

# Oregon State Board of Radiologic Technology (OBRT)

## April 09, 2004 MINUTES

State Office Building 800 NE Oregon Street, Suite 407 Portland, Oregon

### ATTENDANCE

**Members and Staff:** Rees Stuteville, LRT, Board Chair; Matt Lang, LRT; Edna Marr, LRT; Hank Miggins, CIA, Vice Chair; Terry Lindsey, Manager RPS, Advisory Member; Linda Russell, Acting Executive Officer; Bev McDaniel, Staff

**Members Absent:** Ernest Wick, LRT; Carol Parks, AAG.

**Also Present:** Doctor Chris Griffin; OBRT Members Elect, Carrie Kuschnick, LRT, LRTT and Lorraine Bevacqua, LRT; Jim Gores, BAM Analyst; Randy Harp, Allied Medical X-Ray Institute; Barbara Smith, PCC and OSRT.

**Public Session:** 9:21 AM

### EXECUTIVE SESSION - CALL TO ORDER - ORS 192.660 (1) (f)

The OBRT Board meeting was held Friday, April 09, 2004 in Conference Room 445, Portland State Office Building (PSOB), Portland, OR. Chair, Rees Stuteville, called the meeting to order at 8:49 AM to discuss Confidential Board discipline and investigative cases pursuant to ORS 192.660 (1) (f).

### PUBLIC SESSION - CALL TO ORDER

Rees Stuteville, Chair called Public Session to order at 9:21 AM and welcomed guests.

### APPROVAL OF MINUTES

January 23, 2004 minutes were unanimously approved by the Board with change and amendment.

### INVESTIGATIONS CASE VOTE

Rees Stuteville, Chair read the investigative case roster, each of the Board members in attendance voted unanimously to approve the Consent Order/ Civil Penalty and close each case:

**04-04-01      04-04-04      04-04-05**

The Board took no action on the following monitored probationary cases:

**01-05-05      01-11-03      02-04-03      02-05-04      02-02-05      03-05-01**

Probationary Case **01-04-03** motion was made to close case by Edna Marr, seconded by Matt Lang and the Board unanimously approved closing the case.

Monitored Civil Penalties:

**01-01-06E - No** action taken by the Board

**01-01-06G & 03-05-05** – motion was by Edna Marr, seconded by Matt Lang and the Board unanimously voted to send these cases to the Department of Revenue.

**RATIFICATION OF LICENSES ISSUED**

Edna Marr made a motion to approve ratification of licenses issued on audit numbers 10279 through 10599. Matt Lang seconded. The Board unanimously approved licensures.

**OLD BUSINESS**

The Board discussed a proposed rule change to amend OAR 337-001-0000:

OLD LANGUAGE: Prior to the adoption, amendment, or repeal of any rule, the State Board of Radiologic Technology shall give notice of the proposed adoption, amendment, or repeal:

NEW LANGUAGE: (Add the word: *permanent*): Prior to the adoption, amendment, or repeal of any *permanent* rule, the State Board of Radiologic Technology shall give notice of the proposed adoption, amendment, or repeal:

**NEW BUSINESS**

- Hank Miggins presented a plaque and signed certificate by the Governor to Rees Stuteville, for his commitment and outstanding efforts to the Board and the awareness of public safety during his appointment of the last three years that will end effective April 30, 2004.
- Discussion continued on requiring students with a “Course Completion Certificate” from an OBRT approved limited permit school to pass the limited permit examinations, prior to being issued a “Temporary Initial Limited Permit”. It was noted that an Oregon Administrative Rules (OAR) change will be needed before it could be implemented.

The Board agreed that currently there are not accountability measures in place that will raise standards of education for temporary limited permit applicants. Limited permit schools exam passing percentage rate needs to be higher and schools need to be held accountable for higher standards. OAR changes are needed in addition to revised examinations, AAG Parks suggested that a definition for “qualified applicant” be made. She noted in her memorandum dated March 8, 2004, on the subject of temporary limited permits, that there was not a defined definition of a qualified applicant other than ORS 688.515 (6) which seems to reflect a graduate or student, but displays no reference in having to pass an examination.

Visits to all Limited Permit schools show some being extremely good and others needing improvement commented Chair Stuteville. The Board must develop language for a qualified Limited Permit applicant rule change. It was agreed that applicants must pass the OBRT examinations in order to take x-rays. Randy Harp requested that the Board send a notice to the limited permit schools when the enforcement would go into effect. Discussion of the February 2004 limited permit examination pass/fail rate handouts presented were noted and referenced. Barb Smith informed the Board on changes that other States have made regarding supervision, training and practical experience requirements.

- Board discussion continued concerning the new hybrid equipment. Statute change will need to take place for *ORS 688.480: Operator of certain tomography equipment to be certified. Persons who operate computerized tomography equipment for diagnostic purposes must be certified by the American Registry of Radiologic Technologists.* Amend to : ORS688.480 (1) Operator of [certain] computed tomography equipment not involving use of radio nuclides to be certified person who operate computed [computerized] tomography equipment for diagnostic purposes, including not involving use of radio nuclides, must be certified by the American Registry of Radiologic Technologists. (2) Operators of computed tomography equipment for diagnostic purposes, involving positron emission tomography (P.E.T.) imaging systems and computed tomography equipment (P.E.T. /C.T.)
- Rees Stuteville commented that MRI and nuclear medicine are coming about and needs to be addressed as two additional license types in the future.
- Timely renewal – OAR 337-020-0010 - An OBRT license renewal application must be received by OBRT 30 days before a license expires. A license expires on the first day of the birth month of the licensee, and a licensee is not allowed to practice after a license expires. Motion to adopt OAR 337-020-0010 made by Chair Stuteville and seconded by Matt Lang. Board unanimously approved sending to Secretary of State for posting and to Legislative council. New rule will be posted in the Oregon Bulletin effective 4/15/2004.
- Legislative denied approval for expedited license fee OAR 337-021-0050 effective July 01, 2003. Motion to repeal made by Rees Stuteville and seconded by Matt Lang. Motion to repeal was unanimously approved by all board members.
- Terry Lindsey suggested language for OAR 337-001-0000 be amended, adding the word permanent: This would allow some flexibility, getting a step closer to rising technical advancement needs. He was making reference to the training program being developed by OHSU and Portland Community College. A 12 hours course that would allow for the operation of new hybrid equipment. Draft language that was adopted by a unanimous voted by the Board was the following proposed rulemaking action draft:

Amend: 337-001-000 Notice of Proposed Rule

OLD LANGUAGE:

Prior to the adoption, amendment, or repeal of any rule the State Board of Radiologic Technology shall give notice of the proposed adoption, amendment or repeal:

NEW LANGUAGE: (add the word: **permanent**):

Prior to the adoption, amendment, or repeal of any **permanent** rule the State Board of Radiologic Technology shall give notice of the proposed adoption, amendment or repeal:

Public notice and meeting will be the next step in the process.

- The office will be moving on the April 22<sup>nd</sup> to the 11<sup>th</sup> floor, Suite 1160A; it is a larger space allowing for compliance with OSHA regulations.
- Rees Stuteville reported that the Executive Officer (EO) job classification documents have been sent to, Executive Recruiter, Joseph Wahl. The announcement for the EO search will be posted to qualified State employees applicants only. If the response does not produce several applicants it will posted "Open Competitive".
- Review of LP Exam – was tabled until the next meeting.
- Rees Stuteville thanked the Board for allowing him to serve as their Chair. He made the motion to elect Hank Miggins as the next Board Chair, Matt Lang seconded and the Board unanimously voted to appoint Hank Miggins. Mr. Stuteville motioned to elect Ernest Wick as Vice Chair. It was seconded by Mr. Lang and he was unanimously elected by the Board. Mr. Stuteville officially turned the meeting over Mr. Miggins who redefined committees as follows: Investigations: Ernest Wick, Edna Marr, Matt Lang, and Carrie Kuschnick. Continuing Education: Edna Marr and Carrie Kuschnick. Legal: Hank Miggins and Carrie Kuschnick. Limited Permit: Ernest Wick, Hank Miggins, Matt Lang, and Lorraine Bevacqua. Fiscal/Treasurer: Hank Miggins and Terry Lindsey.

ADJOURNMENT

Board Chair Hank Miggins asked if there was any other business or public comment. Hearing none, he thanked everyone for coming and adjourned the meeting at 2:15 PM.

The next Board meeting is scheduled for May 21, 2004 in Room 120B of the Portland State Office Building.