

OREGON BOARD OF MEDICAL IMAGING

APPROVED MINUTES – JULY 28, 2011 SPECIAL BOARD MEETING

Room 445, Portland State Office Building

Public session: Called to order at 12:05 pm

Voting member attendance: Thomas King (in person); Others by phone: Earp, Farthing, Lemler, McMillen, Purnell, Templeton, Warren.

Others in attendance: Carol Parks, Senior Assistant Attorney General (by phone); Margaret Lut, Radiation Protection Services (RPS), OBMI Advisory Member; David Howe, RPS, OBMI Advisory Member; Catherine Hess, RPS.

Chair King opened a discussion of the proposed rules. He recognized RPS regarding the rule. Margaret Lut indicated that the proposed rule change would be in conflict with RPS rules, so the board would need to work with RPS on the rule change and RPS would have to bring the rule before RPS' advisory committee, before a rule change could be made. There is a definition of "operator" in RPS rules, in 333-106-0005(70), including physical positioning of the patient which would include moving the table. So this is covering the same ground as the OBMI rule change.

David Howe noted another consideration for RPS is the level of radiation safety training that a person moving the table would have. Thomas King noted that RCES persons have minimal radiation safety training, but that he understands RCIS persons to have sufficient training. David Howe indicated that RPS is not familiar with the RCIS and RCES training requirements and would need to review them. Kim Earp asked how the RPS rules work with the NRC agreement. Kim asked David that, since Oregon is an NRC agreement state, how is it that other states are using these professionals while many of them are also NRC agreement states? David indicated that he is not aware that NRC has jurisdiction over this type of procedure. In request to a question from Shirlee, David indicated that our first interest is to avoid conflict between RPS and OBMI rules, and then to explore having both rules complement and support one another. Margaret indicated that we would need to explore these credentials that we are talking about today and see if these individuals could be fitted into the rules.

Thomas King indicated that he thinks that the rules as proposed are problematic because they may conflict with RPS rules, and also that we've had notable comments about radiation safety considerations. We've had comments to the effect that there is a fluoroscopy test that ARRT administers that they could successfully pass, similar to what California did – they did a fluoroscopy permit. Thomas King reiterated that our first and foremost requirement is to protect the public from exposure.

Thomas King proposed to not adopt any rule change at this time. He proposed discussing a joint rulemaking process with RPS to get it right. David Howe asks – should persons involved in positioning have some minimal level of training, even though they are under the direct supervision of a supervising physician?

Thomas King motion: Not adopt any changes to the current rule at this time. Second by Kim Earp. Roll call vote – passed unanimously.

Executive Session: Board went into executive session at 12:26 pm, and reconvened the public session at 12:47 pm.

Motion by Thomas King; second by Kim Earp: Motion to cease issuing any provisional licenses until further notice, and direct staff to remove provisional license information from the website, and that board members working with staff will put a statement on the website to notify the public concerning provisional licenses, and that the Board will work with the Legislature to make suitable adjustments to the statute as soon as possible. Passed 8-0.

Public Comment: Barb Smith discussed the proposed administrative rules and then reviewed and reiterated the comments that she had submitted regarding the proposed administrative rules. She said she is opposed to RCES being allowed to move the table because RCES has no radiation safety training in their curriculum.

Adjourned at 12:51 pm.