

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Aug 17, 2023 4:00 PM - 7:00 PM EDT

**1. Meeting to Order**

The virtual board meeting was called to order at 4:02 PM on Thursday, August 17, 2023 by the Chairman of the Board, Tyson Judy.

**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, Todd Resley, MD and Brian Martin. Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance.

**5. Agenda**

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

**6. Board Meeting Minutes**

A motion was made by Secretary Workman to approve the June 15, 2023 board meeting minutes. Ms. Barnett seconded the motion and the Board concurred.

The June 15, 2023 board meeting minutes were posted to the Board's website for public availability.

**7. Old Business**

**a. FARB 2023 Regulatory Law Seminar**

Chairman Judy reminded the board members and staff that funds have been approved to attend the FARB 2023 Regulatory Law Seminar on September 21-23, 2023 in Chicago, IL.

**b. CLEAR 2023 Annual Education Conference**

Chairman Judy reminded the board members and staff that funds have been approved to attend the CLEAR 2023 Annual Education Conference September 27-30, 2023 in Salt Lake City, UT.

**c. 2023 ASRT Radiation Therapy Conference**

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2023 ASRT Radiation Therapy Conference October 1-3, 2023 in San Diego, CA.

**d. 2024 FARB Forum**

Chairman Judy reminded the board members and staff that funds have been approved to attend the 2024 FARB Forum January 25 - 28, 2023 in Fort Worth, TX.

**8. Professional Development**

**a. CLEAR 2023 Introduction to Regulatory Governance 5 Module Webinar Series - Accessing Competence**

Chairman Judy reported that he, Secretary Workman and Ms. Layton attended the Accessing Competence webinar on June 22, 2023.

The presentation slides were presented for review and discussion.

**b. ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting**

Chairman Judy reported that Ms. Barnett attended the ASRT 2023 Educational Symposium and Annual Governance and House of Delegates Meeting on June 22-25, 2023 at the Nugget Casino Resort in Reno NV.

**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 August 17, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, and 01-FY-2024.

**a. Executive Session**

A motion was made by Mr. Martin to enter into executive session at 4:09 PM to discuss Ethics cases 04-FY-2022, 10-FY-2023 and 01-FY-2024. The motion was seconded by Mr. Jones. After review of all available information the Board unanimously concurred.

A motion was made by Dr. Resley to exit out of executive session at 4:19 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 Resource Network Discipline Program quarterly update for review and discussion.

No action was taken.

**c. 10-FY-2023**

Chairman Judy reported that a Summary Suspension Order had been issued on 5/25/2023, Consent Agreement Offer had been issued on 6/13/2023 and a Hearing has been scheduled for 9/7/2023.

No action was taken.

**d. 01-FY-2024**

A motion was made by Dr. Resley to send the licensee a letter asking for the disclosure of pending unethical charges. The motion was seconded by Ms. Barnett. After review of all available information the Board unanimously concurred.

A motion was made by Dr. Resley to subpoena the ARRT for the disclosure of pending unethical charges. The motion was seconded by Ms. Barnett. After review of all available information the Board unanimously concurred.

**10. Financial Reports**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on August 17, 2023 to review the June 2023, FY-2023 Annual and July 2023 financial reports.

**a. Financial Monthly Report - June 2023**

Chairman Judy reported that the ending cash balance in June 2023 was \$465,088.21 with \$21,412.00 in total revenue and \$21,734.43 in total expenditures.

Ms. Layton made a motion to approve the June 2023 financial report as presented. After review of all available information, Mr. Jones seconded the motion. After review of all available information the Board unanimously concurred.

**b. Annual Financial Report - FY2023**

Chairman Judy reported that the ending cash balance at the end of FY-2023 was \$465,088.21 with \$234,432.00 in total revenue and \$269,738.22 in total expenditures.

Mr. Martin made a motion to approve the FY-2023 financial report as presented. After review of all available information, Ms. Barnett seconded the motion. After review of all available information the Board unanimously concurred.

**c. Financial Monthly Report - July 2023**

Chairman Judy reported that the ending cash balance in July 2023 was \$466,503.97 with \$18,940 in total revenue and \$17,524.24 in total expenditures.

Ms. Layton made a motion to approve the June 2023 financial report as presented. After review of all available information, Mr. Jones seconded the motion. After review of all available information the Board unanimously concurred.

**d. FY-2025 Proposed Budget**

Chairman Judy reported that in FY-2023 the total expenditures were \$269,738.22.

Ms. Layton recommended increasing the FY-2025 Budget \$21,974 to \$250,000. Secretary Workman seconded the motion. After review of all available information the Board unanimously concurred.

**11. Purchasing Card Reports**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on August 17, 2023 via video conferencing on prior to the Board Meeting to review the June 2023 and July 2023 purchasing card reports.

**a. Purchasing Card Monthly Report - June 2023**

Chairman Judy reported that there were \$48.50 in purchases.

Ms. Barnett made a motion to approve the June 2023 Purchasing Card Report as presented. Dr. Resley seconded the motion. After review of all available information, the Board unanimously concurred.

**b. Purchasing Card Monthly Report - July 2023**

Chairman Judy reported that there were \$2,915.75 in purchases.

Ms. Barnett made a motion to approve the July 2023 Purchasing Card Report as presented. Dr. Resley seconded the motion. After review of all available information, the Board unanimously concurred.

**12. Director's Reports**

**a. Director's Reports - June 2023**

Ms. Layton made a motion to approve the June 2023 Director's Report as presented. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

**b. Director's Report - July 2023**

Ms. Layton made a motion to approve the July 2023 Director's Report as presented. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

**13. Medical Imaging Schools Report**

Ms. Barnett made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Mr. Jones seconded the motion

and the Board unanimously concurred.

**14. ARRT Sanctions - June 2023**

Chairman Judy presented the June 2023 ARRT Sanctions for review and discussion.

No action was taken.

**15. 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.

No action was taken.

**16. Governor's Board Member Appointments**

Chairman Judy reported that the Governor reappointed himself and appointed Jeffrey Jones as the new Citizen Board member.

No action was taken.

**17. Board Member Openings**

Chairman Judy reported that there is Board Member positions for 2 radiologist available and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

No action was taken.

**18. Director's Employee Performance Evaluation**

Chairman Judy presented an Employee Performance Evaluation of Director Browning.

Ms. Layton made a motion to approve the Employee Performance Evaluation of Director Browning as presented. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

**19. Telehealth Rules**

Chairman Judy reported that the Telehealth Rules were out for public comment June 21, 2023 - July 22, 2023.

No Action was taken.

**20. Intermediate Court of Appeals Rules**

Mr. Martin made a motion to not add Intermediate Court of Appeals Rules . After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

**21. WVSTO Annual Debt Management Certification**

Chairman Judy presented the Annual Debt Management Certification for review and discussion.

No action was taken.

**22. Renewal Certification Step Change**

**23. Rent 45% Increase**

Chairman Judy presented the Rent Lease for review and discussion. Chairman Judy reported that the rent had raised from \$800 a month to \$1,1161.60 a month over the span of three years.

No action was taken.

**24. Board Member Per Diem Increase**

Chairman Judy reported that Chapter 30-1-11 states that that board members compensation can be equal to members of the Legislature. Senate Bill 740, which went into effect on June 9, 2023, increased interim pay for the Legislature to \$200 a day.

Ms. Layton made a motion to increase the Board Members interim pay from \$150 to \$200. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

**25. 2023 Chapter 30 Licensing Board Annual Seminar**

Secretary Workman made a motion to fund participation in the 2023 Chapter 30 Licensing Board Annual Seminar in South Charleston, WV on November 1, 2023 . After reviewing all available information, Ms. Barnett seconded the motion and the Board concurred.

**26. Upcoming Meetings**

**a. September 21, 2023**

Mr. Martin made a motion to have the next Board meeting on September 21, 2023. Ms. Barnett seconded the motion and the Board concurred.

**27. Adjournment**

Dr. Resley made a motion to adjourn at 5:02 PM, Secretary Workman seconded the motion and the Board concurred.