

Oregon State Board of Radiologic Technology (OBRT)

January 10, 2003 MINUTES

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

ATTENDANCE

Members and Staff: Rees Stuteville, LRT, Vice Chair; Matt Lang, LRT; Edna Marr, LRT; Hank Miggins, CIA, Public Member; Ernest Wick, LRT; Terry Lindsey, Manager RPS, Advisory Member; Carol Parks, AAG; Lianne Thompson, Executive Officer; Judy Lee, Staff; Linda Russell, Staff

Members Absent: Barbara Agrimson, LRTT, Board Chair; Christopher Griffin, MD

Also Present: Vickie Mettler, LRT/Apollo College Inc.; Steve Uroshevich, LRT/Hologic, Inc.; Randy Harp, LRT/Allied Medical/OSRT-Leg. Act. Chair.

Public Session: 10:34 AM

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

The OBRT Board meeting was held Friday, January 10, 2003 in Room 445, State Office Building, Portland Oregon. Board Vice Chair, Rees Stuteville called the meeting to order at 8:40 AM to discuss confidential Board discipline and investigations. The Investigative Committee asked Executive Officer, Lianne Thompson to present the investigative cases to the Board. Ms. Thompson explained ORS 192.660 (1) (f) and summarized the open Investigative cases.

PUBLIC SESSION - CALL TO ORDER -

Board Vice Chair, Rees Stuteville called Public Session to order at 10:34 AM. Mr. Stuteville welcomed guests Randy Harp, Allied Medical/OSRT Leg. Act. Chair and Steve Uroshevich, Hologic, Inc.

Mr. Stuteville motioned to accept the Board minutes from October 21, 2002. Motion seconded by Ernest Wick. The Board unanimously approved.

Lianne Thompson, Executive Officer explained that AAG Parks advised the Board that the Board retreat information report is not in the form of minutes. She will convert the report and submit it at the April Board meeting.

Mr. Stuteville asked if there were any changes or amendments to the agenda? Matt Lang and Terry Lindsey, RPS Manager had changes. Hank Miggins suggested that these topics be discussed under new business. Mr. Stuteville advised the Board they would be addressed under new business.

OAR UPDATE: Radiation Protection Services (RPS)

Due to the emergency absence of Bob Rappinski, Terry Lindsey briefed the Board with a broad overview of the OAR changes RPS will be drafting in the next 30-45 days. Ms. Thompson asked Mr. Lindsey to include OSRT in the notification of rule change. Mr. Lindsey acknowledged her request and concluded by explaining that this will be a six-month process.

Mr. Stuteville adjourned the meeting at 11:35AM for lunch and called the meeting back into public session at 12:23 PM.

He acknowledged Vicki Mettler, Instructor/Apollo College Inc. and welcomed her to the meeting.

RATIFICATION OF LICENSES

Vice Chair; Rees Stuteville moved to approve the list of licenses/permits issued from October 21, 2002 to January 10, 2003. Ernest Wick seconded the motion and it was unanimously approved.

INVESTIGATIONS – As of October 21, 2002

Rees Stuteville, Vice Chair read the investigative case numbers to the Board for them to vote as follows:

01-01-06

A motion was made 1/10/2003, and the Board unanimously voted to issue a Final Notice of Proposed Civil Penalty (\$1000).

01-01-06D

A motion was made 1/10/2003, and the Board unanimously voted to issue a Final Notice of Proposed Civil Penalty (\$500).

01-01-06E

The Board requested that the permit holder appear before them on April 18, 2003. OBRT will consider the permit holder's new temporary limited permit application in head and abdomen. The Board unanimously voted to issue a new Notice of Proposed Discipline, to include falsifying information on the new application. The new notice would cite the permit holder for acting outside the scope of the permit holder's limited permit (just like the former notice, \$500) and for falsifying the permit holder's new application (ORS 688.415(1) (e), \$500; also, putting the permit holder on a two-year probation. The \$1,000 Civil Penalty would be waived if no further proven violations occur in the next two years; also, stipulating that the permit holder will not operate outside the scope of the permit holder's licensure.

01-01-06G

A motion was made 1/10/2003, and the Board unanimously voted to issue a Final Notice of Proposed Civil Penalty (\$1000).

01-04-06

The Board tabled this case until their attorney responds to AAG Parks follow-up.

01-08-04

The Board unanimously voted to issue a Notice of Proposed Discipline that suspends radiologic technologist's license for five years. At the end of five years, the licensee may re-apply but must provide a report by a qualified sex offender treatment professional that confirms that any patient is safe with the licensee.

Also, no further episodes of sex offender activity during the five-year suspension, and recommends another probationary period of 5 years if the Board grants licensure at that time.

02-03-04

The Board took no action.

02-06-01

The Board unanimously voted to withdraw the Emergency Suspension Order.

02-11-01

The Board unanimously approved to issue licensure and close case.

02-11-02

The Board unanimously approved sending the applicant a letter denying his application for falsifying a radiologic technologist application. The applicant's failed to include a complete criminal history. The letter to include notice that the Board will communicate this order to ARRT pending approval from AAG Parks.

02-12-01

The case was tabled for further investigation. .

02-12-02

The Board unanimously approved to issue licensure and close case.

02-10-04, 02-10-05

The Board unanimously approved to accept Consent Orders and close cases.

The Board took no action on the following probationary cases:

99-03-03, 00-10-02, 00-12-04, 01-01-03, 01-01-07, 01-04-04, 01-05-05, 01-11-03, 01-12-01, 02-01-02, 02-01-03

99-04-04

The Board unanimously approved to close probationary case.

01-04-03

The Board unanimously approved to issue new Consent Order stipulating monthly drug testing, verified AA attendance and monthly progress reports to the Board.

01-10-01

The Board unanimously approved sending a letter, requesting the licensee appear at the April 18, 2003 Board Meeting. The licensee failed to report stipulation of Consent Order with potential employer.

02-05-04

The Board directed staff to contact licensee about non-compliance with reporting stipulation of Consent Order.

EXECUTIVE OFFICER'S REPORT

Lianne Thompson, Executive Officer updated the Board on the move in progress.

The move would be to 1425 NE Irving, BLDG 200, it is the SW corner. OBRT is looking to rent 1000 square feet, moving next to OIS computer technicians. Former tenant agreed to leave behind some office furniture, phones on with OIS, computers purchasing-ATT broadband services, and possible sharing of photocopier, conference room available, electricity and heat would be included. OBRT committee meetings could be held in Ms. Thompson's office. Staff will do everything to minimize and smooth the move. Lease negotiations are in progress. This location offers public parking available

at west side of the building. After negotiations are complete collaboration with DAS would make the move final.

Ms. Thompson reminded the Board that OBRT might only have to offer two more examinations at the PSOB. She briefly touched on an idea to offer a practice exam service at the new location.

Currently \$486,589.00 is the governors recommended budget, Hank Miggins moved to approve the **\$486,589.00** with "reservation and trepidation." Ernest Wick seconded and the Board unanimously approved. Ms. Thompson has reported that she has been working on the move, getting the limited permit exam on line, performance measures, and the next legislative session. She explained that some OBRT service fees do not have rules in place. New OARs need to be written for them and this is a difficult task since OBRT has 13 different revenue codes.

The Board discussed conduct ground rules for meetings. Hank Miggins had introduced the ground rules used by the Independent Police Review (IPR) Committee. It allows them to conduct an effective and productive meeting. Matt Lang asked about sidebars? Mr. Miggins explained that it meant any side conversation must be curtailed. He confirmed he would review the IPR rules with suggestions made at the Board retreat in November 2002 and report back at the next meeting.

Mr. Miggins motioned to send Ms. Thompson and Barbara Agrimson, Board Chair to the Oregon Society of Radiologic Technologist (OSRT) to their annual meeting on April 12 and 13th in Bend, OR. Ernest Wick seconded. The Board unanimously approved.

COMMITTEE REPORTS

A. CONTINUING EDUCATION COMMITTEE

Automated CE Approval Process: Continuing Education (CE) sponsors will need to electronically submit approval applications, CVs and evaluations effective July 01, 2003. Sponsors can contact Linda Russell by e-mail at Linda.Russell@state.or.us. The current CE calendar is available on the OBRT web site: www.obrt.state.or.us.

B. LEGAL COMMITTEE

The Board was given proposed revisions to OARs from Lianne Thompson. The Board adopted and approved revisions for OAR 337-010-0025, 337-001-0025, 337-020-0015, 337-010-006(2) (1), 337-010-006(3), and 337-021-0025; these are available on the OBRT web site: www.obrt.state.or.us. Ms. Thompson reminded the Board of the upcoming Legislative session, collaboration with stakeholders and the importance of lobbying.

C. LIMITED PERMIT COMMITTEE

Edna Marr explained the need for all limited permit schools to have adequate standards and accountability. Randy Harp/Allied Medical Institute/ OSRT Leg. Act. Chair would like to use Don Silva as a sub-contractor so that the rural community can have excess to educational training. Lianne Thompson reminded the Board that it is their goal to have the limited permit exam on-line by July 2003. Ms. Thompson has been gathering education cost information from the approved limited permit schools. OBRT wants to insure the public receives quality education all over the state.

NEW BUSINESS

Matt Lang expressed a concern about lobbying at a legislative session. The concern was tabled for AAG advice. Mr. Lang's additional concern was whether it was appropriate for Apollo Career Institute's TV commercial to show a person pictured by a MRI scanner that appears to be positioning a patient. This procedure is not within the scope of a limited permit holder. After discussion, a consensus was made it was out of OBRT's scope of authority.

Terry Lindsey would like to introduce CT and simulators, dual modality unique imaging for discussion at an upcoming Board meeting. He feels that RPS and OBRT can work together to resolve the scope of practice.

PUBLIC COMMENT

Board Vice Chair, Rees Stuteville asked if there was any public comment.

Randy Harp, Allied Medical Institutel/OSRT Leg. Act. Chair said that limited permit holders are starting to work in hospitals and acute care centers. He stated that 100 hours is not enough training to work in these types of settings. Limited permit holders curriculum does not include any patient care. After discussion it was agreed that the Board could take a position on the number of hours of training required for patient safety in acute care setting. Matt Lang explained that the Board could ask that stakeholders cooperate based on patient care and safety. Edna Marr expressed that it is time to sound the alarm. The Board agreed that a letter of concern, stating the Board's position and asking for cooperation needs to be sent to all stakeholders; hospitals, professional organizations, State senators and representatives. Ernest Wick explained that there is concern with mobiles being operated by limited permit holders. Steve Uroshevich, Hologic, Inc. agreed. It was emphasized that a need exists to broach with ASRT on a standard of criteria for education for limited permit holders. Rees Stuteville confirmed that flouro and portable are two areas of immediate concern. The Board asked Ms. Thompson to e-mail a draft to board members, asking for feedback and then present it to RPS for collaboration with their rule changes

Mr. Stuteville acknowledged that OSRT would meet in Bend April 10th and 11th and OBRT will meet on the 17th and 18th.

ADJOURNMENT

Vice Chair, Rees Stuteville asked if there was any other business or public comment.

Hearing none, he thanked everyone for coming and adjourned the meeting at 2:36 PM. The next meeting is scheduled for April 18, 2003 at 8:30 AM in Room 445 of the Portland State Office Building. The Board committees will meet on Thursday, April 17, 2003, specific schedules to be announced.