



## Virtual Board Meeting

Thu Feb 13, 2025 4:00 PM - 6:00 PM EST

### 1. Meeting to Order

The virtual board meeting was called to order at 4:01 PM on Thursday, February 13, 2025 by the Chairman of the Board, Tyson Judy.

Chairman Judy noted that according to the Secretary of State's statutory requirement for Open Meeting Notices (WV Code § 6-9A-1), this meeting notice was published on the Secretary of State's website on January 21, 2025.

### 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 there were no guests at the meeting.

### 4. Attendance

Chairman Judy noted that quorum was present. He noted that the board members in attendance were Chairman Tyson Judy, Secretary Tuanya Layton, Kristi Barnett, Brian Martin, Melissa Jung, MD., Mindy Smith, DEL, Adam Kassar, MD and Erin Butcho, MD. Executive Director Jamie Browning and Assistant Attorney General Adriana Marshall, Esq. were also in attendance. Jeffrey Jones, Esq. was excused.

### 5. Agenda

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

### 6. Board Meeting Minutes

A motion was made by Ms. Barnett to approve the January 16, 2025 board meeting minutes. Mr. Martin seconded the motion and the Board concurred.

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In accordance with the Secretary of State's statutory requirement for Open Meetings, the board meeting minutes were posted on the board's website for public availability.

## **7. Ethics**

Chairman Judy reported that the Ethics Committee, consisting of himself, Secretary Layton, Director Browning, and AG Marshall met with Mike Brown of the WV Pharmacy Recovery Network on February 13, 2025 to review ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, and 12-FY-2024.

Chairman Judy also reported that the ethics committee met virtually with the respondent in case 03-FY-2025.

Chairman Judy reported that the Ethics Committee also reviewed ethics cases 9-FY-2024, 11-FY-2024 and 02-FY-2025 during the February 13, 2025 Ethics Committee meeting.

### **a. Executive Session**

A motion was made by Mr. Martin to enter into executive session at 4:03 PM to discuss ethics cases 04-FY-2022, 05-FY-2024, 07-FY-2024, 09-FY-2024, 11-FY-2024, 12-FY-2024, 02-FY-2025 and 03-FY-2025. The motion was seconded by Dr. Kassar. The Board unanimously concurred.

A motion was made by Mr. Martin to exit executive session at 4:12 PM. The motion was seconded by Dr. Kassar. The Board unanimously concurred.

### **b. 04-FY-2022**

Chairman Judy reported that 04-FY-2022 has entered into a consent agreement on April 5, 2022 with a mandatory three year recovery program until April 20, 2025.

Chairman Judy presented the board with the WV Pharmacy Recovery Network Recovery Program update for review and discussion.

No action was taken.

### **c. 05-FY-2024**

Chairman Judy reported that 05-FY-2024 has entered into a consent agreement on March 25, 2024 with a mandatory eighteen month recovery program until November 17, 2025.

Chairman Judy presented the board with the WV Pharmacy Recovery Network Recovery Program update for review and discussion.

No action was taken.

**d. 07-FY-2024**

Chairman Judy reported that 07-FY-2024 has entered into a consent agreement on July 19, 2024 with a mandatory 36 month recovery program until January 22, 2028.

Chairman Judy presented the board with the WV Pharmacy Recovery Network Recovery Program update for review and discussion.

Chairman Judy reported that the respondent's license is suspended pending the WV Pharmacy Recovery Network's evaluation.

Dr. Kassar made a motion to lift the suspension order and issue a probationary order. After careful review of all available information Ms. Barnett seconded the motion and the board unanimously concurred.

**e. 09-FY-2024**

Chairman Judy reported that a hearing was scheduled for December 3, 2024 and continued to February 11, 2025 and further continued until March 11, 2025.

No action was taken.

**f. 11-FY-2024**

Chairman Judy reported that a hearing was held on December 3, 2024.

No action was taken.

**g. 12-FY-2024**

Chairman Judy reported that 12-FY-2024 has entered into a consent agreement on September 16, 2024 with a mandatory three year recovery program until October 8, 2027.

Chairman Judy presented the board with the WV Pharmacy Recovery Network Discipline Program update for review and discussion.

Dr. Kassar made a motion to issue a suspension order pursuant to the terms of the consent agreement. After careful review of all available information, Ms. Barnett seconded the motion and the board unanimously concurred.

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i. 03-FY-2025

Chairman Judy reported that the Board received a complaint that a licensee falsified her cardiopulmonary resuscitation ("CPR") certification.

Chairman Judy presented the Ethics Committees findings to the Board for review and discussion.

Dr. Kassar made a motion to dismiss the case. After careful review of all available information Ms. Barnett seconded the motion and the board unanimously concurred.

**8. January 2025 Monthly Financial Report**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on February 13, 2025 to review the January 2025 monthly financial reports.

Chairman Judy presented the January 2025 monthly financial report for review and discussion. Chairman Judy reported that the January 2025 ending cash balance was \$466,776.26 with \$16,365.00 in total revenue and \$19,886.85 in total expenditures. Chairman Judy recommended approval.

Mr. Martin made a motion to approve the January 2025 financial report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

**9. January 2025 Purchasing Card Reports**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on February 13, 2025 to review the January 2025 Purchasing Card report.

Chairman Judy presented the January 2025 Purchasing Card report for review and discussion. Chairman Judy reported that there were \$2,499.75 in purchases. Chairman Judy recommended approval.

Dr. Jung made a motion to approve the November 2024 Purchasing Card report as presented. After review of all available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

**10. January 2025 Director's Report**

Chairman Judy presented the January 2025 Director's Report for review and discussion. Chairman Judy reported that there were 29 new license applications, 1 temporary license application, 215 renewal license applications and 6 late/reinstatement license applications. Chairman Judy recommended approval.

Mr. Martin made a motion to approve the November 2024 Director's Report as presented. After review of all available information, Ms. Barnett seconded the motion and the Board unanimously concurred.

**11. Scope of Practice for the Administration of Contrast Media Rule**

Chairman Judy presented the proposed rules for review and discussion.

Dr. Kassar made a motion to approve the rules as presented. After careful review of all available information Dr. Jung seconded the motion and the board unanimously concurred.

**12. Promulgate Discipline Program Rules**

Chairman Judy presented the proposed rules for review and discussion.

Chairman Judy stated the Rules needs to be out for public comment by June 25, 2025.

No action was taken.

**13. Promulgate Continuing Education Rules**

Chairman Judy presented the proposed rules for review and discussion.

Chairman Judy stated the Rules needs to be out for public comment by June 25, 2025.

No action was taken.

**14. Governor's Executive Orders**

Chairman Judy presented the executive order responses: 01 - Establishing Economic Backyard Brawl; 04 - Reviewing Past, Present, and Projected Spending Decisions; 05 - Developing a Plan for More Efficient Government; 06 - Plan to Reduce Rules, Regulatory Review for review and discussion.

Dr. Butcho made a motion to approve the executive order responses as presented. After review and discussion, Mr. Martin seconded the motion and the Board unanimously concurred.

**15. Southern WV Community and Technical College Radiology Program**

Secretary Layton made a motion to have an informal conference with the program director. After review of all the available information, Dr. Butcho seconded the motion and the Board unanimously concurred.

**16. Travel Approval for Rescheduled JRCERT Site Visit**

Secretary Layton made a motion to approve Director Browning to attend the West Virginia Northern Community College on April 21-22, 2025 in Wheeling, WV. Ms. Barnett seconded the motion and the Board concurred.

**17. Medical Imaging Schools Report**

**a. The Joint Review Committee on Education in Radiologic Technology**

**i. JRCERT Accreditations Actions**

Chairman Judy presented the December 17, 2025 and the January 14, 2025 Joint Review Committee on Education in Radiologic Technology Accreditation Actions for review and discussion.

No action was taken.

**ii. JRCERT Standards Revision Survey**

Chairman Judy presented the Joint Review Committee on Education in Radiologic Technology revision survey for review and discussion.

No action was taken.

**b. University of Charleston - Beckley Radiography Program**

Chairman Judy reported that Charles Roy and Lisa Ramsey were appointed as the clinical preceptors at Montgomery General Hospital.

No action was taken.

**c. United Hospital Center Radiography Program**

Chairman Judy reported that Micah Ford documented her master's degree and progress report in support of her appointment as acting program director.

No action was taken.

**d. WVU Radiation Therapy Program**

Chairman Judy reported that the West Virginia University Radiation Therapy Program was granted an 8 year accreditation by the Joint Review Committee on Education in Radiologic Technology.

**18. Upcoming Meetings**

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the Board unanimously concurred.

**19. Adjournment**

Mr. Martin made a motion to adjourn the meeting at 4:43 PM. Ms. Barnett seconded the motion and the Board concurred.

