

# Oregon Board of Radiologic Technology (OBRT) Quarterly Board Meeting January 8<sup>th</sup>, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1A Portland, Oregon 97232

## ATTENDANCE

**Members and Staff:** Thomas King, LRT, Board Chair; Frank Erickson, MD, Vice Chair; Kimberly Earp, LRT, LRTT; Shirlee Templeton, Professional Imaging Member; Pat Williams, LRT, RPA; Terry Lindsey, RPS (Advisory Member); Margaret Lut, RPS (Advisory Member); Linda Russell, Executive Director; Sarah Anderson, Admin. Licensing Specialist; Vincent Mandina, Admin. LEDS Specialist

**Members Absent:** Frank Krause, Public Member.

**Also Present:** Carol Parks (Senior Asst. Attorney General); John Terpening, Legislative Fiscal Office; Brock Price, OHSU; Virginia Vanderford, PCC, Peter Chin, Providence Health and Services; Joyce Cyr, OHSU; Dusty Beydor, OHSU;

## EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1)(K). Chair Thomas King called the meeting to order at 8:58 AM in Conference Room 1A, Portland State Office Building (PSOB), to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175.

## PUBLIC SESSION – CALL TO ORDER

Chair Thomas King called the Public Session to order at 12:10 PM and welcomed those present from the general public. Thomas implemented a requirement for a minimum dress code for board members attending quarterly meetings; he wants the board to portray a professional environment to our licensees and the general public.

## APPROVAL OF MINUTES

Chair Thomas King asked if there were any additions or corrections to the October 09, 2009 Board meeting minutes. Kim Earp made a motion to approve the minutes with minor clerical changes; seconded by Frank Erickson; vote unanimous.

## RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued between 9/28/09 and 12/11/09: Permanent Initial Radiologic Technologist licenses 107547 to 107680; Permanent Limited Permit Holder licenses 3872 to 3881; Temporary Initial Radiologic Technologist licenses, Temporary Initial Radiation Therapist licenses and Temporary Initial Limited Permit licenses L04407 to L04532 (Motion made by Kimberly Earp; seconded by Frank Erickson; vote was unanimous).

## INVESTIGATION CASES

Frank Erickson read the investigative case roster:

**08-10-07** Licensee did not appear before the board. (Motion made by Kim Earp to approve the Final Order; seconded by Pat Williams; vote unanimous)

**09-04-06** Licensee did not appear before the board. No action taken.

**09-11-01** Licensee appeared before the board. No action taken. The Board decided to table any action pending receipt of testimony from an additional witness.

**09-12-02** Licensee appeared before the Board. Motion was to approve licensure. (Motion made by Kim Earp; seconded by Pat Williams; vote unanimous).

The following cases involved practicing without a license; Applicants and licensees signed a Consent Order and paid the appropriate Civil Penalty. Motion to approve made by Kim Earp; seconded by Pat Williams; vote unanimous:

**09-10-01** **09-10-02** **09-10-03** **09-11-02** **09-11-03** **09-11-04** **09-12-01**

Probationary Case No. **08-10-03** the Board's decision was to close the case. Motion made by Kim Earp; seconded by Pat Williams; vote unanimous.

No action was taken by the Board on the following monitored probationary cases:

**07-02-01** **08-01-01** **08-09-03**

## COMMITTEE UPDATES

Kim Earp, Chair of the Continued Education (CE) Committee shared that there were no pending CE requests or updates to give at this time. Frank Erickson, Chairman of the Legal Committee updated the Board that Oregon Administrative Rules (OAR) Advisory Committee was now on Version 6 in their attempt to draft proposed language to revise the rules. Frank shared that there was a discussion of adding Registered Radiologist Assistants and Radiology Practition Assistants to the rules; language is still under discussion. An additional topic discussed by the OAR Advisory Committee was adding an Autopsy Technologist as a separate category; but they could not create it because it is not listed in the definitions; and they are not directly related to the Board's mission to protect living patients. Board Chair King added, "Due to the growing need for forensic studies, radiation protection for everyone that comes in contact with that type of medical imaging is going to need to be addressed sometime in the near future". Reporting on "Limited Permit – School Inspections" was committee Chair Pat Williams. Pat reported that Board Chair King accompanied her on an inspection recently at Pioneer Pacific College in Wilsonville. They were both impressed with how very well organized the Medical Imaging Department was and that the feedback from the students was very positive. Nothing was out of order and all of the equipment licenses were properly licensed. They suggested that the school might want to offer more Computerized Radiology (CR). A school inspection schedule is being compiled so that there is an exact date and time when a school can expect to have an inspection. The targeted goal is at least one inspection per quarter.

## **EXECUTIVE DIRECTOR UPDATE**

Executive Director Linda Russell reported to the board that she received a formal letter advising her she and the other directors work directly under the Governor's office and then their Boards. Linda also shared that the "Health Related Professional Licensing Boards" will soon have an independent body auditing their investigative files to oversee equality and timeliness for all investigative cases. The 2009-2011 legislative approved budget was discussed in great length. The amount approved by the legislature was \$615,094.00. Linda stated, "Not all of our packages were approved. We did receive a \$1.00 a month increase in licensing fees which will help some. Our biggest challenge might be when we take on licensing new medical modalities in July. We are hoping that this expansion won't use up more of our resources than expected." The board voted on the 2009-2011 Legislative Approved Budget (LAB). Kim Earp made a motion to approve the budget; Pat Williams seconded and the vote was unanimous. Linda officially introduced her new employee Vincent Mandina to the board. She stated, "Vincent is the new Administrative LEADS Specialist. Vincent comes with a LEADS Certification and licensing background from another state agency. He also has experience in the use of the Oregon Justice Information Network (OJIN) in retrieving court documents, which is very useful in performing background checks". Linda shared with the board that Sarah Anderson was in the process of obtaining her LEADS certification and was confident that she would soon easily complete her certification. Lastly, Linda formally introduced John Terpening to the public and stated, "John is our Board's Legislative Fiscal Officer from Salem and played a huge part in helping me work through our 2009-2011 budget packages reported to Ways and Means last session.

## **NEW BUSINESS**

Chair King opened new discussion on the topic of, "Patient Holding and Reducing Exposure to Pediatric Patients". Paula Shultz, MD Pediatric Radiologist from St. Charles Medical Center in Bend, Oregon was to speak on this matter, but she was not present. Chair King opened the discussion in Dr. Shultz's absence. Chair King opening was that Radiation Protective Services (RPS) has rules that are very clear that say occupational workers are "not" to hold patients during an exam. This issue has become a topic of discussion because it has been mentioned to Board members that holding during exams has been taking place. After lengthy discussion it was suggested by Chair King that maybe letters should be sent out to those facilities sited for holding to remind them that was clearly unsafe and is totally against RPS rules.

## **PUBLIC COMMENT & ADJOURNMENT**

Board Chair Thomas King asked if there was any other business or public comment. Brock Price, Assistant Director of Diagnostic Imaging Services addressed the Board on the PET/CT project Portland Community College and Oregon Health Sciences Center are working on together. In closing, Chair King thanked everyone for coming and the meeting was adjourned at 4:18 PM.

The next Board meeting is scheduled for April 23rd, 2010 at 8:30 AM in Conference Room 1B at the Portland State Office Building.

# Oregon Board of Radiologic Technology (OBRT) Quarterly Board Meeting

## April 23<sup>rd</sup>, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1B Portland, Oregon 97232

### ATTENDANCE

**Members and Staff:** Thomas King, LRT, Board Chair; Frank Erickson, MD, Vice Chair; Shirlee Templeton, Professional Imaging Member; Pat Williams, LRT, RPA; Frank Krause, Public Member; Margaret Lut, RPS Advisory Member; Linda Russell, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEDES Specialist.

**Members Absent:** Kimberly Earp, LRT, LRTT; Terry Lindsey, Advisory Member, RPS Manager.

**Also Present:** Carol Parks, Senior Assistant Attorney General; Vickie Wilson, Investigator for the Oregon Medical Board; Steve Crawford, RPS Health Physicist.

### EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1)(K). Chair Thomas King called the meeting to order at 8:35 AM in Conference Room 1B, Portland State Office Building (PSOB), to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175. Chair King welcomed Vickie Wilson, Investigator for the Oregon Medical Board and introduced her to the other Board members. Chair King called the Board back into Executive Session at 3:00 PM for the investigation on case 10-03-03. The Executive Session was adjourned at 3:41 PM.

### PUBLIC SESSION – CALL TO ORDER

Chair Thomas King called the Public Session to order at 1:30 PM. No one was present from the public. The Board had to go back into Executive Session for Case 10-03-03 and Chair King called the meeting back into Public Session for a second time at 3:42 PM.

### APPROVAL OF MINUTES

Chair Thomas King asked if there were any additions or corrections to the January 8, 2010 Board meeting minutes. Frank Erickson made a motion to approve the minutes; seconded by Pat Williams; vote unanimous.

### RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued between 12/12/09 and 3/31/10: Permanent Initial Radiologic Technologist licenses 107681 to 107791; Permanent Limited Permit Holder licenses 3882 to 3900; Temporary Initial Radiologic Technologist licenses, Temporary Initial Radiation Therapist licenses and Temporary Initial Limited Permit licenses L04523 to L04623 (Motion made by Frank Erickson; seconded by Pat Williams; vote was unanimous).

## INVESTIGATION CASES

Thomas King read the investigative case roster:

**08-10-07** The Board signed a Final Order on January 27, 2010 upholding the decision of Attorney Law Judge Barber on the contested case. Licensee failed to submit the \$1,500.00 Civil Penalty assessed in the Final Order within 30 days. (Motion made by Frank Erickson to refer civil penalties to the Oregon Dept. of Revenue; seconded by Frank Krause; vote unanimous)

**10-01-02** Licensee appeared before the Board. No disciplinary action was taken. Motion was to close the case. (Motion made by Frank Erickson; seconded by Pat Williams; vote unanimous.)

**10-01-04** Licensee appeared before the Board. The Board decision was to issue a Stipulated Agreement and Final Order and Assess a \$1,000.00 Civil Penalty. Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

**10-01-05** Licensee appeared before the Board. The Board decision was to issue a Stipulated Agreement and Final Order and Assess a \$500.00 Civil Penalty. Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

**10-02-01** Licensee appeared before the Board. Motion made by Frank Erickson to grant licensure; seconded by Frank Krause; vote unanimous.)

**10-02-06** Licensee appeared before the Board. The Board decision was to issue a Stipulated Agreement and Final Order and Assess a \$1,500.00 Civil Penalty. Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

**10-02-03** Licensee appeared before the Board. Motion made by Frank Erickson to grant licensure; seconded by Frank Krause; vote unanimous.)

**10-02-08, 10-02-06A and 10-02-07** Request was made to the Board by the Attorney representing these cases to set their subpoenaed appearance, before the Board, over to the July 9, 2010 Board meeting.

**10-03-01** Licensee appeared before the Board and the decision was made to approve the license renewal and issue a letter of warning requesting completion of required program and test record(s). (Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

**10-03-02** Case was set over for the July 9, 2010 Board Meeting as the licensee undergone surgeries and was in the hospital recovering.

**10-03-03** Facility owner appeared before the Board provided testimony and answered questions. The case decision was tabled until the July 9, 2010 Board meeting in order for the owner to provide additional documentation pertinent to the case.

**09-11-01** In January the licensee appeared and no action was taken so that an additional for further investigation. After review of the new evidence, the Board decided that the allegations were not substantiated and the case was closed. (Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

**09-04-06** The Board had received a complaint from the licensee's past employer. Allegations could not be substantiated and the Board's decision was to close the case. (Motion made by Frank Erickson; seconded by Frank Krause; vote unanimous.)

The following cases involved practicing without a license; Applicants and licensees signed a Consent Order and paid the appropriate Civil Penalty.

**10-01-01** **10-01-03** **10-02-02** **10-02-04** **10-02-05** **10-03-10**

Probationary case **08-01-01** appeared before the Board as outlined in the Stipulated Agreement and Final Order. The Board consensus was to close the case early due to the licensee's professionalism throughout the probation. Motion made by Frank Erickson to close the case; seconded by Pat Williams; vote unanimous.

The Board on the following monitored probationary cases took no action:  
All probationary cases listed below are in currently in compliance.

**07-02-01** **08-09-03** **09-06-01**

### **COMMITTEE UPDATES**

Due to the extensive number of investigative cases brought before the Board there were no updates given by the committee chairs.

### **EXECUTIVE DIRECTOR UPDATE**

Linda Russell, Executive Director acknowledged that the OAR Committee were working diligently to develop the final language needed to implement HB 2245 and other statutory changes approved in the 2009 Session. Ms. Russell advised the Board that during conversations with Tamara Brickman it was likely that the Board would need to go to the September Emergency Board – Ways and Means to increase the limitation authorized for the 2009-2011 Biennium. She mentioned that it might be necessary to ask for another fee increase if the revenue projections for the new licenising modalities are less than estimated.

### **NEW BUSINESS**

Chair King asked the Board members if there were any New Business topics to be discussed. None of the members had any New Business to discuss.

### **PUBLIC COMMENT & ADJOURNMENT**

There were no public comments. In closing, Chair King thanked everyone for coming and the meeting was adjourned at 3:54 PM.

The next Board meeting is scheduled for July 9, 2010 at 8:30 AM in Conference Room 1A at the Portland State Office Building.

# Oregon Board of Radiologic Technology (OBRT) Special OAR Rules Public Meeting May 17<sup>th</sup>, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1A Portland, Oregon 97232

## ATTENDANCE

**Members and Staff:** Frank Erickson, MD, OAR Rules Hearing Officer; Margaret Lut, RPS Advisory Member; Linda Russell, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEDS Specialist. Kim Earp, LRT, LRTT.

**Also Present:** Carol Parks, Senior Assistant Attorney General.

## EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

There was no Executive Session held at this meeting.

## PUBLIC TESTIMONY SESSION – CALL TO ORDER

OAR Rules Hearing Officer and OBRT Vice Chair called the Public Meeting Testimony Session to order at 10:30 AM. Frank Erickson stated, “The purpose of this meeting was to provide the general public the opportunity to comment on the proposed rule making concerning newly adopted Administrative Rules Chapter 337 under Divisions 1, 10, 20, 21, and 30.” OAR Chair Erickson also stated, “Additional proposed rule changes will also change the name of the Oregon Board of Radiologic Technology (OBRT) to the Oregon Board of Medical Imaging (OBMI). Other changes to the rules include fees or composition, fingerprint cards, or background requirements, and further clarification of existing modalities, a national title change for the Limited Permit holders to Limited X-Ray Machine Operators (LXMO). These rules assist in implementation of statutory changes made by House Bill 2245 that were approved during the 2009 legislative session. These changes include regulatory oversights, along with three additional modalities which are diagnostic medical sonography, magnetic resonance Imaging, and nuclear medicine technology. There will be no responses to questions that are made at this meeting.

Each person wishing to comment orally at this hearing needs to complete an Oral Comment Registration Card and place it in the basket at the information table. Those forms will be used to call each person wishing to testify. It is your turn when I call your name. When I call you forward, you will be asked to state your name; spell your last name; and for the record state your modality and where you’re from. If you represent an Oregon station please state that name. You can then present your comments. If you have written testimony to enter into the record, please state so and summarize it. Please do not read your entire statement or testimony. Your written testimony will be part of the record, and it will be reviewed and considered by Board members. If a copy of your materials has not already been submitted to Linda Russell, please leave a copy for her. Linda Russell is the Executive Director and Rules Coordinator for the Board. Copies of the proposed OAR’s are available at the door if you don’t already have a copy. We are now going to begin hearing your comments in about five minutes. If you haven’t already filled out an oral comment card if you wish to testify, the break will give you an opportunity to do so.” Frank also asked, “Are there any questions about how the hearing would be conducted?” No one present from the public had any questions. The meeting was then adjourned for a break.

## PUBLIC COMMENT & ADJOURNMENT

The meeting was reconvened at 10:37 AM. The public was told that their comments were being digitally recorded to maintain a permanent record of these proceedings. Hearing Officer Chair Frank Erickson reintroduced himself. Officer Erickson stated again, "The Board will review issues raised during the public comment period and the hearings officer report will contain those responses. Comments from today's hearing will be reviewed and considered by the Board along with written comments received by 5:00 PM May 31<sup>st</sup>, 2010. Comments should be addressed to Linda Russell, Executive Director, 800 NE Oregon Street – Suite 1160A, Portland, OR 97232. Comments received after May 31<sup>st</sup>, 2010 will not be reviewed or considered by the Board, unless the Board decides to extend the Public Comment Period for everyone. The purpose of this Public Meeting is to allow people the opportunity to provide testimony to the Board pertaining to the proposed rules changes. Before I start taking comment, is there anyone else that wants to sign up to make a statement?" There were no more additional proposed comments offered. Frank said, "Ok, I will start taking comment now."

For Public Record, all those present at the Public Rules Meeting audience besides members, staff, Carol Parks, Senior Assistant Attorney General were as follows: Erie Grier; Bobbi Guzman; Janet Roshak; Robert McDonald; Darryn Matsushima; Aaron Carroll; Peter Chin; Becky Anderson; Ross Bronwen; Vickie Mettler, Del Shepard; J.H. Batten; Monica Quintero-DeVlaeminck; Brock Price; Randy Harp; Randy Lawson.

The first Public Comment came from Randy Lawson, Ultrasound Technologist from Legacy Meridian Park Hospital. Randy stated that he had never been to one of these kinds of meetings before, and that he was presenting questions that they had at their facility. Randy asked, "What is the State of Oregon going to do differently than the (American Registry of Diagnostic Registered Sonographers (ARDMS) already does, which seem to control all of our licensing very well? Randy's second question was what is the State going to do to stop non-licensed Ultrasound Techs that are from the small facilities, and will there be additional fees for someone that has a radiology license and an ultrasound license?"

Second to present public comment was Randy Harp. Randy introduced himself and stated shared that he was a Radiologic Technologist for 30 years. Randy also stated, "I have been an instructor at Allied Medical X-Ray Institute for the last 20 years. I have a Bachelors degree from the Oregon Institute of Technology. I am here to support the Oregon Board of Radiologic Technology's (OBRT) work. They've done I think, an excellent job of researching and checking into things. Some things I would like some testimony on are; I do support a Radiation Use and Safety test prior to students ionizing patients. I think this is a good public safety thing to do. We do it for driving cars. We have to get a permit, pass a test and show knowledge. It only makes sense on the public safety side to that for anyone that would ionize the public. That should be for any type of student. So I am in support of that position. I do have question on the positioning modules. Generally after a student finishes their course, they have a one year to finish their peer review which is the check off of the views they need to do. Since my programs are in southern, eastern, and the middle Oregon; my students generally come from rural settings where may only do ten x-rays a week.

The examination process which requires them to do the core first. I think that's reasonable to give them enough time to pass that. I think that generally takes a couple of months after training. I make them go through another program too prior to taking the Board. That gives them three months to get the core passed. Then to only be able to do positioning only gives them nine months to get their views done. This kind of restricts the rural setting.

I think it going to cut back on people being able to get their views. I know that we can do a waiver process for the views they don't normally do in a year. But I am concerned that we won't be able to see enough x-rays from these folks to able to know that they are clinically and adaptively qualified to take the x-rays. So I want to provide them with an entire year to get those views done so I can really analyze when I have them come in to get checked off because I don't want to waiver them. Wavering them is a demonstration that they know how to do the view but they don't have to provide proof of that. I really like to see the proof in front of me before I check a person off. So I don't want to see a lot of wavering going on, and I've seen that just happen. That is my only fall back on that. But the radiation use and safety course up front; I'm all for that and I think it's a great idea - I support that. That's all I have to say. I don't have a written testimony. My oral testimony will have to do.

Next to testify was Monica Quintero-DeVlaeminck. Monica is a Radiologic Technologist and the Director of Limited X-Ray program at Pioneer Pacific College. Monica stated, "I am here on behalf of the Limited X-Ray Machine Operators. Two of my concerns are the raise of the fees for the Limited X-Ray Machine Operators (LXMO) due to the fact that when they do get a job that the hourly wage is very low – sometimes just \$10.00 an hour. And due to that would create more of a damper with these constant increases in fees for them. And the other one is also; I do agree with Mr. Randy Harp to taking a test prior to making application, but my other concern on their behalf for the students is the cost. Living as a student is very costly – barely making enough to live. For them to have to take test that takes lots of money from them and puts a burden on them. Can we see if there is something we can do?"

The last testimony came from Bobbi Guzman. Bobbi is a Radiologic Technologist (RT) and is current working with the Oregon Society Radiologic Technologist (OSRT) as the Secretary Treasurer and is also an Instructional Aide for the Diagnostic Program at Linn-Benton Community College. Bobbi stated, "My concerns or comments today are in regards that students being required to obtain a license before they are begin imaging patients. I agree with Randy Harp that there should be some kind of Radiation Use & Safety exam. If it is our job as Oregon Board of Radiologic Technologist (OBRT) and the Oregon Society of Radiologic Technologist (OSRT) to protect our patients and to make sure that the people administrating the radiation filters are aware of the effects radiation have on our patients, and that they are trying to keep that amount of radiation at the lowest amount possible. I also have some concern about the cost of not only the student's license but also the test that may be required. I understand that OBRT has worked to reduce that costs prior to even putting this into effect, so I appreciate and acknowledge that. I also think too, that sometimes unfortunately you have to make some kind of sacrifices. Those are my comments.

In closing, OAR Rules Hearing Officer Frank Erickson asked if there were any other people wanting to comment? No one else wanted to comment. In closing Frank said that I he wanted to thank everyone that came and wanted to comment.

The meeting was adjourned at 10:53 AM.

# Oregon Board of Medical Imaging (OBMI) Quarterly Board Meeting

## July 9<sup>th</sup>, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1A Portland, Oregon 97232

### ATTENDANCE

**Members and Staff:** Thomas King, Board Chair, Radiography Member; Frank Erickson MD, Radiologist, Vice Chair, Physician Member; David Farthing MD, Radiologist, Physician Member; Jacob Abraham MD, Cardiologist, Physician Member (Jacob Abraham attended the Board Meeting by phone); Frank Krause, Sonography Member; Kimberly Earp, Radiation Therapy Member; Shirlee Templeton, Nuclear Medicine Technology Member; AKM Shaestagir Chowdhury, PhD, Public Member; Terry Lindsay, RPS Section Manager, Advisory Member; Margaret Lut, RPS Advisory Member; Linda Russell, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEADS Specialist.

**Members Absent:** None

**Also Present:** Carol Parks, Senior Assistant Attorney General, Steve Crawford, RPS Health Physicist

### EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1) (k). Chair Thomas King called the meeting to order at 8:43 AM in Conference Room 1A, Portland State Office Building (PSOB), to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175. The Executive Session was adjourned at 4:05 PM.

### PUBLIC SESSION – CALL TO ORDER

Chair Thomas King called the Public Session to order at 4:05 PM. No one was present from the public.

### APPROVAL OF MINUTES

The April 23, 2010 Board meeting minutes were not complete and will be reviewed for approval at the October 8, 2010 meeting.

### RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued between 4/1/10 and 6/25/10: Permanent Initial Radiologic Technologist licenses 107792 to 107840; Permanent Limited Permit Holder licenses 3901 to 3916; Temporary Initial Radiologic Technologist licenses, Temporary Initial Radiation Therapist licenses and Temporary Initial Limited Permit licenses L04624 to L04706 (Motion made by Frank Erickson; seconded by David Farthing; vote was unanimous).

### INVESTIGATION CASES

Frank Erickson read the investigative case roster:

**10-02-06A** Licensee appeared before the board as requested. The allegations were not substantiated so no action was taken. Board voted to close the case. (Motion made by Frank Erickson; seconded by David Farthing; vote unanimous)

**10-02-07** Licensee appeared before the board as requested. The allegations were not substantiated so no action was taken. Board voted to close the case. (Motion made by Frank Erickson; seconded by David Farthing; vote unanimous)

**10-02-08** Licensee appeared before the Board. The Board voted to issue a Stipulated Agreement and Final Order and assess a \$1000.00 Civil Penalty; Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-03-02** Licensee is still hospitalized and receiving physical therapy. Licensee is due to be released from the Veterans hospital at the end of August 2010. The Board made the decision to set the case over to October 8, 2010 Board Meeting and issue a letter for licensee to appear.

**10-03-03** Additional investigative materials were reviewed by the Board and they voted to issue a Stipulated Agreement & Final Order and assess a \$2000.00 Civil Penalty with \$1000.00 waived due to the mitigating factor that the clinic was no longer in business. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-03-09** Licensee did not appear as requested 3/26/2010 resulting in no action taken by the Board. The Board made the decision to set the case over to October 8, 2010 Board Meeting and to issue a letter for licensee to appear.

**10-04-01** Licensee appeared before the Board as requested alcohol related criminal history in order to have his license renewal approved. Board voted to approve renewal and issue letter of warning to conduct himself in a professional manner by not violating Oregon laws. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-04-02** Applicant appeared before the Board to address past criminal history for to grant a Temporary Limited X-ray Machine Operator (LXMO) Permit. The Board voted to approve LXMO permit and issue a letter reminding the permittee to conduct himself in a professional manner. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-05-02** Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging unprofessional conduct. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-05-04** Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging workplace harassment and violation of employer's code of conduct. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-05-05** Licensee appeared before the Board resulting from a formal complaint and termination by the employer alleging a violation of employer's code of conduct, university policy and unauthorized access of protected patient information. The Board subpoenaed records. The allegations were not substantiated and the Board voted to take no action against the licensee's licensure. (Motion made by Frank Erickson, seconded by David Farthing; vote unanimous.)

**10-05-09** Applicant appeared before the Board as requested to address multiple arrests for theft and forgery disclosed with the temporary LXMO permit application. The applicant provided the Board with rehabilitation records and letters of recommendation for consideration of issuing her a permit. The Board voted to approve the LXMO permit licensure. (Motion made by Frank Erickson to approve licensure; seconded by David Farthing; vote unanimous.)

**10-05-10** Applicant appeared before the Board as requested to address why he failed to disclose past arrest and conviction records on the temporary LXMO permit application. The Board voted to approve licensure and issue a Stimulated Agreement & Final Order accessing a \$100.00 Civil Penalty. (Motion was made by Frank Erickson; seconded by David Farthing; vote unanimous.)

The following cases involved practicing without a license; Applicants and licensees signed a Consent Order and paid the appropriate Civil Penalty. Board voted to close the following cases. Motion was made by Frank Erickson to ratify these cases; seconded by David Farthing; vote unanimous.

**10-05-01**    **10-05-03**    **10-05-06**    **10-05-07**    **10-05-08**

The Board on the following monitored probationary cases took no action: All probationary cases listed below are in currently in compliance.

**07-02-01**    **08-09-03**    **09-06-01**    **09-09-06**

**COMMITTEE UPDATES**

Due to the extensive number of investigative cases brought before the Board there were no updates given by the committee chairs.

**EXECUTIVE DIRECTOR UPDATE**

Due to the extensive number of investigative cases brought before the Board there were no updates given by the Executive Director.

**NEW BUSINESS**

Due to the extensive number of investigative cases brought before the Board there was no new business discussed.

**PUBLIC COMMENT & ADJOURNMENT**

There were no public comments. Chair King thanked Frank Erickson for all of the work he has done while serving as the Board's Vice Chair. He also thanked everyone else for coming and the meeting was adjourned at 4:10 PM.

The next Board meeting is scheduled for October 8, 2010 at 8:30 AM in Conference Room 1A at the Portland State Office Building.

# Oregon Board of Medical Imaging (OBMI) Quarterly Board Meeting

## October 8<sup>th</sup>, 2010 MINUTES

State Office Building 800 NE Oregon Street, Room 1A Portland, Oregon 97232

### ATTENDANCE

**Members and Staff:** Thomas King, Board Chair, Radiography Member; Frank Krause, Vice Chair, Sonography Member; Frank Erickson MD, Radiologist, Physician Member; David Farthing MD, Radiologist, Physician Member; Jacob Abraham MD, Cardiologist, Physician Member; Kimberly Earp, Radiation Therapy Member; Shirlee Templeton, Nuclear Medicine Technology Member; Shaestagir Chowdhury, PhD, Public Member; William Purnell MD, Radiologist member, Terry Lindsay, RPS Section Manager, Advisory Member; Margaret Lut, RPS Advisory Member; Linda Russell, Executive Director; Sarah Anderson, Administrative Licensing Specialist; Vincent Mandina, Administrative LEADS Specialist.

**Members Absent:** None

**Also Present:** Carol Parks, Senior Assistant Attorney General; Representative Greenlick

### EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1) (k). Chair Thomas King called the meeting to order at 8:35 AM in Conference Room 1A, Portland State Office Building (PSOB), to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175. The Executive Session was adjourned at 12:05 PM.

### PUBLIC SESSION – CALL TO ORDER

Chair Thomas King called the Public Session to order at 1:30 PM.

### APPROVAL OF MINUTES

Chair Thomas King asked if there were any additions or corrections to the April 23rd, 2009 and July 9<sup>th</sup>, 2010 Board meeting minutes. Vice Chair Frank Krause made a motion to approve the minutes; seconded by Kim Earp; vote unanimous.

### RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued between 6/26/10 and 9/16/10: Permanent/Provisional Initial Radiographer licenses #107840 to #170894; Permanent /Provisional Radiation Therapist license – There were no new licenses. Permanent/Provisional Initial Nuclear Medicine licenses #500001 to #500077; Permanent/ Provisional MRI licenses #400001 to #400140; Permanent/Provisional Sonography licenses #600001 to #600252; Permanent Limited X-Ray Machine Operators (LXMO) licenses #3916 to #3923; All Temporary Initial Medical Imaging Modality licenses and Temporary LXMO Permits #L04706 to #S04751 (Motion made by Kim Earp; seconded by Shirlee Templeton; vote was unanimous).

### INVESTIGATION CASES

Frank Krause read the investigative case roster:

**10-06-01** Board voted to close the case. (Motion made by Frank Krause; seconded David Farthing by; vote unanimous)

**10-03-09** Licensee did not show for second hearing. Board voted to deny license. (Motion made by Frank Krause; seconded by David Farthing; vote unanimous)

**10-03-02** Licensee appeared before the Board. The Board voted to issue a Civil Penalty of \$100.00. Motion made by Frank Krause, seconded by David Farthing; vote unanimous.)

**10-07-03** The Board revoked licensee's license. Motion made by David Farthing, seconded by David Farthing; vote unanimous.)

**10-07-04** The Board issued a Civil Penalty of \$1000.00. The Board granted licensure. (Motion made by Frank Krause, seconded by David Farthing; vote unanimous.)

The following cases involved practicing without a license; Applicants and licensees signed a Consent Order and paid the appropriate Civil Penalty. Board voted to close the following cases. Motion was made by Frank Krause, seconded by David Farthing to ratify these cases; vote unanimous.

**10-07-01**    **10-07-02**    **10-09-01**    **10-09-02**

The Board on the following monitored probationary cases took no action: All probationary cases listed below are in currently in compliance.

**07-02-01**    **08-09-03**    **09-06-01**    **09-09-06**

## **COMMITTEE UPDATES**

Chair Thomas King discussed Continuing Education requirements and issues for new medical imaging licensees.

## **EXECUTIVE DIRECTOR UPDATE**

Linda Russell shared her recent decision to take her retirement effective November 1<sup>st</sup>, 2010. Linda also thanked her Staff and Board for their support. She also shared with the Board how she felt she had achieved all of her goals as the Executive Director of the Oregon Board of Medical Imaging.

## **NEW BUSINESS**

Oregon Urology Institute along with other Ultrasonic Technologist presented their case for allowing other Nurses the use of Ultrasound Equipment for Post Void Residual Bladder Scans.

Robert Sayson, MD from Good News Community Health Center presented the Bladder Scan case to the Board for Clarification and Possible Exception for Nurses to Use Ultrasound Equipment for Limited OB Ultrasound Within their Scope of Practice.

## **PUBLIC COMMENT & ADJOURNMENT**

Thomas King thanked everyone else for coming and the meeting was adjourned at 3:30 PM. The next Board meeting is scheduled for January 7<sup>th</sup>, 2011 at 8:30 AM in Conference Room 1B at the Portland State Office Building.