

March 27, 2003

Members Present

Susan Bellomy, Secretary

Gloria Crouch

Shawn Reesman, M.D.

Mark Wilcox

Alice Belmont (Telephone)

Members Excused

Jeffrey C. Dameron M.D.

Larry Heck

Jeanne Morris

Judith S. Schreiman, M.D.

Guest

Carol Blosser

Grady Bowyer

Christy Utt

The meeting was called to order by Susan Bellomy, Secretary, at 5:10 P.M.. A conference call was placed to Alice Belmont, Chairperson for a quorum.

Minutes: Mr. Wilcox made a motion to accept the minutes of September 19, 2002 as presented. Ms. Crouch seconded the motion. Motion Carried.

Financial Report: A financial report was given by Ms. Blosser. Mr. Wilcox made a motion to accept the financial report as presented. Ms. Crouch seconded the motion. Motion Carried.

The Board went into Executive session at 5:20 P.M.. The Board came out of Executive session at 5:50 P.M. and resumed the meeting.

Complaints: Mr. Wilcox made a motion that the Board approve Mr. Bowyer and our attorney, Christy Utt, to work together on developing a complaint procedure to be presented to the Board. Ms. Bellomy seconded the motion. Motion Carried

Ms. Bellomy made a motion to change the status of Complaint A from revoked to inactive. Mr. Wilcox seconded the motion. Motion Carried.

Legislative Results: Mr. Bowyer informed the Board that Legislative Rule 329 was passed by the Senate and sent to the Governor's Office on March 27th, 2003 for his signature. The Governor has until April 3rd, 2003 to sign, veto, or not sign and the bill become law without his signing it. Mr. Bowyer informed the Board that the Podiatry Bill

Original

had passed and has a ninety (90) day effective date making it June 8th, 2003 before it goes into effect. Mr. Bowyer will send letters to the Podiatrist informing them of the law and what they will need for their Medical Assistance to get a permit. Mr. Bowyer will also inquire what kind of equipment is used in their office. Mr. Bowyer will go and inspect any Podiatry Office that does not comply with his request of this information.

Technologists Doing Fluoro: Mr. Bowyer asked the Board if the 1995 ruling of a Technologist doing Fluoro was still in effect? He was informed it was.

Standard of Ethics: Mr. Bowyer introduced a Standard of Ethics to the Board and explained that it was the same as the ARRT code of Ethics. Mr. Wilcox questioned who would interpret the Standard of Ethics rules. After much discussion the Board directed Mr. Bowyer to send a letter to ARRT asking (1)how complaints are handled, (2)how many members consist of the Ethics Committee, (3)how often does the committee meet, (4)who determines whether it is a valid complaint, and the severity of the complaint, (5)how many complaints are received per year, (6)how many complaints are dismissed for insufficient cause, (7)what is the range of discipline. Ms. Bellomy made a motion to table the Standard of Ethics until the June meeting to allow Mr. Bowyer to receive the information from ARRT. Ms. Belmont seconded. Motion passed.

On Line Credit Card Renewals: Mr. Bowyer informed the Board that the Treasurer's Office will secure a site for us and set up a new web page at no charge. The only charge for credit card renewals is \$14.94 for a domain site per year, and \$1.33 per renewal. The new web page would be wvrtboard.org. The Treasurer's office would check to make sure the credit card was good and process the payment. The payment would be deposited directly into our account. The only renewals that will be processed on line are licensee's certified by ARRT, because of CE requirements. Ms. Blosser will receive the information the morning, after the renewal on line. Ms. Blosser will check that the applicant's ARRT card is current and issue a license at that time. The applicant will receive a paid status at the time of the on line payment. Mr. Wilcox questioned if this would be acceptable to post. The Board directed Mr. Bowyer to insert some kind of language on the receipt to show the license has been renewed pending ARRT verification. Mr. Bowyer explained the walk-in credit card process. The Treasurer's Office would set up an Internet connection, at no charge, for an applicant that would walk into the office. The applicant would fill out an application and give Ms. Blosser their credit card. Ms. Blosser would go on line and insert the amount, credit card number and expiration date of the credit card. The Treasurer's Office would check to make sure the credit card was good and the payment would be deposited directly into our account. A license would then we issued. Mr. Wilcox made a motion to approve Mr. Bowyer setting up a credit card payment of license, at no cost to the licensee, and to leave to Mr. Bowyer's judgement the language for the receipt of payment for temporary posting. Ms. Bellomy seconded the motion. Motioned passed.

Old Business: Mr. Bowyer informed the Board of the site visit to St. Mary's Hospital on March 6th, and 7th, 2003. A site visit is scheduled for WV University Hospital on May 1st and 2nd, 2003.

New Business: Mr. Bowyer informed the Board that 105 students will be graduating in May and June. Mr. Bowyer will take a packet of the rules and code to the schools to distribute to students prior to graduating.

Mr. Bowyer informed the Board that on March 27, 2003 Dr. Shawn Reesman was appointed to the Board to replace Dr. Deardorff, and Mr. Mark Wilcox and Jeanne Morris were reappointed. The Governor had not replaced Larry Heck, Lay Person on the Board.

Mr. Bowyer asked if the Board wanted to go back to three (3) meetings a year or leave it at four (4). Mr. Wilcox made a motion to leave the meetings at four (4) a year. Ms. Bellomy seconded the motion. Motion passed.

The June meeting will be a dinner meeting.

The meeting was adjourned at 6:55 P.M.

Minutes submitted by Carol Blosser, Administrative Secretary

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AGENDA FOR MARCH 27, 2003 MEETING

1. MINUTES FROM SEPTEMBER MEETING
2. FINANCIAL STATEMENTS
3. COMPLAINTS - STATUS
 - A. License on suspension
 - B. Inappropriate touching complaint
 - C. Podiatrist using unlicensed operators
4. LEGISLATION RESULTS
5. TECHNOLOGISTS DOING FLUORO
6. STANDARD OF PRACTICE
7. ON-LINE CREDIT CARD RENEWALS
8. OLD BUSINESS
9. NEW BUSINESS
10. ADJOURN

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BOARD MEETING

September 19, 2002

MEMBERS PRESENT

Alice Belmont, Chairperson

Susan Bellomy, Secretary

Jeffrey C. Dameron, M.D.

Jeanne Morris

Mark S. Wilcox

Members Excused

Gloria Crouch

Larry Heck

W. Alva Deardorff, M.D.

Judith S. Schreiman, M.D.

Staff

Grady Bowyer

Carol Blosser

The meeting was called to order by Alice Belmont, Chairperson at 6:10 P.M. A quorum was not present so Ms. Belmont asked Grady Bowyer, Executive Director to give a report on the Clear Training and Conference that he had attended on September 9th. Mr. Bowyer expressed how the conference was very informative and well worth the time. The sessions on how to do reports to stand up in court, and forged credentials were extremely good. Mr. Bowyer feels the conference is beneficial and suggested that a Board member also attend next years conference in Toronto.

Minutes: With a quorum the minutes of the June 18, 2002 meeting were discussed. Mark Wilcox stated the sentence in the minutes concerning Podiatry was incorrect. The sentence should read "If the Podiatrist open our Code to allow podiatry assistant to be exempt from having to be licensed by the Board, someone must be aware of the action in the legislature the next session to monitor this activity." Mr. Wilcox made a motion to accept the minutes of June 18, 2002 as corrected. Dr. Dameron seconded the motion. Motion carried.

Financial Report: Financial Report was given by Ms. Blosser. She discussed the increase in the disbursements for July due to (1) vacation days owed to Mary Casto upon her retirement, (2) increment pay for Mary Casto and Grady Bowyer, (3) retirement dinner held for Ms. Casto, and (4) postage expense for mass mailing for rule change comment. Mr. Wilcox asked about a disbursement of \$85.74 on the August financial statement under "Payment of Claims". Mr. Bowyer explained that AT & T and Verizon went to court against agencies and boards that had balances not paid by the state. The state will not pay certain things on a bill from these companies so they went to court to get the money they felt were owed to them. Dr. Dameron made a motion to accept the financial report and Ms. Bellomy seconded. Motion carried.

Podiatry Committee Report: Mr. Wilcox gave a quick review of exactly why we need to start code changes for podiatry assistants. He explained the discussions of the committee on licensing the assistants or exempting them. The committee presented a guide line to the code which they feel is in the best interest of everyone concerned. The assistants would need to secure a permit from the WVRTBOE to practice podiatry radiology limited to foot and ankle. They would need to pass a written examination for certification from the American Society of Podiatry Medical Assistants (ASPMA) and meet all requirements of that organization including the continuing education requirements. The permit would be for one (1) year from the date of issue and shall be renewed every year without examination, but they must submit documentation of an active certification with ASPMA. The permittee would only use equipment specifically designed for the performance of foot and ankle Podiatric radiographs and the type of equipment must be approved by the Board. It was recommended that an inspection of the machine

where the permittee would be working be done. The committee also recommended that we introduce these new guide lines into our code so that we can be in complete control. Mr. Bowyer also informed the Board that if the code changes were approved he would send a letter to Dr. Scott Glassburn, President of the State Podiatry Association, with the wording of the code and express to him this is the only wording that the Board would approve. Dr. Dameron asked to have (g) of the code changed to "Podiatric Radiographs means radiographs performed on the foot and ankle on dedicated Podiatric equipment. Dr. Dameron made a motion to accept the code as presented with the correction of wording for (g), to have the equipment inspected, and for Mr. Bowyer to inform the State Podiatry Association through Dr. Glassburn the decision of the Board. Ms. Bellomy seconded the motion. Motion carried.

Complaints: Mr. Bowyer gave status of individual on suspended license. A criminal complaint has been issued, however the Prosecuting Attorney's office has informed him it should be resolved in the next two (2) to three (3) weeks with a plea negotiations and it will be a felony. Once a conviction is announced we will have our attorney send her a letter and forms revoking her license. The Board advised the office to inform anyone that would inquire that her license is pending.

Mr. Bowyer asked the Board for assistance on an individual who was given a temporary license in error and now is seeking a permanent license. The individual's ARRT card lapsed in 1994, she is trying to take the test again however ARRT will not allow her to sit for the exam for ethical reasons. Our law states that an individual must have passed the ARRT exam, supply proof of CE requirements and not be convicted of a felony. The individual has met this criteria. After a lengthy discussion Dr. Dameron made a motion to have Mr. Bowyer check with our attorney to see if we could issue her a license and have her sign a consent agreement that before she can renew her license in 2003 she would have to take and pass either the ARRT exam or the WV exam. Ms. Bellomy second the motion. Motion approved.

Old Business: Mr. Bowyer informed the Board that Mountain State was now up and running with 26 students enrolled. Camden Clark has closed and someone in Ohio has taken over from them. Mr. Wilcox informed the Board that Dr. Shawn Reesman has agreed to replace Dr. Deardorff on the Board.

New Business: Mr. Bowyer advised the Board that he would be contacting the Attorney General's Office in order to have Ms. Shirley Skaggs replaced as our attorney of record. Ms. Skaggs has missed two of our last Board meetings even though we requested that she be there, and does not return telephone calls for days at a time.

Ms. Belmont gave a report on the Auditor Seminar that she attended on September 10th. Ms. Belmont agreed to attend the meeting on Oct 9th and 10th for Mediation Procedures.

Ms. Blosser asked the Board to set guide lines for individuals who do not pass the WV exam after three tries. Mr. Bowyer drew up a final remediation similar to ARRT's for the Board to consider. The individual would not be permitted to sit for the Final Remediation WV Exam for a period of six (6) months and must take a Remediation course of study. If the individual would fail the Final Remediation WV Examination they would be required to re-graduate from an approved, accredited program of Radiologic Technology before regaining eligibility to sit for the WV exam again. Dr. Dameron made a motion to accept the Final Remediation WV Exam. Ms. Bellomy seconded the motion. Motion approved.

Next Meeting Date and Location: The next meeting of the Board will be December 12, 2002 at 5:00 P.M. in Charleston

Meeting adjourned 8:10 P.M.

Minutes submitted by Carol Blosser, Administrative Secretary

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FINANCIAL STATEMENT
SEPTEMBER, 2002

Beginning Balance as of September 1, 2002			\$51,614.93
Deposits for September, 2002			\$10,625.00
		Total Receipts:	\$62,239.93
Disbursements for September, 2002			
001	Payroll	\$5,384.58	
002	Per Diem	\$0.00	
010	Administrative Fees	\$0.00	
011	SS & Medicare	\$394.98	
012	P/E Insurance Agency	\$827.90	
014	Worker's Compensation	\$0.00	
016	P/E Retirement System	\$358.96	
020	Office Expenses	\$69.78	
022	Larry Lilly (Rent)	\$350.00	
023	Utilities	\$70.96	
024	Telecommunications	\$199.37	
025	Office of the Attorney General	\$151.40	
026	Travel Expenses	\$641.15	
027	State Auditor & IS & C Computer Service	\$24.00	
029	Car Rental	\$17.00	
042	Hospitality	\$67.28	
052	Training & Development	\$860.00	
053	Postal Expenses	\$0.00	
054	Computer Supplies	\$512.10	
073	Household Equipment	\$153.39	
170	Computer Equipment	\$1,852.63	
		Total Disbursements:	\$11,935.48
Balance as of September 30, 2002			\$50,304.45

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FINANCIAL STATEMENT
OCTOBER, 2002

Beginning Balance as of October 1, 2002		\$50,304.45
Deposits for October, 2002		\$13,345.00
	Total Receipts:	\$63,649.45
Disbursements for October, 2002		
001 Payroll	\$5,384.58	
002 Per Diem	\$1,500.00	
010 Administrative Fees	\$87.50	
011 SS & Medicare	\$394.98	
012 P/E Insurance Agency	\$827.90	
015 Unemployment Compensation	\$636.47	
016 P/E Retirement System	\$358.96	
020 Office Expenses	\$151.55	
022 Larry Lilly (Rent)	\$350.00	
023 Utilities	\$59.51	
024 Telecommunications	\$620.70	
025 Contractual & Professional	\$80.00	
026 Travel Expenses	\$1,898.81	
027 State Auditor & IS & C Computer Service	\$105.71	
029 Car Rental	\$34.00	
032 WV Bd. of Risk & Insurance	\$547.00	
036 Vehicle Operating Expense	\$401.06	
038 Maintenance Contracts	\$112.50	
042 Hospitality	\$228.74	
052 Training & Development	\$225.00	
053 Postal Expenses	\$284.00	
054 Computer Supplies	\$149.95	
	Total Disbursements:	\$14,438.92
Balance as of October 31, 2002		\$49,210.53

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FINANCIAL STATEMENT November, 2002

Beginning Balance as of November 1, 2002		\$49,210.53
Deposits for November, 2002		\$16,095.00
	Total Receipts:	\$65,305.53
Disbursements for November, 2002		
001 Payroll	\$5,384.58	
002 Per Diem	\$450.00	
011 SS & Medicare	\$394.98	
012 P/E Insurance Agency	\$827.90	
015 Unemployment Compensation	\$154.24	
016 P/E Retirement System	\$358.96	
020 Office Expenses	\$3.19	
022 Larry Lilly (Rent)	\$350.00	
023 Utilities	\$28.65	
024 Telecommunications	\$190.06	
025 Contractual & Professional	\$216.00	
026 Travel Expenses	\$133.96	
027 State Auditor & IS & C Computer Service	\$30.00	
029 Car Rental	\$0.00	
032 WV Bd. of Risk & Insurance	\$0.00	
036 Vehicle Operating Expense	\$0.00	
038 Maintenance Contracts	\$0.00	
042 Hospitality	\$0.00	
052 Training & Development	\$150.00	
053 Postal Expenses	\$296.00	
054 Computer Supplies	\$39.99	
	Total Disbursements:	\$9,008.51
Balance as of November 30, 2002		\$56,297.02

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FINANCIAL STATEMENT
December, 2002

Beginning Balance as of December 1, 2002		\$56,297.02
Deposits for December, 2002		\$12,700.00
	Total Receipts:	\$68,997.02
Disbursements for December, 2002		
001 Payroll	\$5,384.58	
011 SS & Medicare	\$394.98	
012 P/E Insurance Agency	\$827.90	
016 P/E Retirement System	\$358.96	
020 Office Expenses	\$123.60	
022 Larry Lilly (Rent)	\$350.00	
023 Utilities	\$301.22	
024 Telecommunications	\$679.91	
025 Contractual & Professional	\$123.75	
026 Travel Expenses	\$393.95	
027 State Auditor & IS & C Computer Service	\$102.37	
029 Car Rental	\$17.00	
034 Household Supplies	\$14.98	
036 Vehicle Operating Expense	\$216.18	
038 Maintenance Contracts	\$112.50	
053 Postal Expenses	\$377.18	
054 Computer Supplies	\$19.98	
	Total Disbursements:	\$9,799.04
Balance as of December 31, 2002		\$59,197.98

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FINANCIAL STATEMENT

January, 2003

Beginning Balance as of January 1, 2003		\$59,197.98
Deposits for January, 2003		\$11,165.00
	Total Receipts:	\$70,362.98
Disbursements for January, 2003		
001 Payroll	\$5,384.58	
011 SS & Medicare	\$395.57	
012 P/E Insurance Agency	\$827.90	
015 Employment Security	\$468.46	
016 P/E Retirement System	\$358.96	
020 Office Expenses	\$162.41	
022 Larry Lilly (Rent)	\$350.00	
023 Utilities	\$35.63	
024 Telecommunications	\$230.06	
025 Contractual & Professional	\$363.00	
026 Travel Expenses	\$43.80	
027 State Auditor & IS & C Computer Service	\$61.49	
032 WV Bd of Risk & Insurance	\$547.00	
053 Postal Expenses	\$4.42	
054 Computer Supplies	\$159.97	
	Total Disbursements:	\$9,393.25
Balance as of January 31, 2003		\$60,969.73

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**FINANCIAL STATEMENT
February, 2003**

Beginning Balance as of February 1, 2003		\$60,969.73
Deposits for February, 2003		\$5,800.00
	Total Receipts:	\$66,769.73
Disbursements for February, 2003		
001 Payroll	\$5,384.58	
010 Administrative Fees	\$87.50	
011 SS & Medicare	\$394.37	
012 P/E Insurance Agency	\$827.90	
015 Employment Security	\$65.27	
016 P/E Retirement System	\$358.96	
021 Printing	\$569.85	
022 Larry Lilly (Rent)	\$350.00	
023 Utilities	\$242.31	
024 Telecommunications	\$638.75	
025 Contractual & Professional	\$150.00	
026 Travel Expenses	\$187.20	
027 State Auditor & IS & C Computer Service	\$66.57	
029 Car Rental	\$34.00	
031 Association Dues	\$315.00	
036 Vehicle Operating Expense	\$48.21	
053 Postal Expenses	\$993.40	
054 Computer Supplies	\$399.99	
	Total Disbursements:	\$11,113.86
Balance as of February 28, 2003		\$55,655.87

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STANDARD OF ETHICS

PREAMBLE

The Standards of Ethics of the West Virginia Radiologic Technology Board of Examiners (Board) shall apply solely to persons holding a License issued by the Board (Licensee) and to persons applying for examination and Licensure in order to become a West Virginia Licensed Technologists ("Candidates"). The Standards of Ethics are intended to be consistent with the Legislative Intent.

Standard of Practice

The Standard of Practice forms the first part of the Standards of Ethics. The Standard of Practice shall serve as a guide by which Licensed Technologists and Candidates may evaluate their professional conduct as it relates to patients, health care consumers, employers, colleagues and other members of the health care team. The Standard of Practice is intended to assist Licensed Technologists and Candidates in maintaining a high level of ethical conduct and in providing for the protection, safety and comfort of patients.

1. The licensed technologist conducts herself or himself in a professional manner, responds to patient needs and supports colleagues and associates in providing quality patient care.
2. The licensed technologist acts to advance the principle objective of the profession to provide services to humanity with full respect for the dignity of mankind.
3. The licensed technologist delivers patient care and service unrestricted by the concerns of personal attributes or the nature of the disease or illness, and without discrimination on the basis of sex, race, creed, religion or socioeconomic status.
4. The licensed technologist practices technology founded upon theoretical knowledge and concepts, uses equipment and accessories consistent with the purposes for which they were designed, and employs procedures and techniques appropriately.
5. The licensed technologist assesses situations; exercises care, discretion and judgment; assumes responsibility for professional decisions; and acts in the best interest of the patient.
6. The licensed technologist acts as an agent through observation and communication to obtain pertinent information for the physician to aid in the diagnosis and treatment of the patient and recognizes that interpretation and diagnosis are outside the scope of practice for the profession.
7. The licensed technologist uses equipment and accessories, employs techniques and procedures, performs services in accordance with an accepted standard of practice, and demonstrates expertise in minimizing radiation exposure to the patient, self and other members of the health care team.
8. The licensed technologist practices ethical conduct appropriate to the profession and protects the patient's right to quality radiologic technology care.
9. The licensed technologist respects confidences entrusted in the course of professional practice, respects the patient's right to privacy and reveals confidential information only as required by law or to protect the welfare of the individual or the community.
10. The licensed technologist continually strives to improve knowledge and skills by participating in continuing education and professional activities, sharing knowledge with colleagues and investigating new aspects of professional practice.

CODE OF ETHICS

The Code of Ethics form the second part of the Standards of Ethics. They are directive-specific standards of minimally acceptable professional conduct for all present Licensed Technologists and Candidates. Licensure is a method of assuring the medical community and the public that an individual is qualified to practice within the profession. Because the public relies on the Board to issue licenses, it is essential that Licensed Technologists and Candidates act consistently with these Code of Ethics. These Code of Ethics are intended to promote the protection, safety and comfort of patients. Licensed Technologists and Candidates engaging in any of the following conduct or activities, or who permit the occurrence of the following conduct or activities with respect to them, have violated the Code of Ethics and could be subject to sanctions:

1. Employing fraud or deceit in procuring or attempting to procure, maintain, renew or obtain reinstatement of a license issued by the Board; employment in radiologic technology. This includes altering in any respect any document issued by the Board or any state or federal agency, or by indicating in writing certification or registration with the Board when that is not the case.

2. Subverting or attempting to subvert the Board's examination process. Conduct that subverts or attempts to subvert the Board's examination process includes, but is not limited to:

(i) conduct that violates the security of Board examination materials, such as removing or attempting to remove examination materials from an examination room, or having unauthorized possession of any portion of or information concerning a future, current or previously administered examination of the Board; or disclosing information concerning any portion of a future, current or previously administered examination of the Board; or disclosing what purports to be, or under all circumstances is likely to be understood by the recipient as, any portion of or "inside" information concerning any portion of a future, current or previously administered examination of the Board;

(ii) conduct that in any way compromises ordinary standards of test administration, such as communicating with another Candidate during administration of the examination, copying another Candidate's answers, permitting another Candidate to copy one's answers, or possessing unauthorized materials; or

(iii) impersonating a Candidate or permitting an impersonator to take the examination on one's own behalf.

3. Convictions, criminal proceedings or military court-martials as described below:

(i) Conviction of a crime, including a felony, a gross misdemeanor or a misdemeanor with the sole exception of speeding and parking violations. All alcohol and/or drug related violations must be reported.

(ii) Criminal proceeding where a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered, or a criminal proceeding where the individual enters a plea of guilty or nolo contendere.

(iii) Military court-martials that involve substance abuse, any sex-related infractions, or patient-related infractions.

4. Failure to report to the Board that:

(i) charges regarding the person's permit or license to practice radiologic technology or any other medical or allied health profession are pending or have been resolved adversely to the individual in any state, territory or country, (including but not limited to, imposed conditions, probation, suspension or revocation); or

(ii) that the individual has been refused a permit, license or registration certificate to practice radiologic technology or any other medical or allied health profession by another state, territory or country.

5. Failure or inability to perform radiologic technology with reasonable skill and safety.

6. Engaging in unprofessional conduct, including, but not limited to:

(i) a departure from or failure to conform to applicable federal, state or local governmental rules regarding radiologic technology practice; or, if no such rule exists, to the minimal standards of acceptable and prevailing radiologic technology practice;

(ii) any radiologic technology practice that may create unnecessary danger to a patient's life, health or safety; or

(iii) any practice that is contrary to the ethical conduct appropriate to the profession that results in the termination from employment.

Actual injury to a patient or the public need not be established under this clause.

7. Delegating or accepting the delegation of a radiologic technology function or any other prescribed health care function when the delegation or acceptance could reasonably be expected to create an unnecessary danger to a patient's life, health or safety. Actual injury to a patient need not be established under this clause.

8. Actual or potential inability to practice radiologic technology with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, chemicals or any other material; or as a result of any mental or physical condition.

9. Adjudication as mentally incompetent, mentally ill, a chemically dependent person, or a person dangerous to the public, by a court of competent jurisdiction.

10. Engaging in any unethical conduct, including, but not limited to, conduct likely to deceive, defraud or harm the public; or demonstrating a willful or careless disregard for the health, welfare or safety of a patient. Actual injury need not be established under this clause.

11. Engaging in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient; or engaging in sexual exploitation of a patient or former patient. This also applies to any unwanted sexual behavior, verbal or otherwise, that results in the termination of employment. This rule does not apply to pre-existing consensual relationships.

12. Revealing a privileged communication from or relating to a former or current patient, except when otherwise required or permitted by law.

13. Knowingly engaging or assisting any person to engage in, or otherwise participating in, abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws.

14. Improper management of patient records, including failure to maintain adequate patient records or to furnish a patient record or report required by law; or making, causing or permitting anyone to make false, deceptive or misleading entry in any patient record.

15. Knowingly aiding, assisting, advising or allowing a person without a current and appropriate state permit, or license to engage in the practice of radiologic technology, in a jurisdiction which requires a person to have such a current and appropriate state permit or license in order to practice radiologic technology in such jurisdiction.

16. Violating a rule adopted by any state board with competent jurisdiction, an order of such board, or state or federal law relating to the practice of radiologic technology, or any other medical or allied health professions, or a state or federal narcotics or controlled substance law.

17. Knowingly providing false or misleading information that is directly related to the care of a former or current patient.

18. Practicing outside the scope of practice authorized by the individual's current state permit or license.

19. Making a false statement or knowingly providing false information to the Board or ARRT or failing to cooperate with any investigation of the Board or ARRT's Ethics Committee.

20. Engaging in false, fraudulent, deceptive or misleading communications to any person regarding the individual's education, training, credentials, experience or qualifications, or the status of the individual's state permit or license.

21. Knowing of a violation or a probable violation of any Rule of Ethics by any Licensed Technologist or by a Candidate and failing to promptly report in writing the same to the Board.

*West Virginia Radiologic Technology
Board of Examiners*

P.O. Box 638
Cool Ridge, WV 25825
Telephone: (304)787-4398 Toll Free 877-609-9869
Fax (304)787-3030 Email wvrtboe@wvnm.wvnet.edu

FACSIMILE COVER SHEET

DATE: 3/3/03 TIME: _____

TO: JUDY COOPER

ADDRESS: _____

ATTN: _____

FAX NO: 558-5142

FROM: CAROL BLOSSER

PAGES TO FOLLOW (Including Cover Sheet) 2

COMMENTS: PUBLICATION FOR STATE

REGISTER - BOARD MEETING

FAX NUMBER: (304-787-3030)

**West Virginia Radiologic Technology
Board of Examiners**

1715 Flat Top Road

P.O. Box 638

Cool Ridge, WV 25825

Telephone: (304) 787-4398 Toll Free (in WV): (877) 609-9869

Fax: (304) 787-3030 E-mail: wvrtboe@charter.net

March 3, 2003

Secretary of State
Building 1, Suite 157-K
State Capitol
Charleston, WV 25305

Attn: Judy Cooper

Dear Judy,

We wish to have the following notice published in the State Register.

A meeting of the WV Radiologic Technology Board of Examiners will be held at the Wingate Inn, South Charleston. The date and time of the meeting is March 27, 2003 at 5:00 P.M.

Items to be discussed will be financial reports, complaints, legislation, standard of practice, and on-line credit card renewals.

Thank you.

Sincerely,



Carol Blosser
Administrative Secretary

CB:

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Thursday, March 20, 2003 4:58 PM
To: W. Alva Deardorff, M.D.; Susie Bellomy, R.T.; Mark Wilcox, R.T.; Judith S. Schreiman, M.D.; Jeffrey C. Dameron, M.D.; Jean Morris; Glora Crouch; Alice Belmont, Chairperson
Cc: WVRTBOE; Shawn Reesman, M.D.
Subject: Board Meeting Reminder

The Board meeting is at the Wingate Inn (beside the Ramada) in South Charleston on Thursday, March 27, 2003 at 5:00 pm. Since we didn't have a meeting in December, there are several issues that need some discussion. If you are **unable** to attend, please notify me as soon as possible. I will need to make sure we will have a quorum present. You should have received the agenda, minutes and financial statements from Carol this week.

See you the 27th.
Grady

3/21/2003

West Virginia Radiologic Technology
Board of Examiners

1715 Flat Top Road

P.O. Box 638

Cool Ridge, WV 25825

Telephone: (304) 787-4398 Toll Free (in WV): (877) 609-9869

Fax: (304) 787-3030 E-mail: wvrtboe@charter.net

MEMORANDUM

DATE: March 17, 2003
TO: Dr. Deardorff
FROM: Carol Blosser *Caul*
Administrative Secretary
RE: Board Meeting

We still have not heard from the Governor's Office concerning your being replaced on the Board, so I am sending you the information for our next Board meeting on Thursday, March 27, 2003 at 5:00 P.M. The meeting will be held at the Wingate Inn (beside the Ramanda Plaza) in South Charleston. The conference room is off the main lobby at the Wingate.

**West Virginia Radiologic Technology
Board of Examiners**

1715 Flat Top Road

P.O. Box 638

Cool Ridge, WV 25825

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Fax: (304) 787-3030 E-mail: wvrtboe@charter.net

MEMORANDUM

DATE: March 17, 2003
TO: Christie S. Utt
FROM: Carol Blosser *Carol*
Administrative Secretary
RE: Board Meeting

Just a reminder of our Board meeting scheduled for Thursday, March 27, 2003 at 5:00 P.M.. The meeting will be held at the Wingate Inn (beside the Ramanda Plaza) in South Charleston. The conference room is off the main lobby at the Wingate. We have enclosed a copy of the Agenda for this meeting. Please plan to attend this Board meeting.

West Virginia Radiologic Technology Board of Examiners

P.O. Box 638

1715 Flat Top Road

Cool Ridge, WV 25825

Telephone (locally): 304-787-4398 Toll Free (within WV): 877-609-9869

FAX: 304-787-3030 E-mail: wvrtboe@charter.net

AGENDA FOR MARCH 27, 2003 MEETING

1. MINUTES FROM SEPTEMBER MEETING
2. FINANCIAL STATEMENTS
3. COMPLAINTS - STATUS
 - A. License on suspension
 - B. Inappropriate touching complaint
 - C. Podiatrist using unlicensed operators
4. LEGISLATION RESULTS
5. TECHNOLOGISTS DOING FLUORO
6. STANDARD OF PRACTICE
7. ON-LINE CREDIT CARD RENEWALS
8. OLD BUSINESS
9. NEW BUSINESS
10. ADJOURN

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Friday, January 17, 2003 4:31 PM
To: Judith Schreiman
Cc: WVRTBOE
Subject: Conference calling

Judith,

I have discussed the matter of conference calling with our attorney and some of the Board members. We are all in agreement that, unless a conference call is required in order to achieve a quorum, this should not be done. We have had face-to-face meetings for around 24 years, and this is also the preferred method of meeting with all of the other Boards I've talked to. There are real problems with having conference calls to conduct business concerning the law. Advisory Boards can do this since their actions usually do not have the effect of law, but recommendations. In order to do something like this, we would have to make a phone available for the public, and, if an Executive Session was required, the public would have to be terminated, then re-connected when we came out of Executive Session. If there happened to be a phone line problem, we would not be able to conduct any business at all until the public was re-connected. All of our meetings must be public meetings.

Now for email, the only thing we can do by email is distribute information for discussion at the meetings. Voting on any issue must be in a public meeting.

I am going to recommend at the March meeting we change to three (3) meetings a year and cut out the December meeting. We are required by Code to have the June meeting, so I am looking at meetings in late October and early to mid March as suggested times.

I hope you will continue to serve on this Board. You have contributed greatly to the discussions and decision makings.

I will place this matter on the agenda for the March meeting if you desire. Please let me know your decision.

Thanks,
 Grady

----- Original Message -----

From: "Judith Schreiman" <jschreiman@hsc.wvu.edu>
 To: <gradybowyer@charter.net>
 Sent: Thursday, January 16, 2003 2:24 PM
 Subject: Re: Terms expiring

I am interested but again will request that the majority of our work be conducted by conference call or E-mail rather than face to face. Time constraints are always tightening up.

>>> "Grady M. Bowyer" <gradybowyer@charter.net> 01/15/03 01:25PM >>>

Carol informed me today that your terms expire June 30, 2003. Are you both interested in being re-appointed? Please let me know. If you aren't, I need to let the other members know so they can be thinking of possible replacements. However, I would encourage both of you to strongly consider being re-appointed.

Grady

1/21/2003

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]

Sent: Saturday, January 18, 2003 12:23 PM

To: WVRTBOE; W. Alva Deardorff, M.D.; Susie Bellomy, R.T.; Mark Wilcox, R.T.; Judith S. Schreiman, M.D.; Jeffrey C. Dameron, M.D.; Jean Morris; Grady M. Bowyer; Alice Belmont, Chairperson; Larry J. Heck

Subject: Board meeting

Would everyone please check your schedules and see if Thursday, March 27, 2003 @ 5:00 pm would be acceptable as a date for the next Board meeting? Please let me know as soon as possible if you will be able to attend on that date so a meeting room can be booked.

Thanks,
Grady

1/21/2003

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Wednesday, January 15, 2003 1:25 PM
To: Judith S. Schreiman, M.D.; Susie Bellomy, R.T.
Cc: WVRTBOE
Subject: Terms expiring

Carol informed me today that your terms expire June 30, 2003. Are you both interested in being re-appointed? Please let me know. If you aren't, I need to let the other members know so they can be thinking of possible replacements. **However, I would encourage both of you to strongly consider being re-appointed.**

Grady

1/15/2003

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Friday, January 10, 2003 2:09 PM
To: Chip Slaven
Cc: WVRTBOE; Alice Belmont, Chairperson
Subject: Appointments

Chip,

First, Happy New Year!!

Well, here it is another Legislative session. Just want to make sure everything is in order for appointments, re-appointments and replacements to our Board. As a reminder, here is what I submitted previously to you:

1. Mark Wilcox - Radiologic Technologist - expired 6/30/02 - will accept re-appointment
2. Jeanie Morris - Lay Member - expired 6/30/02 - will accept re-appointment
3. W. Alva Deardorff, M.D. - Radiologists - expired 6/30/02 - does not wish to be re-appointed. Shawn Reisman, M.D. a radiologist from Beckley, WV has agreed to serve if appointed (the Board so recommends).
4. Request that Larry Heck, lay member, be replaced due to not attending meetings. The Board does not have anyone in mind but would request they be from the Charleston area and will attend the quarterly Board meetings.

When does the Senate normally take up the appointments? We have a Board meeting in March and would like to have this completed before the meeting.

If you have any questions or need additional information, please contact me.

Thanks,
Grady

Grady M. Bowyer, R.T. (R)
Executive Director
WV Radiologic Technology
Board of Examiners
Cell (304) 546-4642
View: www.state.wv.us/rtboe

1/10/2003

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Tuesday, January 14, 2003 12:19 PM
To: Alice Belmont, Chairperson; Mark Wilcox, R.T.; Susie Bellomy, R.T.
Cc: WVRTBOE
Subject: Standard of Ethics

Alice, Susie & Mark,

I would like for each of you to review the attached very carefully and let me know any additions, deletions, corrections, changes, etc. What I would like to do is introduce this at the March Board meeting. We could have it implemented as a Procedural Rule and next legislative session, introduce as a Legislative Rule so it will have the effect of law. Our Ethics statement is VERY weak (as an attorney informed me). What I did is change the ARRT's to reflect WV. Whereas we only have 50-60 non-ARRT's, almost everyone is signing this when they renew ARRT, so why not sign again. Once implemented, we can start enclosing with the renewal forms and change the wording on the form to indicate they will abide by this. Also, if we decide to do on-line renewals, the individual will have to agree to abide by this before they can enter any data for their renewal. I've also put this on the Web Page for comments from the technologists. Hopefully by March, I'll have an indication as to the technologist's acceptance.

Check you calendars for the week of March 17th or 24th for a Board meeting. The Legislature will be over the 15th and maybe we can have a full house!

1/14/2003

West Virginia Radiologic Technology Board of Examiners

P.O. Box 638
1715 Flat Top Road
Cool Ridge, WV 25825
Telephone (locally): 304-787-4398 Toll Free (within WV): 877-609-9869
FAX: 304-787-3030 E-mail: wvrtboe@wvnm.wvnet.edu

STANDARD OF ETHICS

PREAMBLE

The Standards of Ethics of the West Virginia Radiologic Technology Board of Examiners (Board) shall apply solely to persons holding a License issued by the Board (Licensee) and to persons applying for examination and Licensure in order to become a West Virginia Licensed Technologists ("Candidates"). The Standards of Ethics are intended to be consistent with the Legislative Intent. This Standard of Ethics consist of the Standard of Practice and the Code of Ethics.

Standard of Practice

The Standard of Practice forms the first part of the Standard of Ethics. The Standard of Practice shall serve as a guide by which Licensed Technologists and Candidates may evaluate their professional conduct as it relates to patients, health care consumers, employers, colleagues and other members of the health care team. The Standard of Practice is intended to assist Licensed Technologists and Candidates in maintaining a high level of ethical conduct and in providing for the protection, safety and comfort of patients.

1. The licensed technologist conducts herself or himself in a professional manner, responds to patient needs and supports colleagues and associates in providing quality patient care.
2. The licensed technologist acts to advance the principle objective of the profession to provide services to humanity with full respect for the dignity of mankind.
3. The licensed technologist delivers patient care and service unrestricted by the concerns of personal attributes or the nature of the disease or illness, and without discrimination on the basis of sex, race, creed, religion or socioeconomic status.
4. The licensed technologist practices technology founded upon theoretical knowledge and concepts, uses equipment and accessories consistent with the purposes for which they were designed, and employs procedures and techniques appropriately.
5. The licensed technologist assesses situations; exercises care, discretion and judgment; assumes responsibility for professional decisions; and acts in the best interest of the patient.
6. The licensed technologist acts as an agent through observation and communication to obtain pertinent information for the physician to aid in the diagnosis and treatment of the patient and recognizes that interpretation and diagnosis are outside the scope of practice for the profession.
7. The licensed technologist uses equipment and accessories, employs techniques and procedures, performs services in accordance with an accepted standard of practice, and demonstrates expertise in minimizing radiation exposure to the patient, self and other members of the health care team.
8. The licensed technologist practices ethical conduct appropriate to the profession and protects the patient's right to quality radiologic technology care.
9. The licensed technologist respects confidences entrusted in the course of professional practice, respects the patient's right to privacy and reveals confidential information only as required by law or to protect the welfare of the individual or the community.
10. The licensed technologist continually strives to improve knowledge and skills by participating in continuing education and professional activities, sharing knowledge with colleagues and investigating new aspects of

professional practice.

CODE OF ETHICS

The Code of Ethics forms the second part of the Standards of Ethics. They are directive-specific standards of minimally acceptable professional conduct for all present Licensed Technologists and Candidates. Licensure is a method of assuring the medical community and the public that an individual is qualified to practice within the profession. Because the public relies on the Board to issue licenses, it is essential that Licensed Technologists and Candidates act consistently with these Code of Ethics. The Code of Ethics are intended to promote the protection, safety and comfort of patients. Licensed Technologists and Candidates engaging in any of the following conduct or activities, or who permit the occurrence of the following conduct or activities with respect to them, have violated the Code of Ethics and are subject to sanctions as described hereunder:

1. Employing fraud or deceit in procuring or attempting to procure, maintain, renew or obtain reinstatement of a license issued by the Board; employment in radiologic technology. This includes altering in any respect any document issued by the Board or any state or federal agency, or by indicating in writing certification or registration with the Board when that is not the case.

2. Subverting or attempting to subvert the Board's examination process. Conduct that subverts or attempts to subvert the Board's examination process includes, but is not limited to:

(i) conduct that violates the security of Board examination materials, such as removing or attempting to remove examination materials from an examination room, or having unauthorized possession of any portion of or information concerning a future, current or previously administered examination of the Board; or disclosing information concerning any portion of a future, current or previously administered examination of the Board; or disclosing what purports to be, or under all circumstances is likely to be understood by the recipient as, any portion of or "inside" information concerning any portion of a future, current or previously administered examination of the Board;

(ii) conduct that in any way compromises ordinary standards of test administration, such as communicating with another Candidate during administration of the examination, copying another Candidate's answers, permitting another Candidate to copy one's answers, or possessing unauthorized materials; or

(iii) impersonating a Candidate or permitting an impersonator to take the examination on one's own behalf.

3. Convictions, criminal proceedings or military court-martials as described below:

(i) Conviction of a crime, including a felony, a gross misdemeanor or a misdemeanor with the sole exception of speeding and parking violations. All alcohol and/or drug related violations must be reported.

(ii) Criminal proceeding where a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered, or a criminal proceeding where the individual enters a plea of guilty or nolo contendere.

(iii) Military court-martials that involve substance abuse, any sex-related infractions, or patient-related infractions.

4. Failure to report to the Board that:

(i) charges regarding the person's permit or license to practice radiologic technology or any other medical or allied health profession are pending or have been resolved adversely to the individual in any state, territory or country, (including but not limited to, imposed conditions, probation, suspension or revocation); or

(ii) that the individual has been refused a permit, license or registration certificate to practice radiologic technology or any other medical or allied health profession by another state, territory or country.

5. Failure or inability to perform radiologic technology with reasonable skill and safety.

6. Engaging in unprofessional conduct, including, but not limited to:

(i) a departure from or failure to conform to applicable federal, state or local governmental rules regarding radiologic technology practice; or, if no such rule exists, to the minimal standards of acceptable and prevailing radiologic technology practice;

(ii) any radiologic technology practice that may create unnecessary danger to a patient's life, health or safety;

or

(iii) any practice that is contrary to the ethical conduct appropriate to the profession that results in the termination from employment.

Actual injury to a patient or the public need not be established under this clause.

7. Delegating or accepting the delegation of a radiologic technology function or any other prescribed health care function when the delegation or acceptance could reasonably be expected to create an unnecessary danger to a patient's life, health or safety. Actual injury to a patient need not be established under this clause.

8. Actual or potential inability to practice radiologic technology with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, chemicals or any other material; or as a result of any mental or physical condition.

9. Adjudication as mentally incompetent, mentally ill, a chemically dependent person, or a person dangerous to the public, by a court of competent jurisdiction.

10. Engaging in any unethical conduct, including, but not limited to, conduct likely to deceive, defraud or harm the public; or demonstrating a willful or careless disregard for the health, welfare or safety of a patient. Actual injury need not be established under this clause.

11. Engaging in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient; or engaging in sexual exploitation of a patient or former patient. This also applies to any unwanted sexual behavior, verbal or otherwise, that results in the termination of employment. This rule does not apply to pre-existing consensual relationships.

12. Revealing a privileged communication from or relating to a former or current patient, except when otherwise required or permitted by law.

13. Knowingly engaging or assisting any person to engage in, or otherwise participating in, abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws.

14. Improper management of patient records, including failure to maintain adequate patient records or to furnish a patient record or report required by law; or making, causing or permitting anyone to make false, deceptive or misleading entry in any patient record.

15. Knowingly aiding, assisting, advising or allowing a person without a current and appropriate state permit, or license to engage in the practice of radiologic technology, in a jurisdiction which requires a person to have such a current and appropriate state permit or license in order to practice radiologic technology in such jurisdiction.

16. Violating a rule adopted by any state board with competent jurisdiction, an order of such board, or state or federal law relating to the practice of radiologic technology, or any other medical or allied health professions, or a state or federal narcotics or controlled substance law.

17. Knowingly providing false or misleading information that is directly related to the care of a former or current patient.

18. Practicing outside the scope of practice authorized by the individual's current state permit or license.

19. Making a false statement or knowingly providing false information to the Board or ARRT or failing to cooperate with any investigation of the Board or ARRT's Ethics Committee.

20. Engaging in false, fraudulent, deceptive or misleading communications to any person regarding the individual's education, training, credentials, experience or qualifications, or the status of the individual's state permit or license.

21. Knowing of a violation or a probable violation of any Rule of Ethics by any Licensed Technologist or by a Candidate and failing to promptly report in writing the same to the Board.

WV RT Board of Examiners

From: Grady M. Bowyer [gradybowyer@charter.net]
Sent: Wednesday, January 22, 2003 12:03 PM
To: Lou Collazo
Cc: WVRTBOE
Subject: Board meeting

Lou,

The WV Radiologic Technology Board of Examiners has selected Thursday, March 27, 2003 as the next meeting date. I would like to check the availability of your Board room with the same arrangements we had made for the December meeting that was cancelled. The meeting will be from 5:00 pm to around 8:00 pm, with veggies and cheese trays, bottled water (10) and assorted soft drinks (5). We will need the room prepared for as many as eleven (11) around the table and seating for approximately ten (10) guest within the room.

Please let me know as soon as possible if this can be arranged. If there is any price change from the December meeting, please include that information also.

If you have any questions, please contact me at 546-4642 or by email.

Thanks,
Grady

Grady M. Bowyer, R.T. (R)
Executive Director
WV Radiologic Technology
Board of Examiners
Cell (304) 546-4642
View: www.state.wv.us/rtboe

1/22/2003

Grady M. Bowyer, R.T. (R)

From: "Nancy Godby" <nancygodby@wvdhhr.org>
 To: <gradybowyer@charter.net>
 Sent: Monday, January 13, 2003 1:50 PM
 Subject: Re: Technologist doing fluoro

Grady,

The situation we reference is a Registered Technologist that performs fluoroscopy examinations in a mobile unit that travels to various sites. There is not a physician present on the mobile unit at the time the examination is being performed, but there is a physician at each of the facilities visited.

Hope this helps to further clarify for your future review.

THANKS!
 Nancy Godby

>>> "Grady M. Bowyer, R.T. (R)" <gradybowyer@charter.net> 01/13/03 01:26PM >>>
 Nancy & Jamie,

In reply to your message of December 27, 2002, this subject area was discussed by the Board in 1995. The minutes at the May 17, 1995 Board meeting indicate that this same item was brought before the Board. It was decided that "this is an acceptable practice with established guidelines". If memory serves me correctly, this was a technologist doing routine fluoro on Saturdays and would report what they saw to the Radiologists. The Radiologist would dictate a report based on the technologist's observations and film taken.

I will bring this before the Board at our March, 2003 meeting. Since the make-up of the Board has changed since this ruling was made in 1995, the current members may not agree with the previous ruling. Regardless, I will notify you as to their decision.

Thanks, ◦
 Grady

Grady M. Bowyer, R.T. (R)
 Executive Director
 WV Radiologic Technology
 Board of Examiners
 Telephone: 304-546-4642 (cell)
 View: www.state.wv.us/rtboe

*March
 Board*

Grady M. Bowyer, R.T. (R)

From: "Grady M. Bowyer, R.T. (R)" <gradybowyer@charter.net>
To: "Nancy Godby" <nancygodby@wvdhhr.org>; "Jamie Browning" <jamiebrowning@wvdhhr.org>
Cc: "WVRTBOE" <wvrtboe@charter.net>
Sent: Monday, January 13, 2003 1:26 PM
Subject: Technologist doing fluoro

Nancy & Jamie,

In reply to your message of December 27, 2002, this subject area was discussed by the Board in 1995. The minutes at the May 17, 1995 Board meeting indicate that this same item was brought before the Board . It was decided that "this is an acceptable practice with established guidelines". If memory serves me correctly, this was a technologist doing routine fluoro on Saturdays and would report what they saw to the Radiologists. The Radiologist would dictate a report based on the technologist's observations and film taken.

I will bring this before the Board at our March, 2003 meeting. Since the make-up of the Board has changed since this ruling was made in 1995, the current members may not agree with the previous ruling. Regardless, I will notify you as to their decision.

Thanks,
Grady

Grady M. Bowyer, R.T. (R)
Executive Director
WV Radiologic Technology
Board of Examiners
Telephone: 304-546-4642 (cell)
View: www.state.wv.us/rtboe

11/2/94 LIC
John David Stump #0365

Calhoun General Hospital
P.O. Box 490
Grantville, WV 26147

Daenig

Barium Enemas

Upper GI's

~~Colonoscopy's~~

Fluoroscopy

with no doctor present

Telling doctor what he
finds.

Individual called who is
employed there. Would not give
her name. Told her procedure with
form - must have witness of her
actually doing this. She said

he did a lot of these procedures
on Saturday when it was
a known fact that a
radiologist was not present.

She was a little upset that
we would not act on an
anonymous tip. Told her I
would talk to Mark to see
if we could do anything.

11/25/97

Dubine called re: this
She said everybody was
doing this and since our
law is not specific we
could not say that a physician
should be physically present in
the hosp. Actually he would
not even have to be in the
hosp but just read the report

Re: Fluoroscopy

~~is~~ being done by
tech without presence
physician.

He did a lot of these procedures
~~when~~ Saturday when it was
a known fact that a
radiologist was not present.

She was a little upset that
we would not act on an
anonymous tip. Told her I
would talk to Mark to see
if we could do anything.

Re: Tech doing Fluoroscopy without
a Radiologist present.

Minutes May 17, 1995

Complaints	Two complaints were discussed. 1.) Mary Casto received the call questioning the ability of non-licensed individuals working in doctor's offices to perform radiologic exams. The complaint also mentioned during interviewing of graduates from the National Education Center in Cross Lanes their students are under the impression they can perform Radiologic Exams. Ms. Casto mailed a copy of the Rules and Regulations and Mark Wilcox will further investigate with the National Education Center. * 2.) Ms. Casto also received a call concerning technologist perform fluoroscopy without the presence of a Radiologist. This is was discussed and determined this is an acceptable practice with established guidelines.
Guidelines for Disciplinary Action	The Board reviewed and discussed with the Assistant Attorney General, Doug Douglas, the Disciplinary Guidelines. The Board approved the Guidelines for disciplinary Action. These are guidelines only.
Technical Changes to the Rules and Regulations	The Board received from the West Virginia Legislature Rule-Making Review Committee a memorandum requesting technical changes . The following changes were identified: Rule 1.7 Change address of Board Office Rule 2.2 Remove conducts examinations Rule 3.2g Remove entire statement results of examination. Rule 3.3 4b.,c.,d. Remove entire sections Each board member is to review and forward all changes to Deborah Smith within the next few weeks. Ms. Smith will discuss with Doug Douglas and then forward to the Rule-Making Committee.

Mitz. Whitt
304-235 20 14
141

Law does not say under
direct supervision of
~~physician~~ licensed
practitioners

Supervisor means responsibility
for and control of quality, radiation
safety & technical aspects in the
application of emergency radiation of ~~emergency~~
human beings for ~~diag. or therapeutic~~ purposes

12/27/02

Message from Jamie
Browning & Nancy Godby
for Brady re: Tech doing
fluoros without supervision
of physicians

558-5292

Capital Operator
↓
3456

Disconnected

They work for Dept. of Health

West Virginia Radiologic Technology
Board of Examiners

1715 FLAT TOP ROAD
P. O. BOX 638
COOL RIDGE, WV 25825

Phone: (304)787-4398 - FAX: (304)787-4398

(FACSIMILE COVER SHEET)

DATE: 6/10/98 TIME: _____

TO: Rhonda Duckworth - Radiology

ADDRESS: Grafton City Hospital

FAX NO: (304) 265-6437

FROM: MARY CASTO

PAGES TO FOLLOW (Including Cover Sheet) 2

COMMENTS: Re: R.T. doing fluoroscopy
without the presence (physical) of a
physician

FAX NUMBER: (304) 787-4398

Re: Tech doing Fluoroscopy without
 a radiologist present.
 Minutes May 17, 1995

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From: Curry, Steve <SCurry@PCHONLINE.ORG>
To: Grady Bowyer <wvrtboe@wvnm.wvnet.edu>
Date: Wednesday, November 29, 2000 1:21 PM
Subject: FW: Letter from the Editor

Grady,

This is the article I forwarded to Melissa about Technologists performing Fluoro. I have also heard that another State out west is adding this to their license. Melissa thought you may want this article. This is an excellent Web page and if you sign up they will send all types of interesting Radiology news.

Thanks.

Steve Curry

Stephen A. Curry, CHE
Director of Networking and Diagnostic Imaging Services
Princeton Community Hospital
PO Box 1369
Princeton, WV 247470
304-487-7735

*Re: Fluoroscopies
done by RT's with
physician not
physically present*

-----Original Message-----

From: Letters@auntminnie.com [mailto:Letters@auntminnie.com]
Sent: Wednesday, November 22, 2000 8:10 PM
To: scurry@pchonline.org
Subject: Letter from the Editor

<<http://www.auntminnie.com/>> auntminnie.com
<http://www.auntminnie.com/nav/ExtAdClick.asp?tag=newsletter&pos=Ad.Size.top_big> <<http://www.auntminnie.com/>> auntminnie.com
AuntMinnie.Com Email Updates
<http://www.auntminnie.com/images/html_email/label_as_email.gif>

November 23, 2000 Vol. 1, No. 36

EDITOR'S NOTE

Dear AuntMinnie.com Member,

Today is traditionally a time in the U.S. for giving thanks, and we'd like to take advantage of this holiday to thank all of you for making AuntMinnie.com <<http://www.auntminnie.com>> the number one Web portal in

radiology.

AuntMinnie.com <<http://www.auntminnie.com>> was launched a year ago next week with the goal of providing the medical imaging community with high-quality news and educational content. Since then, it's been a roller coaster ride as both the radiology industry and the Internet world have been swept by dramatic change.

Through it all, one thing has remained constant: your support for AuntMinnie.com. We've enjoyed a steadily growing member base - now at 25,000 registered members - and consistently rising traffic.

But most heartening are the emails of support we receive from you on almost a daily basis. Your response to AuntMinnie has been the driving force behind our work, and we'd like you to know that we appreciate every message.

Thanks again. The best is yet to come!

<<mailto:bcasey@auntminnie.com>> Brian Casey
Editor in Chief
AuntMinnie.com <<http://www.auntminnie.com>>

CASE OF THE DAY

Patient with horizontal diplopia, right facial pain, and swollen right upper eyelid. November 22, 2000. Go

<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05E0T6EG>> To Case
<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05E0T6EG>>

Forty-year old woman with increasing abdominal girth. November 21, 2000. Go

<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05D00I08>> To Case
<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05D00I08>>

Man with painless right thigh mass. November 20, 2000. Go

<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05R0SPGP>> To Case
<<http://www.auntminnie.com/index.asp?sec=edu?=ctd&UID=05R0SPGP>>
<http://www.auntminnie.com/images/html_email/track_dot.gif>

<http://www.auntminnie.com/images/home_highlight/tell_a_friend.gif>

AuntMinnie.com's Letter from the Editor brings you the latest news in medical imaging twice a week.

Please forward this along to your colleagues, or have them sign up for their own copy at AuntMinnie.com <<http://auntminnie.com/index.asp?sec=log?=reg>> .

RADIOLOGY NEWS

RTs <<http://www.auntminnie.com/index.asp?sec=nws?=rad&pag=675>> perform gastrointestinal fluoroscopy as well as doctors, and sometimes better

MR <<http://www.auntminnie.com/index.asp?sec=nws?=rad&pag=670>> spectroscopy finds brain metabolite changes in asymptomatic HIV patients

NEWS IN BRIEF

Imaging

<<http://www.auntminnie.com/index.asp?Sec=sup&Sub=pac&Pag=pro&Art=2020>>
Dynamics adds informatics to product line

L <<http://www.auntminnie.com/index.asp?Sec=sup&Sub=pac&Pag=pro&Art=2021>> &H highlights success of integration program

ALI <<http://www.auntminnie.com/index.asp?Sec=sup&Sub=pac&Pag=pro&Art=2017>> lands contract with Rice Memorial Hospital

Vital

<<http://www.auntminnie.com/index.asp?Sec=sup&Sub=pac&Pag=pro&Art=2018>>
Images gets OK for Vitrea 2.2

NEW JOB POSTINGS

Body <http://www.auntminnie.com/classifieds/AdDetailsView.asp?item_id=1007>
imager with special interest in musculoskeletal MRI for full-time position in Adirondacks.

Locum

<http://www.auntminnie.com/classifieds/AdDetailsView.asp?item_id=1006>
Tenens general radiologist with Michigan license.

RADCAST@RSNA STORIES

RSNA

<<http://www.auntminnie.com/index.asp?Sec=rca&Sub=rsna&Pag=dis&ItemId=30020>>
technical exhibits reflect new wave of industry consolidation

Would

<<http://www.auntminnie.com/index.asp?Sec=rca&Sub=rsna&Pag=dis&ItemId=30001>>
you like fries with that? Chicago serves up a host of gastronomic delights

From

<<http://www.auntminnie.com/index.asp?Sec=rca&Sub=rsna&Pag=dis&ItemId=30002>>
Afghani art to violinist Znaider: Chicago cultural scene comes alive

The

<http://www.auntminnie.com/index.asp?Sec=rca&Sub=rsna&Pag=dis&ItemId=30003>
road not taken: AuntMinnie's self-guided strolling tour of downtown Chicago

Phone

<http://www.auntminnie.com/index.asp?Sec=rca&Sub=rsna&Pag=dis&ItemId=30000>
home: An RSNA survival guide for international visitors

To Unsubscribe From This Newsletter

To do it yourself:

* Click here

<http://www.auntminnie.com/index.asp?Sec=log&Sub=reg&Pag=103#popanchor> to
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No newsletter in the Send me the newsletter twice weekly as a list.

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To have AuntMinnie do it for you:

* Send a message to support@auntminnie.com
<<mailto:support@auntminnie.com>> requesting removal from newsletter
distribution. Please be sure to include your first and last name.

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New in Thoracic Imaging on the Internet

* Neoplasms: 1- Benign
2- Malignant

* Traumatic Injuries of the Thorax

* Vascular Abnormalities of the Chest

* Miscellaneous Pulmonary Disorders

Click here

http://www.auntminnie.com/frames/frame_index.asp?frameItem=thi&Sec=ref&Sub=thi to view any of these sections.

AuntMinnie Services

<http://www.auntminnie.com/index.asp?Sec=nws&Sub=rad&Pag=467> AuntMinnie's Radiology Election 2000 Final Results

View the final results of AuntMinnie's awards for radiology excellence.

<http://www.auntminnie.com/index.asp?sec=edu&sub=riq&UID=AUNTMIO1>

Radiology IQ

Test your radiology knowledge with our unique new feature!

<http://www.auntminnie.com/index.asp?Sec=sup&Sub=pac> PACS Digital

Community

Learn everything you've ever wanted to know about digital image management.

<http://www.auntminnie.com/index.asp?Sec=sup&Sub=ult> Frontiers in

Ultrasound Special Edition

AuntMinnie's special online resource for ultrasound practitioners.

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Thoracic Imaging on the Internet

Check out our innovative online chest imaging textbook.

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Classified Ads

Find a new job or fill your facility's personnel needs with our fully customizable ad listings.

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Buy, sell, find, and research used medical imaging equipment.

<http://www.auntminnie.com/index.asp?Sec=tec> Vendor and Product

Directories

Find accurate, concise information on radiology vendors and products.

<http://www.auntminnie.com/index.asp?Sec=edu&Sub=cal> Conference Calendar

Browse our listings of major upcoming radiology conferences.

http://www.auntminnie.com/frames/frame_index.asp?frameItem=bks&Sec=mkt&Sub=

bks> Book Sales

Access the latest publications in health sciences, business and law and more

<<http://education.auntminnie.com/>> Teaching Files

Our teaching files can provide a wealth of case studies for staff training.

<<http://www.auntminnie.com/index.asp?Sec=edu&Sub=cdb>> CME Database

Browse our comprehensive listings of CME courses in the U.S.


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<http://www.auntminnie.com/nav/ExtAdClick.asp?tag=newsletter&pos=Ad.Size.bot_big> <<http://www.auntminnie.com/>> auntminnie.com

AuntMinnie.Com Email Newsletter

<http://www.auntminnie.com/images/html_email/label_as_email.gif>

Re: Tech doing Fluoroscopy without
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 Minutes May 17, 1995

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*West Virginia Radiologic Technology
Board of Examiners*

P.O. Box 638
Cool Ridge, WV 25825
Telephone: (304)787-4398 Toll Free 877-609-9869
Fax (304)787-3030 Email wvrtboe@wvnm.wvnet.edu

FACSIMILE COVER SHEET

DATE: 3/12/01 TIME: _____

TO: Mary Bureson

ADDRESS: _____

ATTN: _____

FAX NO: 304-598-1103

FROM: _____

PAGES TO FOLLOW (Including Cover Sheet) 2

COMMENTS: Re: Fluoroscopy procedure. If you
need more info, call our Executive Director
will write a letter to you.

FAX NUMBER: (304-787-3030)