

**KENTUCKY BOARD OF MEDICAL IMAGING & RADIATION THERAPY**

**June 14, 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 1:06 pm.
Approval of May Minutes	2 minutes		A motion to approve the May minutes was made by Jaime Warren. Sharon Whitaker seconded motion. Motion passed.
Approval of Board Travel and per diem	1 minute		Carol Scherbak made a motion to approve Board travel and per diem pay. Steve Wells seconded motion. Motion passed.
Review of Office Personnel Time Records	3 minutes		Amy Adkins and Sharon Whitaker reviewed office timesheets and found them satisfactory.
Committee Reports	20 minutes	<u>Education Committee:</u> a. Southeast Kentucky Community and Technical College (Cumberland, KY) closed their Radiography program in May 2017. b. If an individual is currently licensed as a LXMO and is interested in obtaining a license for Bone Densitometry, the individual may complete an abbreviated version of the Independent Study Course to gain the education and clinical experience; and then sit for the Limited Scope Exam for Bone Densitometry. c. After receiving an inquiry, the committee finds nothing in the regulations that would prevent a Nuclear Medicine technologist from	

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		<p>enrolling in the LXMO Independent Study Course, as long as it is understood that, per 201 KAR 46:081, the individual “shall not be employed as an operator of a source of radiation at a facility where contrast studies, fluoroscopy, mammography, computed tomography, magnetic resonance imaging, bedside radiography, nuclear medicine, positron emission tomography, or radiation therapy procedures are performed.”</p> <p><u>Complaint/Violation Committee:</u></p>	<p>The complaints/violations committee made a recommendation to send a letter to individual in case 16.26a requesting payment of civil penalty within 30 days or risk further disciplinary action. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to approve the signed Agreed Order to enter into a payment plan for the civil penalty in case 16.28a. Jaime Warren seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to approve the signed Agreed Order to enter into a payment plan for the civil penalty in case 16.33a. Jaime Warren seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to issue an Agreed Order to enter into a payment plan for the civil penalty in case 17.02a. Jaime Warren seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to approve the request for 17.03 to begin the suspension on June 1, 2017 upon verification that the individual has not practiced since that date. Betty Brown seconded. Recommendation passed.</p> <p>The complaints/violations committee made a</p>

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		<p><u>Applications Committee:</u></p>	<p>recommendation to initiate an investigation in case 17.11. Karen Leek seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to initiate a complaint to the facility in case 17.12 for suspected unlicensed practice. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to ratify the initiating complaint made by the Executive Director in case 17.13a for unlicensed practice. Karen Leek seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to initiate complaint against the facility in case 17.13b for unlicensed practice. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to ratify the initiating complaint made by the Executive Director in case 17.14 for unlicensed practice and to issue a 10-day suspension, retroactively from date of cease and desist and a \$500 civil penalty. Jaime Warren seconded. Recommendation passed.</p> <p>Steve Wells made a motion to give Executive Director the authority to approve payment plans for civil penalties owed to the board. Betty Brown seconded. Motion passed.</p> <p>The applications committee made a recommendation to approve the applications of the following individuals: Wendell Harris, Katie Stengl, Amanda Murphy, Leslie Williams, Kaley Owens, and Angela Turner. Sharon Whitaker seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve the Radiation Therapy application for Courtney Bigham and deny the Radiography application, due to the Radiography program not being accredited by JRCERT at the time of graduation. Steve Wells seconded.</p>

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		<p><u>Communications Committee:</u> No report.</p> <p><u>Regulations Revision Committee:</u></p> <p>a. Update on amendments to 201 KAR 46:060, 201 KAR 46:070, 201 KAR 46:090, and 201 KAR 46:040: The amendments were reviewed at the June 13 Administrative Regulation Review Subcommittee meeting and will be referred up to the Interim Joint Committee on Licensing and Occupations the first week of July.</p>	<p>Recommendation passed.</p> <p>The applications committee made a recommendation to defer the review of an applicant and order the individual to appear before the committee at the July meeting with court documents pertaining to the provided background check. Karen Leek seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to defer the review of an applicant until the individual provides a criminal background check and give the Executive Director the authority to approve the application if nothing further appears on background check. Steve Wells seconded. Recommendation passed.</p>
Old Business	15 minutes	<p><u>KBN/KBMIRT Workgroup:</u> No updates.</p> <p><u>Reorganization updates:</u> Sec Dickerson met with the Interim Joint Committee on Licensing and Occupations on June 7, 2017. The committee was provided with information similar to that which was provided to the boards. During the meeting, it was mentioned that the executive orders for the reorganizations would be issued around July 1, 2017.</p>	

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		<p>Amy Adkins contacted Elizabeth Kuhn from the Public Protection Cabinet to provide the information the Board requested at the May meeting; including the Board's recommendations for the job description of the Board Administrator, specifications for the composition of Board members, and concerns regarding the umbrella that BMIRT has been placed. Ms. Kuhn responded positively to the Board's recommendations and indicated that the information would be considered as the process moves forward.</p> <p>There have been no developments with the office move. Timelines still remain the same; office needs to be vacated by late September 2017. Executive Director has provided Real Properties with the space needs of the Board, but has not been provided with a list of available properties.</p>	
Executive Director Update	5 minutes	<p><u>License Update:</u> May</p> <ol style="list-style-type: none"> <li>a. New: 63</li> <li>b. Renewal: 619</li> <li>c. ISC: 2</li> <li>d. Late: 3</li> <li>e. Follow-up to late license submissions: in committee</li> </ol> <p><u>Related legislative activity:</u></p> <p><u>Budget: Report for April distributed</u></p> <ol style="list-style-type: none"> <li>a. Revenues</li> <li>b. Expenditures</li> <li>c. YTD Balance</li> <li>d. Outstanding Bills: Xerox has not yet provided Executive Director with a copy of the contract and the corrected invoices after multiple attempts to</li> </ol>	

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		<p>retrieve the information.</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> <li>a. Record Retention Schedule Review: ongoing</li> <li>b. Digitizing Licensee files: Majority of the paper files have been sent to be scanned. The project is projected to be less than the \$8,000 that was approved at the May meeting.</li> </ul>	
<b>New Business</b>			
<b>Future meetings</b>		<p>July 12, 2017</p> <p><i>All meetings are scheduled to start at 1:00 p.m. and are held at the KBMIRT office: <b>42 Fountain Place, Frankfort</b></i></p>	<p>Sharon Whitaker reported that she would not be able to attend the July meeting.</p>
<b>Meeting adjourned</b>			<p>Steve Wells made a motion to adjourn meeting. Betty Brown seconded motion. Meeting adjourned at 2:05pm.</p>