

# Oregon State Board of Radiologic Technology (OBRT)

## MARCH 5, 2004 MINUTES

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

### ATTENDANCE

**Members and Staff:** Rees Stuteville, LRT, Board Chair; Henry Miggins, CIA; Barbara Agrimson, LRT; Edna Marr, LRT; Matt Lang, LRT; Ernest Wick, LRT; Terry Lindsey, Manager RPS, Advisory Member; Carol Parks, AAG; Linda Russell, Acting Executive Officer; Tina Jorgenson, Staff

**Members Absent:** None

**Also Present:** Monica Brown, Legislative Fiscal Officer; Jim Gores, Budget and Management Analyst; Edwin L. Wright, Radiation Protection Services; Diane Lund, Oregon Health Forum; Carrie Kuschnick, OBRT Member Applicant; Lorraine Bevacqua, OBRT Member Applicant.

**Public Session:** 10:28 AM

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

The OBRT Board meeting was held Friday, March 5, 2004 in Room 445, State Office Building, Portland Oregon. Vice Chair, Hank Miggins, called the meeting to order at 10:07 AM to discuss confidential Board discipline and investigative cases pursuant to ORS 192.660 (1) (f).

### PUBLIC SESSION - CALL TO ORDER -

Board Chair, Rees Stuteville called Public Session to order at 10:28 AM and he welcomed guests.

### INVESTIGATIONS – As of March 5, 2004

Hank Miggins, Vice Chair read the investigative case roster and the Board voted as follows:

#### 01-01-06E

Extension of payments requested by licensee. Linda Russell reported that she has been prompt with her payments and cooperative. Licensee is currently under going a hardship. The Board agreed to reduce the monthly payments to \$25.00 for four months. Licensee is to provide a letter on July 01, 2004 updating the Board. Hank Miggins made the motion to approve and Barbara Agrimson seconded the motion. The Board unanimously approved.

**01-01-06G**

The non-licensed person was sent a letter from the Dept of Justice. AAG Parks requested payment in full and advised that this case will be turned over to the Department of Revenue in 30 days, if there is no response. Hank Miggins made the motion to approve and Barbara Agrimson seconded. The Board unanimously approved.

The Board approved and unanimously voted to close the following cases:

**01-08-04 (Unless Judicial Review is requested)**

**04-01-04**

The Board took no action on the following cases:

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

**02-05-05    03-01-02    03-03-05    03-05-01**

**RATIFICATION OF LICENSES**

A motion to ratify licenses, audit number 9909 through 10278 was made by Rees Stuteville and Barbara Agrimson seconded the motion. The Board unanimously approved.

**NEW BUSINESS**

**Staff**

Bev McDaniel has accepted the part-time (20 hours per week) as the Licensing Specialist and it has been determined to still use temporary help until there is an authority to hire.

**Recruitment of new Board Members**

Barbara Agrimson and Edna Marr reported that Carrie Kuschnick and Lorraine Bevacque were both interested in being a Board member. They have sent letters of interest to the Governor's Office. There was some discussion on future recruitment being offered on the OBRT web site. Another suggestion by Matt Lang was to send flyers to the hospitals. Barbara Agrimson reports that this is already being done by the existing members.

**Administrative Streamlining and Performance Measures**

Linda Russell explained that the Performance Measures Annual report was due January 16, 2004 with the information posted to the web site. Mr. Miggins reported concern over the current Performance Measures, since there is no authority to change any of the measures. Mr. Stuteville gave thanks to Linda Russell for her hard work.

There is concern over the Information Technology (IT) database currently in place. Ms. Russell reported that Grant Moyle will provide another system by adapting the current database into his system. Mr. Moyle's program is currently being used by

most of the smaller licensing boards on the 4th floor. The proposal is inexpensive at \$5,000 to \$7,000. Jim Gores reported concern over the process of getting the new software. Two additional bids or proposals are needed. Funding can be discussed at the next Board meeting. Mr. Stuteville asked for any more comments, hearing none he made the motion to approve Sunset Micro Systems proposal and Hank Miggins seconded. The Board unanimously approved.

### **Limited Permit and Private Career School Site Inspection Report**

Ernest Wick reported that the forms are outdated. Some locations had ionizing machines and some did not. Some schools have admissions criteria and entrance examinations and some do not. He did comment that all of the schools met the current Board requirements. It is suggested that the schools be inspected on a regular basis by more than one Board member. It is felt that there is a lack of training in the classroom. Film badges were an issue as some of the schools did not know how to use them. All of the schools were very receptive to the needed changes. The limited permit schools are not notifying OBRT of new instructors, as required. Mr. Wick remarked that there is a big difference between the schools and the programs that are being offered. Mr. Stuteville is concerned about the school instructors. He was concerned with the loss of consistency and evaluation in the three schools that he visited. He feels that maybe some of the guidelines need to be changed. Mr. Lang would like to see a change in curriculum as well. Terry Lindsey suggested that Radiation Protection Services and OBRT collectively inspect the limited permit schools. He offered to send someone from his office to join a Board member or staff to do the school inspections. Mr. Miggins asked the questioned, are any of the schools that are lacking in standards compromising public safety? The answer was yes. Mr. Stuteville advised that OBRT does not need Legislative action to change this. It is felt that there needs to be some serious changes. Linda Russell suggested that it might be necessary to move the limited permit examinations from four times a year to six times a year. Mr. Miggins asked for a motion to prevent limited permits students from taking x-rays until they have taken their exams. Mr. Stuteville made the motion to restrict limited permits students from taking x-rays until they have taken the exams and Barbara Agrimson seconded the motion. The Board unanimously agreed.

### **Revision of the Limited Permit Examination (Fast Tracking)**

Linda Russell made a suggestion that the test questions be spread out among the Board members for their review. The Board members agreed and the questions were handed out as follows: Mr. Stuteville took Radiation Use and Safety; Edna Marr, Head and Abdomen; Barbara Agrimson took Bone Densitometry; Matt Lang took Spine, Chest & Ribs, Upper and Lower Extremities and Foot & Ankle; Ernest Wick took Foot & Ankle (Podiatry) and Chest/Ribs. Mr. Stuteville explained the importance of cross referencing their work.

## **OLD BUSINESS**

### **OBRT Move**

There is a need for more space. There has been an OSHA violation due to lack of space. The Board has a signed contract with DAS to move to the 11<sup>th</sup> floor. The rent is approximately \$400.00 more per month but their will be adequate space for growth. Due to the up coming increase in common space it average out to more like \$250.00 per month. The cost of the moving can be shared with another agency that is moving as well. The need for the move has been well documented. The move is scheduled for April 19, 2004. Mr. Gores feels that since there has been an OSHA violation that a move is very justified. Mr. Stuteville asks for any more comments. Hearing none he called for a break.

Public session was called back to order at 12:12 PM by Mr. Stuteville. He turned the floor over to AAG, Carol Parks. AAG Parks asked if the Board had requested an audit with the change of Executive Officer. Ms. Russell reported that Mr. Gores had told her that this would automatically be done by the Treasurer's Office. AAG Parks recommended changing the language for 337-001-000 by adding the word permanent after any and before rule as follows:

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

Mr. Stuteville made the motion and Mr. Wick seconded the motion and it was unanimously approved by the Board. AAG Parks advised the Board that if they want to expand the jurisdiction of the Board. She feels that the statute will have to be changed. Mr. Stuteville thanked AAG Parks and she was dismissed.

### **Results and Review of the Executive Officer (EO) Position Description**

Mr. Stuteville handed out the updated position description to the Board members and asked them to review. Members from the Board made their suggestions and revisions to the Position Description. All of the Board members were in agreement to the position description changes. Mr. Stuteville asked for a motion to accept the revised position description of the Executive Officer and Barbara Agrimson seconded the motion. Mr. Stuteville asked for any more discussion. Mr. Wick asked if there is a time limit on the recruitment. Mr. Miggins would like to open the recruitment in house for 10 days and if there is not a satisfactorily pool of applicants, then it can be opened even further.

### **Task Force Update**

Mr. Miggins reported the need to address the issues of the new OBRT Treasurer position, LEDS checks and the Legislative Concepts. On the LEDS checks issue, Mr. Stuteville reported that in other states they have mandatory LEDS checks with submission of fingerprinting as part of their application process. Mr. Gores confirmed

that with the other Boards it has become a standard practice. He would like to table it until the financial issues have all been resolved. Mr. Miggins raised a concern that there may not be enough monies for the next two Board meetings. Mr. Gores will be addressing this issue. Linda Russell reported that there is still learning and training curve in place that does affect the overall licensing timeline. Mr. Gores handed out the stats on the licensing turn around time. The report showed license turn around time can be delayed due to other agency staffing as well. Half of the time is spent at the Cashiers office. It was noted by the Board that the turn around time has improved.

### **Nuclear MED-PET Hybrid Update**

Terry Lindsey, RPS expressed concern with ORS 688.480 language needing to be modified. He reported that this could be done by committee. Training programs are in the process. Matt Lang agreed with Mr. Lindsey and would like to see the language changed. Ed Wright gave the Board an update on the new modality. The images are much improved with the dual modality. Mr. Wright proposed a dual qualification program for both. Mr. Miggins suggested forming a study committee. Two people at this point operate the machine until the changes can be made. This can take as much as 90 days or better. Terry Lindsey has volunteered to form a study committee and Linda Russell offered her assistance as well.

### **PUBLIC COMMENT**

Lorraine Bevacqua and Carrie Kuschnick expressed interest in being Board members. Interviews were conducted following adjournment of the Board meeting.

### **ADJOURNMENT**

Board 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 3:41 PM.

The next Board meeting is scheduled for April 9, 2004 in Room 445 of the Portland State Office Building.