KENTUCKY BOARD OF MEDICAL IMAGING & RADIATION THERAPY

April 12, 2017

1:00 pm

Board Members Present: Amy Adkins, Betty Brown, Jacob Hack, Karen Leek, Carol Scherbak, Jaime Warren, Steven Wells, Sharon Whitaker

Board Members Absent:

ExOfficio Members: Brian Judy, Elizabeth Morgan

Guests:

AGENDA ITEM	Time	DISCUSSION	Action
Call to order	1 minute		Meeting was called to order at 1:13 pm.
Approval of March Minutes	2 minutes		A motion to approve the March minutes was made by Betty Brown. Jaime Warren seconded. Motion passed.
Approval of Board Travel and per diem	1 minute		Steve Wells made a motion to approve board travel and per diem pay. Carol Scherbak seconded. Motion passed
Review of Office Personnel Time Records	3 minutes		Board chair reviewed time records and found them to be satisfactory.
Committee Reports	20 minutes	Education Committee:	The education committee made a recommendation to grant an extension for a Grandfathered Radiographer's biennium to July and then move the biennium to the individual's birth month. Jacob Hack seconded. Recommendation passed.
		Complaint/Violation Committee:	The complaints/violations committee made a recommendation to revoke the license in case 14.02 for failure to adhere to a board order. Carol Scherbak seconded. Recommendation passed. The complaints/violations committee made a recommendation to approve the signed Agreed Order and move to execute the final order. Betty Brown seconded. Recommendation passed. The complaints/violations committee made a recommendation to initiate an investigation in case 16.25a. Carol Scherbak seconded. Recommendation passed. The complaints/violations committee made a recommendation passed.

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			facility does not meet the requirements for civil
			penalty in KRS 311B.180. Karen Leek seconded.
			Recommendation passed.
			The complaints/violations committee made a
			recommendation to initiate complaints in cases
			16.31b, 16.31c, and 16.31d for unlicensed practice.
			Betty Brown seconded. Recommendation passed.
			The complaints/violations committee made a
			recommendation to issue an Agreed Order in case
			16.33a to give credit toward the suspension with time
			served and draft a payment plan to be completed
			prior to the next renewal. Karen Leek seconded.
			Recommendation passed.
			The complaints/violations committee made a
			recommendation to issue a 13-day suspension and a
			\$650 civil penalty in case 16.34a for working with an
			invalid license for 13 days. Betty Brown seconded.
			Recommendation passed.
			The complaints/violations committee made a
			recommendation to issue a 45-day suspension and a
			\$3,500 civil penalty in case 17.02a, for an individual
			that worked on an invalid license for 70 days. Betty
			Brown seconded. Recommendation passed.
			The complaints/violations committee made a
			recommendation to initiate an investigation in case
			17.05a. Jaime Warren seconded. Recommendation
			passed.
			The complaints/violations committee made a
			recommendation to dismiss case 17.05b, as the facility does not meet the requirements for civil
			penalty in KRS 311B.180. Jaime Warren seconded.
			Recommendation passed.
			The complaints/violations committee made a
			recommendation to initiate an investigation in case
			17.06a. Carol Scherbak seconded.
			Recommendation passed.
			The complaints/violations committee made a
			recommendation to dismiss case 17.06b, as the
			facility does not meet the requirements for civil
			penalty in KRS 311B.180. Jaime Warren seconded.
			Recommendation passed.

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			The complaints/violations committee made a recommendation to ratify the initiating complaint made by the Executive Director and initiate an investigation in case 17.08. Jaime Warren seconded. Recommendation passed. The complaints/violations committee made a recommendation to initiate a complaint against the facility in case 17.09 after receiving a complaint from an individual that believes a licensee engaged in negligent practice and assisted an unlicensed individual to take an exposure. Karen Leek seconded. Recommendation passed. The complaints/violations committee made a recommendation to ratify the initiating complaint made by the Executive Director in case 17.10 for an individual that worked without a valid license. Carol Scherbak seconded. Recommendation passed.
		Applications Committee:	The applications committee made a recommendation to approve the initial radiation therapy license for Christina Grotkin. Karen Leek seconded. Recommendation passed. The applications committee made a recommendation to approve the initial radiography license for Rachel Johnson. Steve Wells seconded. Recommendation passed. The applications committee made a recommendation to approve the initial radiography license for Carol Rogers. Sharon Whitaker seconded. Recommendation passed. The applications committee made a recommendation passed. The applications committee made a recommendation to approve the radiography renewal application for Olivia Buede. Sharon Whitaker seconded. Recommendation passed. The applications committee made a recommendation to approve the initial radiography license for William Caulkins. Sharon Whitaker seconded. Recommendation passed. The applications committee made a recommendation to approve the initial radiography license for William Caulkins. Sharon Whitaker seconded. Recommendation passed. The applications committee made a recommendation to approve the initial radiography license for William Caulkins. Sharon Whitaker seconded. Recommendation passed. The applications committee made a recommendation to approve the radiography renewal application for Luther Reeves. Jaime Warren

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			seconded. Recommendation passed. The applications committee made a recommendation to approve the initial nuclear medicine license for Blair Neichter. Sharon Whitaker seconded. Recommendation passed.
		Communications Committee: No report	
		 <u>Regulations Revision Committee</u>: a. Update on amendments to 201 KAR 46:060, 201 KAR 46:070, 201 KAR 46:090, and 201 KAR 46:040: During the public comment period, public comments were received and the public hearing was held on March 21, 2017 at 10:00am at the board's office. b. Review of oral and written comments received on the proposed amendments to 201 KAR 46:060, 201 KAR 46:070, 201 KAR 46:090, and 201 KAR 46:040 as well as a draft of Statements of Consideration. 	Carol Scherbak made a motion to appoint Amy Adkins to make the final edits to the Statement of Consideration and file by noon on Friday, April 14, 2017. Steve Wells seconded. Motion passed. Carol Scherbak made a motion to approve the SOC for 201 KAR 46:040 and the regulation as amended after comments. Jacob Hack seconded. Motion passed. Carol Scherbak made a motion to file a new administrative regulation for Practice Standards and Standards of Practice and appointed Amy Adkins to make any final edits to the new regulation before filing by noon on Friday, April 14, 2017. Betty Brown seconded. Motion passed. Steve Wells made a motion to appoint Amy Adkins to approve any necessary deferrals of administrative regulations. Carol Scherbak seconded. Motion passed. Carol Scherbak made a motion to approve the Statement of Consideration for 201 KAR 46:070 and 201 KAR 46:090 that were presented to the board.

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			Sharon Whitaker seconded. Motion passed. Carol Scherbak made a motion to appoint Amy Adkins to approve or deny any suggested amendments made by the LRC to the administrative regulations to be filed on Friday April 14, 2017. Steve Wells seconded. Motion passed.
Old Business	15 minutes	KBN/KBMIRT Workgroup: ongoing	
Executive Director Update	5 minutes	 <u>License Update</u>: a. New: 26 b. Renewal: 575 c. ISC: 6 d. Late: 6 e. Follow-up to late license submissions: in committee <u>Related legislative activity</u>: none <u>Budget:</u> Report for March distributed a. Revenues b. Expenditures c.YTD Balance d. Outstanding Bills <u>Other:</u> a. Record Retention Schedule Review: ongoing b. Full time administrative assistant position has been posted and several resumes have been received. Executive Director will conduct interviews over the next month. c. Executive Director presented the board with several different options for board room tables. 	Jaime Warren made a motion for the Executive Director to purchase 3 ten foot tables for the board room. Jacob Hack seconded. Motion passed. Carol Scherbak made a motion for the Executive Director to purchase office equipment and décor not to exceed \$1,000 after obtaining the board chair's

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			opinion. Steve Wells seconded. Motion passed.
New Business			Carol Scherbak made a motion to approve the final orders in administrative action number 17-MIR-0027, Celeste Pace V. KBMIRT, which dismisses the case as moot and administrative action number 17-MIR- 0028, Jo Woods V. BMIRT, which dismisses the case as moot. Sharon Whitaker seconded. Motion passed.
Future meetings		May 10, 2017 All meetings are scheduled to start at 1:00 p.m. and are held at the KBMIRT office: 42 Fountain Place, Frankfort	
Meeting adjourned			Steve Wells made a motion to adjourn meeting. Sharon Whitaker seconded. Meeting adjourned at 3:31pm.