

**OREGON BOARD OF MEDICAL IMAGING**  
**July 7, 2011 Retreat**  
**Portland State Office Building**

**Approved Minutes**

1:00 pm Initial board attendance: Earp, Farthing (by phone), King, Krause (by phone), Lemler, McMillen, Warren.

Others in attendance: Vincent Mandina, OBMI Administrative LEADS Specialist; Ed Conlow, OBMI Executive Director; Carol Parks, Senior Assistant Attorney General.

Election for Chair: Thomas King nominated by Farthing; second by McMillen. Lemler moved to close nominations; second by Bill McMillen. Thomas King approved as chair by unanimous vote.

Election for vice-chair: Thomas King nominated Frank Krause; Earp second. Lemler moved to close nominations; Earp second. Krause approved as vice-chair by unanimous vote.

Frank Krause signs off the phone at 1:30.

Shirlee Templeton arrives at 1:30.

**Selection of committees:**

Legal/OAR Committee: McMillen (lead), Farthing, King, Warren.

Continuing Education Committee: Earp (lead), Lemler, Templeton, King.

School Inspections: King (lead), Lemler, Templeton. Thomas King said he may approach Pat Williams to help, as a resource. Wayne and Shirlee could cover Eugene and Medford, and maybe Pam, Kim and Tom could cover the Portland area. Others could be recruited later as needed.

**Discussion/review of board policies and practices**

Board disciplinary policy: Board policy regarding persons with criminal history who are required to come before the board: Board consensus is to take out numbered paragraph #7. Bill McMillen's recommendation is to wait until Friday until we have more board members, before adopting this recommendation.

Provisional license status: Carol said we can't require a letter from an employer as a precondition to issuing a license on a provisional basis, unless the letter requirement is specified in rule or statute. Vince said we probably only have 50-100 provisional licenses total; Tom and Bill agreed that we need to know the number of provisional licensees. The question came up as to whether a provisional licensee (without national credentialing) whose birthday and renewal comes up in December 2013 will be provided with a two-year provisional license that goes to December 2015. Carol said she would take a look at it. Tom said we can prorate the license; we don't need to give them a two year license, do we? Carol said she would look at it. Consensus of the Board is to keep the provisional designation, but we'll remove the letter requirement based upon Carol's advice.

Shirlee wondered if the reason for the letter was to try to establish that the person seeking the license actually had experience. We can't require the letter, but perhaps there is another way to have staff try to determine if an applicant has the necessary experience to obtain a provisional license. We can't require it; but if staff just asked the question, it would at least get the applicant to think about it. Tom asked if the Legal Committee might look at this. Carol suggesting forming a special committee, and Tom suggested a peer review committee of experts, to review mainly sonography and potentially MRI, get together an advisory committee with the board member from that modality as chair; Bill suggested going back and comparing statute and rule to see where the gaps are, and what the intent is. He will look at this in time for the October board meeting. Bill may also look at #8 and #9 on the matrix, since they also relate to the 2014 date.

Phone-in policy – Discussion suggests that it's not a problem now, but it shows that board members are put on notice that this is policy and that, if a board member violates confidentiality in violation of this policy, it protects other board members. Consensus is to approve the policy.

Board policy on staff communication: Discussion – Every agency ought to have a place they can go to complain. Bill McMillen indicated that there is always recourse to the Department of Administrative Services (DAS) Human Resources (HR) people. Written policy shows that there is recourse for employees. Carol said they can also go to her, if a staffer has a complaint. Consensus is to adopt this policy but also include that the staff has the option to communicate not only with the board chair but also with the DAS human resources office.

Putting Board final orders onto the website? Carol said that boards are generally moving in the direction of putting final Board action – public record -- relating to licensees onto the website. Consensus is to move forward with this. Ed will visit with Carol to develop some waiver language to include on the website. Executive director can implement this. Tom would like to have a notice on the website that we are implementing this new practice.

Pending status for applications and renewals: Ed said that he didn't know why this policy was in place. He found it on one of our forms – that an incomplete application would be put into pending status for two weeks, after which time the applicant would need to fill out a new application and pay the fees again. Board consensus was that, since this isn't in statute or rule or policy, the executive director has discretion to eliminate this policy.

Non-medical ultrasound: Current Oregon law does not regulate non-medical ultrasound. Connecticut passed a law in 2009 (Conn. Statutes 19A-901) to specify that obstetrical ultrasound can only be performed if ordered by a health provider and only for medical purposes. Consensus of the Board is to look at developing a legislative concept.

Credentialing requirements in 2014: Current credentialing statute set to go into effect on 1-1-14 may not be specific enough to require a medical imaging licensee to be credentialed in each sub-specialty that the licensee engages in. Consensus is to look into developing a legislative proposal relating to the practice of sonography, possibly with a delayed effective date (beyond 2014) to give sonographers time to comply.

LEDS background check: As an informational item, staff noted that LEDS checks only cover criminal activity in Oregon, and that some other boards do more extensive background checks. OBMI conducts LEDS checks on initial and renewal license/permits. LEDS only checks Oregon records. Some boards do FBI checks prior to initial application, charging the applicants the approx. \$50 fee that an FBI background check costs. This could become more of an issue as more licensees travel from state to state, or more traveling health clinics offer medical imaging services using out-of-state imaging professionals.

**Adjourned at 4:30 pm.**