

**OREGON BOARD OF MEDICAL IMAGING**  
BOARD MEETING, April 5, 2013  
Room 1-C, Portland State Office Building

**APPROVED MINUTES**

Board attendance: Thomas King (Chair), Frank Krause (Vice-Chair), Wayne Lemler, Shirlee Templeton, William McMillen, Kimberly Earp, Pamela Warren, Akshay Gupta. Also Margaret Lut, (RPS; advisory member), Rick Wendt (RPS; advisory member).

Others in attendance: Ed Conlow, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEADS Specialist; Carol Parks, Senior Assistant Attorney General; Catherine Hess, OBMI Investigator.

Call to order: 8:42 a.m. by board chair Thomas King.

Executive session: Thomas King convened the board in executive session pursuant to ORS 192.660(2)(k) at 8:33 a.m. Executive session adjourned at 12:20 p.m.

Convene public session: Chair Thomas King convened the board in public session at 1:07 p.m.

Approval of the previous meeting minutes

Approval of minutes from Board meeting of January 4, 2013: Moved by Earp; seconded by Krause. Approved unanimously, without amendment.

Ratification of licenses: Motion to ratify by Earp; second by Lemler. Approved unanimously.

1. Radiographer licenses: From 171414 through 171456
2. Nuclear medicine licenses: 500245
3. MRI licenses: From 400459 through 400471
4. Sonography licenses: From 601010 through 601024
5. Limited x-ray machine operator permits: From 4079 through 4084
6. All temporary initial medical imaging modality licenses and permits: From 50071 through 51023.

Committee updates: There was discussion among CE committee members expressing concern that courses are often recycled from year to year and not changed. Kim suggested that we might revise the CE course submission form to determine if a course is the same as previously offered and, if so, then have the form require an indication of what has changed from the previous course offering. Kim said she would look at the form again and try to revise it and send it back to the CE committee to consider.

**Investigation Cases:**

Case 12-09-15: Motion is to close the case with no action. Motion by Krause; second by Earp. Approved unanimously.

Case 13-02-01: No final action taken; this case will be held-over until the next Board meeting.

Case 13-02-02: Motion is to close the case with no action. Motion by Krause; second by McMillen. Approved unanimously.

Case 13-01-04: No final action taken; this case will be held-over until the next Board meeting.

Case 13-02-03: Motion is to issue a \$500 fine under ORS 688.525(1)g. Motion by Krause; second by McMillen. Adopted unanimously.

Case 13-03-03: Motion is to close the case with no action. Motion by Krause; second by Lemler. Approved unanimously.

Case 12-12-07: Motion is to send a letter of concern to the licensee. Motion by Krause; second by Earp. Approved unanimously.

Case 12-11-04: Motion is to close the case with no action. Motion by Krause; second by McMillen. Approved unanimously.

Case 13-02-02A: Motion is to close the case with no action. Motion by Krause; second by Earp. Approved unanimously.

Case 12-06-09: Motion is to amend the notice to clarify the authority of the board to discipline the licensee. Motion by Krause; second by McMillen.

Case 12-12-02: In the case of a violation of a board order under OAR 337-030-0002(12), the civil penalty is \$1,000 in accordance with OAR 337-030-0010(3)c, for unprofessional conduct (violation of a board order). Motion by Krause; second by McMillen.

### **Old Business:**

Update on budget process: Ed Conlow reported no new action on the agency's proposed budget for the 2013-15 biennium, since the last report at the January 4 Board meeting. The Governor accepted the agency's proposed budget and we are waiting for the Legislature to complete their budget work later in the 2013 session.

Update on legislative concept: Ed Conlow noted that the OBMI's legislation for 2013, HB 2104, was amended and passed the House 59-0, and is currently referred to the Senate Health Care and Human Services Committee. An amendment to HB 2104 was developed in consultation with OHSU and RPS, to provide an exemption for research and educational purposes. He also noted that OBMI worked on corrective amendments that were adopted to SB 420 and HB 2037.

He also mentioned SB 604 requiring credentialing for health professionals. He said the OBMI is watching this bill closely, because it seems to create a parallel and duplicative data collection process to what the licensure boards are already doing. The process it creates would be useless for medical imaging licensees, because practice privileges are not applicable to medical imaging. He said he is not sure if this bill is going to pass or not; OBMI is just keeping an eye on it, at this time.

Frank Krause pointed out that New Mexico recently passed SB 342 with specific language to allow nurses to use ultrasound for point-of-care guidance and assessment procedures while prohibiting nurses from performing diagnostic medical sonography. He said this is something that we might be able to use later to refine Oregon law.

Rulemaking to Update the Limited X-Ray Instructor Guidelines Document: Ed Conlow explained the comments that were received:

- Pioneer Pacific College (PPC) expressed concern that schools would be required to arrange clinical extern sites for students, and they proposed alternative language to require the schools to evaluate clinical competency during externships. The Board approved PPC's alternative language in place of the requirement that schools arrange clinical sites.
- Tim Sellers of Portland School of Radiography commented that the last page of the document, which is not really a part of the instructor guide but rather an instruction sheet on how to obtain a permanent limited permit. Ed Conlow said that he could make some corrective edits to this page to try to address Tim Sellers' concerns.
- Barbara Smith of Portland Community College indicated that she opposes new language in the proposed guideline document specifying that doctors are qualified to provide instruction regarding operation of the equipment. Board discussion suggested that chiropractors already obtain specific training in the operation of the equipment, and that authorizing chiropractors to provide instruction is consistent with Radiation Protection Services rules relating to training of chiropractors. Consequently, the Board approved amending this part of the guidelines document to allow chiropractors to provide instruction in the operation of the equipment.

The motion to approve the final changes to the guidelines document (as discussed above) was offered by Earp; second by Warren; approved unanimously.

### **New business:**

- a) Provision for reinstatement of limited permit holders who have allowed their permits to expire for a substantial period of time:  
Motion by Earp, second by Lemler, to initiate rulemaking to say that, if a limited permit holder allows the permit to be expired for a period in excess of 24 consecutive months, then they have to go back to school, complete the education program, pass the ARRT limited exam, complete practicals, the same as a first-time limited permit applicant.
- b) Provision for approved school graduates to apply for a temporary license:  
Motion by Krause; second by Earp, to begin rulemaking related to candidates for full licensure -- specify that a person who graduates from an imaging school must apply for a temporary license within 24 months following completion of school requirements.  
Approved unanimously.

Provisional licensure: The Board discussed the possibility of establishing a provisional license for current licensees who seek an additional license and need to obtain clinical experience that the national registries require as a prerequisite to sit for a credentialing examination. After Board discussion, Carol Parks indicated that she wants to check to make sure that provisional licensure can be accommodated within the Board's statute. Consequently, the Board deferred this item until the July Board meeting.

**Public Comment:**

Randy Harp, Oregon Society of Radiologic Technologists, Allied Medical X-Ray Institute: Mr. Harp made a statement in conjunction with Barbara Smith of PCC regarding the qualifications of equipment instructors. He said it is not in the best interest of the public to have teachers who have not been trained themselves in the operation of the equipment.

Also, Randy Harp indicated that he is the Oregon representative for the national coalition to pass the national CARE bill in Congress, to establish federal minimum standards for people that take x-rays. He gave the Board an update on current efforts to lobby the CARE bill through Congress, and he thanked the Board for the letter of support that was signed by the Board Chair.

Monica Quintero-DeVlaeminck, Pioneer Pacific College, Wilsonville: She expressed appreciation to the Board for accepting PPC's amendment to the limited instructor guidelines document.

**Meeting Adjourned:** at 2:24 pm.