

**West Virginia Radiologic Technology
Board of Examiners**

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BOARD MEETING

March 28, 2006

Members Present	Members Excused	Office Staff	Guest
Jamie Browning, Interim Chairman	I. Elaine Moore, M.D.	Grady Bowyer	Katherine Skinner
Melissa Haye		Greg Skinner (Attorney)	
Alice Belmont			
Shawn Reesman, M.D.			
Robert Smith, M.D.			
Jeanne Morris			
Grace Peters			
Nancy Godby (by phone)			

The meeting held at the DHHR Complex at One Davis Square in Charleston was called to order by Mr. Bowyer, Executive Director, at 5:07 P.M.

Chairperson: The election of a Chairperson was the first order of business since Mr. Wilcox asked not to be re-appointed. Ms. Peters nominated Alice Belmont and Ms. Haye seconded. No other nominations were made and Dr. Reesman made a motion and Ms. Peters seconded that Ms. Belmont be elected by acclamation. Ms. Belmont will serve the remainder of Mr. Wilcox's term as Chairman.

Minutes: Ms. Browning made a motion to accept the minutes of October 26, 2005 as presented. Dr. Reesman seconded the motion. Motion carried.

Financial Report: The financial report including the credit card expenditures were presented by Mr. Bowyer. Ms. Belmont made a motion to accept the financial report and credit card expenditures as presented. Dr. Smith seconded the motion. Motion carried.

Complaints: The following complaints were discussed, motions made as listed and passed by the Board.

(A) Taking of x-rays without written authorization - Mr. Bowyer informed the Board that the technologist submitted a letter that she "had done nothing different from past practice". Although the facility dropped the matter, Mr. Bowyer stated this action is a clear violation of the Board's law. A letter and Consent Decree is to be offered the individual which will consist of a public reprimand and reimbursement of all cost of the investigation and legal consultations required of the investigation. If the Consent Decree is refused, a full hearing will be held.

(B) Technologist asking for reinstatement of license voluntarily surrendered - Mr. Bowyer informed the Board that this technologist has requested his license be reinstated, which was voluntarily surrendered on December 1, 2003. The Board has directed Mr. Bowyer to send the individual a letter requesting attendance at an informal meeting with the Ethics Committee. At the June, 2006 Board meeting, the Ethics Committee will make a recommendation whether to reinstate the license fully or with safeguards to protect the public.

(C) Failure of Drug - Technologist was sent a certified letter requesting a response to the allegation of failure of a drug test by the employer - Technologist still has a week to submit a response from the meeting date. A Subpoena Duces Tecum will be sent to the employer requesting all records pertaining to this matter and other employee records deemed appropriate concerning this matter. The Board also requested this individual also be requested to attend an informal meeting with the Ethics committee at a later date.

(D) Technologist submitting application for renewal of a license after conviction of a felony - Mr. Bowyer informed the Board that this individual is awaiting an Ethics Review by the ARRT concerning this matter. This individual will be requested to attend an informal meeting with the Ethics committee to discuss the particulars of the felony conviction and any future plans.

Past Complaints: The following were given for informational purposes so the Board will be informed as to action taken.

(A) Doctor requesting medical assistant be allowed to perform x-rays utilizing a MiniCAT Scanner. Letter sent denying the use of medical assistants to operate this unit. The Doctor submitted an appeal letter requesting a dental assistant be allowed to operate this unit since it is used for head-face-sinus x-rays. This was also denied as a dental assistant is allowed to operate dental equipment for intra-oral dental x-rays only.

(B) Individual now under a three year Consent Decree which stipulates random drug testing has been tested by an independent laboratory. The results of the test were reviewed by the doctors on the Board and all test were negative.

(C) Email was received that Snowshoe Mountain Health Center in Snowshoe, WV may be using unlicensed individuals to operate the mobile x-ray unit at that facility. Letter was sent to the facility and copies of two employee's licenses were submitted as documentation that they do use licensed individuals at their facility.

Legislative Update: Mr. Bowyer informed the members that both the Series 1 Rule and the Series 5 Rule have been passed by the Legislature and are awaiting the Governor's action. If signed, the Series 1 Rule (fee) will take effect July 1, 2006 and the Series 5 Rule will be implemented immediately.

Old Business: (A) A report was given by Mr. Bowyer on the status of the application to add nuclear medicine, MRI, and ultrasound technologist to our law as well as the Radiologist Assistant / Radiology Practitioner Assistant. This application was filed by December 1, 2005 and is being reviewed by the Legislative Auditor's Performance, Evaluation and Research Division (PERD). PERD will present a report to the legislative committee probably during the May interim meetings of the Legislature. At present, the legislative analyst has stated that Nuclear Medicine and MRI will be recommended for inclusion in our law, but not Ultrasound. At the present time, continued research is being done on the RA / RPA issue.

New Business: (A) The Board received a request from the WV Board of Medicine to review a radiologic technologist / physician assistant's job description. The Board of Medicine wanted our Board to determine if the individual would be working within the scope of practice of a radiologic technologist. A letter was sent to the Board of Medicine stating that the interventional procedural listed in the job description are not within the scope of practice of a radiologic technologist.

(B) The WV Auditor's Seminar for Licensing Boards will be held on Wednesday, September 27, 2006 at the Summit Center in Charleston. All new Board members that can arrange their schedules are encouraged to attend this all day, very informative, meeting.

(C) Ms. Godby brought forth the question of mailing the annual newsletters to all active licensees. The cost of printing and mailing this newsletter is approaching \$ 2,000.00 per year. The newsletter is published on the Board's web site and, if a licensee desires to have a hard copy, they can call, mail, email or fax the office to request a copy and one will be mailed to them. After discussion, Ms. Godby made a motion that the 2006 annual newsletter be the last newsletter mailed to the licensees without a request. Dr. Reesman seconded the motion and the motion carried. The office will place a notice in the renewal applications that the 2006 newsletter that will be mailed around the first of February, 2007, will be the last hard copy mailed without a request. The newsletter will be placed on the Board's web site. Upon request, one will be mailed via e-mail or U.S. mail.

(D) There was a discussion that the licensees with an email address on file with the office should receive an informational email concerning matters of importance (such as the minutes, newsletter, legislative issues). Motion was made by Ms. Browning and seconded by Ms. Godby that the office send an email quarterly to keep the licensees informed. Motion carried.

(E) The next meeting of the Board will be on Tuesday, June 6, 2006 or Tuesday, June 13, 2006 in the Alan Susman Conference room at Tamarack in Beckley.

Meeting adjourned at 7:45 PM.

Submitted by Grady Bowyer