

**KENTUCKY BOARD OF MEDICAL IMAGING & RADIATION THERAPY**  
**September 12, 2018**  
**1:00 pm**

Board Members Present: Amy Adkins, Jacob Hack, Karen Leek, Melanie Marrs, Carol Scherbak, Steve Wells, Sharon Whitaker

Board Members Absent: Betty Brown, Jaime Warren

ExOfficio Members: Shan Dutta, Elizabeth Morgan

Guests: Carson Kerr, PPC-OLS

AGENDA ITEM	Time	DISCUSSION	Action
Call to order	1 minute		Meeting was called to order at 1:15 pm
Approval of August Minutes	2 minutes		A motion to approved August minutes was made by Carol Scherbak. Sharon Whitaker seconded. Motion passed.
Approval of Board Travel and per diem	1 minute		Sharon Whitaker made a motion to approve board travel and per diem. Carol Scherbak seconded. Motion passed.
Review of Office Personnel Time Records	3 minutes		Board chair reviewed office timesheets. No issues were noted.
Committee Reports	20 minutes	<u>Education Committee:</u> No report a. Designation of funds for scholarships  <u>Complaint/Violation Committee:</u>	<p>The complaint/violation committee made a recommendation to order the individual in case 18.09 to appear before the committee at the October 10, 2018 meeting. Melanie Marrs seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a 45-day suspension, retroactively applied to date of cease and desist, and a \$1500 civil penalty in case 18.15A to an individual that worked without a valid license. Karen Leek seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a \$3000 civil penalty in case 18.15B, the facility that employed the individual. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a 5-day suspension and a \$150 civil penalty in case 18.24 for an individual that</p>

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		<p data-bbox="680 1073 995 1101"><u>Applications Committee:</u></p> <p data-bbox="680 1276 1188 1304"><u>Communications Committee:</u> No report</p> <p data-bbox="680 1377 1110 1503"><u>Regulations Revision Committee:</u> a. Licensing of medical imaging professions utilizing non-ionizing radiation: ongoing</p>	<p data-bbox="1228 136 1843 196">worked without a valid license. Carol Scherbak seconded. Recommendation passed.</p> <p data-bbox="1228 204 1864 329">The complaint/violation committee made a recommendation to open an investigation in case 18.25. Karen Leek seconded. Recommendation passed.</p> <p data-bbox="1228 337 1902 496">The complaint/violation committee made a recommendation to ratify the initiating complaint issued by the Executive Director in case 18.26 to an individual that worked without a valid license. Carol Scherbak seconded. Recommendation passed.</p> <p data-bbox="1228 505 1929 696">The complaint/violation committee made a recommendation to ratify the initiating complaint issued by the Executive Director in case 18.27 and issue a 5-day suspension and a \$50 civil penalty to an individual that worked without a valid license. Melanie Marrs seconded. Recommendation passed.</p> <p data-bbox="1228 704 1929 829">The complaint/violation committee made a recommendation to initiate a complaint in case 18.28 for an individual that worked without a valid license. Carol Scherbak seconded. Recommendation passed.</p> <p data-bbox="1228 837 1929 997">The complaint/violation committee made a recommendation to ratify the initiating complaint made by the Executive Director in case 18.29 for an individual that worked without a valid license. Melanie Marrs seconded. Recommendation passed.</p> <p data-bbox="1228 1073 1919 1232">The applications committee made a recommendation to approve the license applications for Ann Strothman, Ashley Ison, Wendy Noak, Emily Booth, and Derrick Timmons. Steve Wells seconded. Recommendation passed.</p>

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		<p>b. Revision of position statements on website since amendments to administrative regulations have taken effect following initial adoption.</p> <p>c. Request was received for exemption to the requirements of licensure for operators of peripheral DEXA equipment in a fitness facility.</p>	<p>The regulations revision committee made a recommendation to revise two position statements to include references to amended regulations cited with legal counsel's review. Melanie Marrs seconded. Recommendation passed.</p> <p>The regulations revision committee made a recommendation to have legal counsel send a response to Dr. Shawn Martin to deny the request for exemption for operators of peripheral DEXA equipment, unless the operator meets exemption in accordance with KRS 311B.090 (2) and (4). Melanie Marrs seconded. Recommendation passed.</p>
Old Business	15 minutes	<u>MOA with CHFS for Inspections</u> Ongoing	
Executive Director Update	5 minutes	<p><u>License Update:</u> August</p> <ul style="list-style-type: none"> <li>a. New: 46</li> <li>b. Renewal: 621</li> <li>c. ISC: 0</li> <li>d. Late: 6</li> <li>e. Follow-up to late license submissions: in committee</li> </ul> <p><u>Related legislative activity:</u> None</p> <p><u>Budget:</u></p> <ul style="list-style-type: none"> <li>a. Revenue</li> <li>b. Expenditures</li> <li>c. YTD Balance</li> <li>d. Outstanding Bills: Kentucky Retirement System contacted Executive Director regarding an outstanding invoice from Vanessa Breeding's retirement.</li> </ul> <p><u>Other:</u></p> <ul style="list-style-type: none"> <li>a. Record Retention Schedule Review: Following a review of the retention schedule, all appears to be in order. The schedule for License Files</li> </ul>	<p>Carol Scherbak made a motion to pay the outstanding balance to Kentucky Retirement System. Steve Wells seconded. Motion passed.</p>

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		<p>includes continuing education. There are 11 boxes of continuing education records in the office that could be scanned and added to the electronic files that are currently available.</p> <p>b. ARRT CE Consensus Meeting is scheduled for October 19, 2018 in St. Paul, MN. As in the past, ARRT will pay all expenses for one representative of the board.</p>	<p>Steve Wells made a motion to move forward with scanning the continuing education files. Melanie Marrs seconded. Motion passed</p> <p>Melanie Marrs made a motion to approve out-of-state travel for the Executive Director to attend the ARRT CE Consensus meeting. Steve Wells seconded. Motion passed.</p>
<b>New Business</b>		<p><u>Legal Representation for Board:</u> The Office of Attorney General sent notice that as of September 8, 2018, their office would no longer provide legal services to the board. An extension was granted through September 15, 2018 to encompass the board meeting. Options for legal services were presented to the board for review.</p>	<p>Sharon Whitaker made a motion for the Board to utilize legal services from the Public Protection Cabinet Office of Legal Services. Steve Wells seconded. Motion passed by majority vote; Carol Scherbak opposed the motion.</p> <p>Jacob Hack made a motion to give authority to Executive Director and Board Chair to request an extension of legal services to Office of Attorney General, if necessary, and for Shan Dutta to continue providing legal services until MOA with PPC OLS is completed. Melanie Marrs seconded. Motion passed unanimously.</p> <p>Steve Wells made a motion to give authority to Executive Director and Board Chair to work with PPC Office of Legal Services on a Memorandum of Agreement; and to authorize Shan Dutta to work with Carson Kerr in the transition of legal services. Sharon Whitaker seconded. Motion passed unanimously.</p>
<b>Future meetings</b>		<p>October 10, 2018</p> <p><i>All meetings are scheduled to start at 1:00 p.m. and are held at the KBMIRT</i></p>	

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		<i>office: 125 Holmes Street, First Floor Conference Room</i>	
<b>Meeting adjourned</b>			Melanie Marrs made a motion to adjourn meeting. Steve Wells seconded. Meeting adjourned at 2:05 pm.