



## Virtual Board Meeting

Thu Mar 20, 2025 4:00 PM - 6:00 PM EDT

### 1. Meeting to Order

The virtual board meeting was called to order at 4:03 PM on Thursday, March 20, 2025 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 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, Jeffrey Jones, Esq., Kristi Barnett, Brian Martin, Melissa Jung, MD., Mindy Smith, DEL, and Adam Kassar, MD. Executive Director Jamie Browning and Assistant Attorney General Adriana Marshall, Esq. were also in attendance. Erin Butcho, MD was excused.

### 5. Agenda

Ms. Barnett 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 Mr. Jones to approve the February 13, 2025 board meeting minutes and post them to the Board's website. Mr. Martin seconded the motion and the Board concurred.

### 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

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Network on March 20, 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 respondents and their supervisors in cases 04-FY-2025 and 05-FY-2025.

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

**a. Executive Session**

A motion was made by Mr. Martin to enter into executive session at 4:04 PM to discuss the ethics cases. The motion was seconded by Ms. Barnett. The Board unanimously concurred.

A motion was made by Mr. Jones to exit executive session at 4:39 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 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.

No action was taken.

**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.

Chairman Judy reported that the Proposed Findings of Fact and Conclusions of Law are due to Hearing Examiner Reynolds's no later than April 30, 2025.

No action was taken.

**f. 11-FY-2024**

Chairman Judy presented the December 3, 2024 hearing examiner's recommended decision stating that the Board has proven the allegations and may take further disciplinary action as deemed appropriate.

Mr. Jones made a motion to subpoena the ARRT's disciplinary records. Mr. Martin seconded the motion and the entire board concurred.

**g. 12-FY-2024**

Chairman Judy noted that a suspension order pursuant to the terms of the consent agreement was issued on February 26, 2025.

No action was taken.

**h. 04-FY-2025**

Chairman Judy presented the Ethics Committees findings to the Board for review and discussion noting that the respondent worked on an expired temporary license from 11/1/2024 to 2/7/2025.

Mr. Jones made a motion to offer a consent agreement that includes a written reprimand and reimbursement of all incurred fees. After careful review of all available information Mr. Martin seconded the motion and the board unanimously concurred.

**i. 05-FY-2025**

Chairman Judy presented the Ethics Committees findings to the Board for review and discussion noting that the respondent worked on an expired temporary license from 11/1/2024 to 2/18/2025.

Mr. Jones made a motion to offer a consent agreement that includes a written reprimand and reimbursement of all incurred fees. After careful review of all available information Mr. Martin seconded the motion and the board unanimously concurred.

**8. February 2025 Monthly Financial Report**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on March 20, 2025 to review the February 2025 monthly financial reports.

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Chairman Judy presented the February 2025 monthly financial report for review and discussion. Chairman Judy reported that the February 2025 ending cash balance was \$459,492.17 with \$10,526.00 in total revenue and \$17,810.09 in total expenditures. Chairman Judy recommended approval.

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

#### **9. February 2025 Purchasing Card Reports**

Chairman Judy reported that the Finance Committee, consisting of himself, Secretary Layton and Director Browning met on March 20, 2025 to review the January 2025 Purchasing Card report.

Chairman Judy presented the February 2025 Purchasing Card report for review and discussion Chairman Judy reported that there were \$1,200.00 in purchases. Chairman Judy recommended approval.

Ms. Barnett made a motion to approve the February 2024 Purchasing Card report as presented. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

#### **10. February 2025 Director's Report**

Chairman Judy presented the February 2025 Director's Report for review and discussion. Chairman Judy reported that there were 28 new license applications, 124 renewal license applications and 6 late/reinstatement license applications. Chairman Judy recommended approval.

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

#### **11. Professional Development**

##### **a. SNMMI Annual Meeting**

Chairman Judy presented the information for the Society of Nuclear Medicine & Molecular Imaging's Annual Meeting on June 21-24, 2025 in New Orleans Louisiana.

Ms. Barnett made a motion to approve funds for staff and board members to attend the SNMMI Annual Meeting. After review of all available information, Dr. Smith seconded the motion and the Board unanimously concurred.

#### **12. Rule Changes**

**a. 18-01, 18-04 and 18-06 Rule Changes**

Chairman Judy presented the 18-01, 18-04 and 18-06 Rule Changes for review and discussion.

Mr. Jones made a motion to approve the 18-01, 18-04 and 18-06 rule changes as presented and send the changes out for public comment by June 25, 2025. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

**b. 18-02 Series Deletion**

Chairman Judy presented the 18-02 series deletion for review and discussion.

Mr. Jones made a motion to approve the 18-02 series deletion as presented and send the changes out for public comment by June 25, 2025. After review of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

**13. Boardable Contract**

Chairman Judy presented the one (1) year contract price of \$3,364.88 for review and discussion.

Mr. Martin made a motion to approve the annual Boardable contract for another year. After review of all available information, Mr. Jones seconded the motion and the Board unanimously concurred.

**14. Introduced Legislation**

**a. HB 2001 - Universal Professional and Occupational Licensing Act of 2025**

Chairman Judy presented House Bill 2001 for review and discussion.

No action was taken.

**b. HB 3449 - Provide for occupational licenses or other authorization to practice by recognition for qualified applicants from other states**

Chairman Judy presented House Bill 3449 for review and discussion.

No action was taken.

**c. SB 140 - Clarifying when excess funds accumulated by boards are to be transferred to General Revenue**

Chairman Judy presented Senate Bill 140 for review and discussion.

No action was taken.

**d.** SB 231 - Clarifying when funds accumulated by boards may be transferred to General Revenue Fund

Chairman Judy presented Senate Bill 231 for review and discussion.

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No action was taken.

**e.** SB 458 - Universal Professional and Occupational Licensing Act of 2025

Chairman Judy presented Senate Bill 458 for review and discussion.

No action was taken.

**f.** SB 824 - Amending procedures for regulation of scope of practice for occupations and professions

Chairman Judy presented Senate Bill 824 for review and discussion.

No action was taken.

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

Chairman Judy reported that the Ethics Committee, consisting of himself, Secretary Layton and Director Browning met on March 20, 2025 with Kristin Collins to discuss their average credentialing examination pass rate.

Chairman Judy reported that the program has reported its five-year (2019-2023) average credentialing examination pass rate as 64.2% (34/53) and its current five-year (2020-2024) average credentialing examination pass rate as 70.7% (41/58).

Chairman Judy noted that the program must document compliance with all JRCERT accreditation standards no later than October 24, 2026 or request a good cause extension identifying mitigating circumstances hindering the attainment of this outcome for consideration by the JRCERT Board of Directors.

No action was taken.

**16.** Medical Imaging Schools Report

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

Chairman Judy presented the February 12, 2026 Joint Review Committee on Education in Radiologic Technology Accreditation Actions for review and discussion.

No action was taken.

**b.** University of Charleston Radiography Program

Chairman Judy reported that the Self Study Report is due by September 3, 2025 and the JRCERT onsite evaluation is tentatively scheduled for March 2026.

No action was taken.

**c. Bluefield State University Radiography Program**

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Chairman Judy reported that Greenbrier Valley Medical Center is now recognized as an approved clinical setting.

No action was taken.

**d. Southern West Virginia Community and Technical College Radiography Program**

Chairman Judy reported that Williamson Memorial Hospital is now recognized as an approved clinical setting.

No action was taken.

**e. United Hospital Center**

Chairman Judy reported that their JRCERT Interim Report is due by September 22, 2025.

No action was taken.

**17. Upcoming Meetings**

**a. Future Board Meeting Dates**

Mr. Martin made a motion to change all future Board Meetings to the second Thursday of the month. After review of all available information, Secretary Layton seconded the motion and the Board unanimously concurred.

**b. Next Board Meeting**

Ms. Barnett made a motion to have the next Board Meeting on Thursday, April 10, 2025. After review and discussion of all available information, Mr. Martin seconded the motion and the Board unanimously concurred.

**18. Adjournment**

Mr. Jones made a motion to adjourn the meeting at 5:15 PM. Dr. Kassar seconded the motion and the Board concurred.

