

WV Medical Imaging & Radiation Therapy Technology Board



Virtual Board Meeting

Thu Nov 16, 2023 4:00 PM - 6:00 PM EST

1. Meeting to Order

The virtual board meeting was called to order at 4:03 PM on Thursday, November 16, 2023 by the Chairman of the Board, Tyson Judy.

Chairman Judy stated that according to the Secretary of State's statutory requirement for Open Meeting Notices (WV Code § 6-9A), this meeting notice was published on the Secretary of States Web site on October 30, 2023 .

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, Jeffrey Jones, Todd Resley, MD, Tuanya Layton and Brian Martin.

Executive Director, Jamie Browning and Assistant Attorney General, Adriana Marshall were also in attendance. Erin Butcho, MD was excused.

5. Agenda

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

6. Board Meeting Minutes

A motion was made by Mr. Martin to approve the October 19, 2023 board meeting minutes. Secretary Workman seconded the motion and the Board concurred.

7. Old Business

a. Chapter 30 Licensing Board Annual Seminar

Chairman Judy stated that Director Browning, Chairman Judy, Ms. Layton and Ms. Barnett attended the Chapter 30 Licensing Board Annual Seminar on November 2, 2023 at the Holiday Inn and Suites in South Charleston, WV.

Chairman Judy provided the presentation slides for review and discussion.

b. WVSRT Annual Conference

Chairman Judy stated that Director Browning, Chairman Judy, Secretary Workman, Ms. Layton and Ms. Barnett attended the WVSRT Annual Conference on November 9-11, 2023 at the Lakeview Resort in Morgantown, WV.

c. 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.

d. 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.

e. Board Member Openings

Chairman Judy reported that there is a Radiologist Board Member position available and that the information is available at <https://wvrtboard.gov/Career-Opportunities>.

f. Telehealth Rules

Chairman Judy reported that our Telehealth Rules went out for public comment on June 21, 2023 - July 22, 2023. Chairman Judy also stated that our rules passed the Legislative Rule-Making Committee on 11/1/2023.

8. 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 November 16, 2023 prior to the Board Meeting to discuss Ethics case 04-FY-2022, 10-FY-2023, 01-FY-2024 and 03-FY-2024.

a. Executive Session

A motion was made by Mr. Jones to enter into executive session at 4:12 PM to discuss Ethics cases 04-FY-2022, 10-FY-2023, 01-FY-2024 and 03-FY-2024. The motion was seconded by Ms. Layton. After review of all available information the Board unanimously concurred.

A motion was made by Dr. Resley to exit out of executive session at 4:16 PM. The motion was seconded by Ms. Barnett. 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 Recovery 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 and a Hearing has held on 9/7/2023.

No action was taken.

d. 01-FY-2024

Chairman Judy reported that an ARRT Subpoena was issued and the redacted information was received.

Chairman Judy reported that a second information request was mailed to the licensee via certified mail.

e. 03-FY-2024

Chairman Judy reported that 03-FY-2024 has completed all the requirements of the consent agreement including reimbursing the Board for incurred costs.

Dr. Resley made a motion to close ethics case 03-FY-2024. After review of all the available information, Mr. Martin seconded the motion and the Board concurred.

f. Licensee Notification

Chairman Judy reported that a licensee notified the Board of an upcoming court case.

9. Financial Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on November 16, 2023 to review the October 2023 financial reports.

Chairman Judy reported that the October 2023 ending cash balance was \$491,254.52 with \$28,742.00 in total revenue and \$20,933.56 in total expenditures. Chairman Judy recommended approval.

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

10. Purchasing Card Reports

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Workman and Director Browning met on November 16, 2023 to review the October 2023 Purchasing Card reports.

Chairman Judy reported that there were \$4569.75 in purchases and recommended approval.

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

11. Director's Reports

Ms. Barnett made a motion to approve the October 2023 Director's Report as presented. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

12. Medical Imaging Schools Report

Mr. Martin made a motion to approve the Medical Imaging Schools Report as presented. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

13. Purchasing Audit

Chairman Judy reported that the Purchasing Audit is complete and all expenditures were in compliance with the Purchasing Divisions regulations. Chairman Judy also congratulated Director Browning for a job well done.

Secretary Workman made a motion to approve the Purchasing Audit as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

14. 2023 Annual Purchasing Conference

Chairman Judy reported that Director Browning attended the mandatory training on October 17-20, 2023 at Oglebay Resort in Wheeling, WV.

No action was taken.

15. 2023-2024 Annual Cybersecurity Training

Chairman Judy reported that Director Browning completed the mandatory 2023-2024 Annual Cybersecurity Training.

No action was taken.

16. Annual Report FY-2023

Ms. Layton made a motion to approve the October FY-2023 Annual Report as presented. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

17. Review Unemployment Compensation Law Licensing Questions

Mr. Jones made a motion to remove the Unemployment Compensation Law Licensing Questions because W. Va. Code § 21A-2-6(18) refers to businesses. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

18. Review Child Support Licensing Questions

Dr. Resley made a motion to keep the Child Support Licensing Questions in the initial applications and to remove the question from the renewal applications . After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

19. Disciplinary Actions on License Search

Mr. Martin made a motion remove reprimands from the roster or license search. After review of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

20. Public Employee Recognition

Dr. Resley made a motion to have a Christmas dinner and for everyone to pay for their own dinner. After review of all available information, Secretary Workman seconded the motion and the Board unanimously concurred.

21. Upcoming Meetings

Mr. Jones made a motion to have the next Board meeting on December 21, 2023. Mr. Martin seconded the motion and the Board concurred.

22. Adjournment

Mr. Jones made a motion to adjourn at 4:56 PM, Mr. Martin seconded the motion and the Board concurred.