

Oregon Board of Medical Imaging (OBMI) Quarterly Board Meeting

July 9th, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1A Portland, Oregon 97232

ATTENDANCE

Members and Staff: Thomas King, Board Chair, Radiography Member; Frank Erickson MD, Radiologist, Vice Chair, Physician Member; David Farthing MD, Radiologist, Physician Member; Jacob Abraham MD, Cardiologist, Physician Member (Jacob Abraham attended the Board Meeting by phone); Frank Krause, Sonography Member; Kimberly Earp, Radiation Therapy Member; Shirlee Templeton, Nuclear Medicine Technology Member; AKM Shaestagir Chowdhury, PhD, Public Member; Terry Lindsay, RPS Section Manager, Advisory Member; Margaret Lut, RPS Advisory Member; Linda Russell, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEADS Specialist.

Members Absent: None

Also Present: Carol Parks, Senior Assistant Attorney General, Steve Crawford, RPS Health Physicist

EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1) (k). Chair Thomas King called the meeting to order at 8:43 AM in Conference Room 1A, Portland State Office Building (PSOB), to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175. The Executive Session was adjourned at 4:05 PM.

PUBLIC SESSION – CALL TO ORDER

Chair Thomas King called the Public Session to order at 4:05 PM. No one was present from the public.

APPROVAL OF MINUTES

The April 23, 2010 Board meeting minutes were not complete and will be reviewed for approval at the October 8, 2010 meeting.

RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued between 4/1/10 and 6/25/10: Permanent Initial Radiologic Technologist licenses 107792 to 107840; Permanent Limited Permit Holder licenses 3901 to 3916; Temporary Initial Radiologic Technologist licenses, Temporary Initial Radiation Therapist licenses and Temporary Initial Limited Permit licenses L04624 to L04706 (Motion made by Frank Erickson; seconded by David Farthing; vote was unanimous).

INVESTIGATION CASES

Frank Erickson read the investigative case roster:

10-02-06A Licensee appeared before the board as requested. The allegations were not substantiated so no action was taken. Board voted to close the case. (Motion made by Frank Erickson; seconded by David Farthing; vote unanimous)

10-02-07 Licensee appeared before the board as requested. The allegations were not substantiated so no action was taken. Board voted to close the case. (Motion made by Frank Erickson; seconded by David Farthing; vote unanimous)

10-02-08 Licensee appeared before the Board. The Board voted to issue a Stipulated Agreement and Final Order and assess a \$1000.00 Civil Penalty; Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-03-02 Licensee is still hospitalized and receiving physical therapy. Licensee is due to be released from the Veterans hospital at the end of August 2010. The Board made the decision to set the case over to October 8, 2010 Board Meeting and issue a letter for licensee to appear.

10-03-03 Additional investigative materials were reviewed by the Board and they voted to issue a Stipulated Agreement & Final Order and assess a \$2000.00 Civil Penalty with \$1000.00 waived due to the mitigating factor that the clinic was no longer in business. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-03-09 Licensee did not appear as requested 3/26/2010 resulting in no action taken by the Board. The Board made the decision to set the case over to October 8, 2010 Board Meeting and to issue a letter for licensee to appear.

10-04-01 Licensee appeared before the Board as requested alcohol related criminal history in order to have his license renewal approved. Board voted to approve renewal and issue letter of warning to conduct himself in a professional manner by not violating Oregon laws. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-04-02 Applicant appeared before the Board to address past criminal history for to grant a Temporary Limited X-ray Machine Operator (LXMO) Permit. The Board voted to approve LXMO permit and issue a letter reminding the permittee to conduct himself in a professional manner. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-05-02 Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging unprofessional conduct. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-05-04 Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging workplace harassment and violation of employer's code of conduct. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-05-05 Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging a violation of employer's code of conduct, university policy and unauthorized access of protected patient information. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

10-05-09 Applicant appeared before the Board as requested to address multiple arrests for theft and forgery disclosed with the temporary LXMO permit application. The applicant provided the Board with rehabilitation records and letters of recommendation for consideration of issuing her a permit. The Board voted to approve the LXMO permit licensure. (Motion made by Frank Erickson to approve licensure; seconded by David Farthing; vote unanimous.)

10-05-10 Applicant appeared before the Board as requested to address why he failed to disclose past arrest and conviction records on the temporary LXMO permit application. The Board voted to approve licensure and issue a Stimulated Agreement & Final Order accessing a \$100.00 Civil Penalty. (Motion was made by Frank Erickson; seconded by David Farthing; vote unanimous.)

The following cases involved practicing without a license; Applicants and licensees signed a Consent Order and paid the appropriate Civil Penalty. Board voted to close the following cases. Motion was made by Frank Erickson to ratify these cases; seconded by David Farthing; vote unanimous.

10-05-01 **10-05-03** **10-05-06** **10-05-07** **10-05-08**

The Board on the following monitored probationary cases took no action: All probationary cases listed below are in currently in compliance.

07-02-01 **08-09-03** **09-06-01** **09-09-06**

COMMITTEE UPDATES

Due to the extensive number of investigative cases brought before the Board there were no updates given by the committee chairs.

EXECUTIVE DIRECTOR UPDATE

Due to the extensive number of investigative cases brought before the Board there were no updates given by the Executive Director.

NEW BUSINESS

Due to the extensive number of investigative cases brought before the Board there was no new business discussed.

PUBLIC COMMENT & ADJOURNMENT

There were no public comments. Chair King thanked Frank Erickson for all of the work he has done while serving as the Board's Vice Chair. He also thanked everyone else for coming and the meeting was adjourned at 4:10 PM.

The next Board meeting is scheduled for October 8, 2010 at 8:30 AM in Conference Room 1A at the Portland State Office Building.