

KENTUCKY BOARD OF MEDICAL IMAGING & RADIATION THERAPY

May 10, 2017

1:00 pm

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

Board Members Absent: Betty Brown

ExOfficio Members: Brian Judy, Elizabeth Morgan

Guests:

AGENDA ITEM	Time	DISCUSSION	Action
Call to order	1 minute		Meeting was called to order at 1:01 pm.
Approval of April Minutes	2 minutes		A motion to approve the April minutes was made by Jaime Warren. Steve Wells seconded. Motion passed.
Approval of Board Travel and per diem	1 minute		Sharon Whitaker made a motion to approve board travel and per diem pay. Steve Wells 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	<p><u>Education Committee</u>: No report</p> <p><u>Complaint/Violation Committee</u>:</p>	<p>The complaints/violations committee made a recommendation to issue a 23-day suspension and \$1,150 civil penalty in case 17.03 for unlicensed practice. Karen Leek seconded. Recommendation passed.</p> <p>The complaints/violations committee made a recommendation to issue a 5-day suspension and \$150 civil penalty in case 17.10 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 17.11 for unlicensed practice. Jaime Warren seconded. Recommendation passed.</p>

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		<p><u>Applications Committee:</u></p> <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, 201 KAR 46:040, and 201 KAR 46:035: all regulations are scheduled for review at the June ARRS committee meeting.</p> <p>b. Board reviewed the suggested amendments to 201 KAR</p>	<p>The applications committee made a recommendation to waive the late fees associated with the renewal of the license of Robyn Chandler due to a clerical error that was made by the office staff during the previous renewal cycle. Carol Scherbak seconded. Recommendation passed.</p> <p>The applications committee recommended the approval of the temporary radiation license application for Crystal Dawes. Steve Wells seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve the renewal application for Andrea Mullins. Karen Leek seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve the initial radiation license application for Matthew Collins. Sharon Whitaker seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve the temporary radiation license application for Rachel Davis. Jaime Warren seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to deny the request for a refund of the application fee for Amy Downey; 201 KAR 46:020, Section 1 indicates the fee is non-refundable. Carol Scherbak seconded. Recommendation passed.</p> <p>Steve Wells made a motion to approve the LRC suggested amendments as edited for 201 KAR 46:040. Jacob Hack seconded. Motion passed.</p> <p>Sharon Whitaker made a motion to approve the LRC suggested amendments as edited for 201 KAR 46:070. Steve Wells seconded. Motion passed.</p> <p>Sharon Whitaker made a motion to approve the LRC suggested amendments as edited for 201 KAR 46:090. Steve Wells seconded. Motion passed.</p> <p>Carol Scherbak made a motion to grant authority to</p>

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		<p>46:040, 201 KAR 46:070, and 201 KAR 46:090.</p> <p>c. The regulations committee reviewed information pertaining to the eligibility requirements for the NMTCB CT examination and compared it to the eligibility requirements for the ARRT CT examination. The ARRT requires specific clinical competency to be demonstrated while the NMTCB only specifies that the individual must demonstrate 500 hours of clinical experience, which may or may not include diagnostic CT. Given this difference, the board will continue to recognize ARRT CT certification exam.</p>	<p>Amy Adkins to approve any additional suggested amendments to the regulations. Steve Wells seconded. Motion passed.</p>
Old Business	15 minutes	<u>KBN/KBMIRT Workgroup</u> : No updates	
Executive Director Update	5 minutes	<p><u>License Update</u>: April</p> <ul style="list-style-type: none"> a. New: 66 b. Renewal: 511 c. ISC: 5 d. Late: 3 e. Follow-up to late license submissions <p><u>Related legislative activity</u>: none</p> <p><u>Budget</u>: Report for April distributed</p> <ul style="list-style-type: none"> a. Revenue b. Expenditures c. YTD Balance d. Outstanding Bills: Update to Xerox bills will be provided at next meeting 	

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		<p><u>Other:</u></p> <ul style="list-style-type: none"> a. Record Retention Schedule Review: ongoing b. Administrative Assistant position: will not be filled at this time. c. Scanning of records: The Micrographics and Imaging Branch of KDLA provided a rough estimate of the cost to digitize all the KBMIRT licensee files. 	<p>Carol Scherbak made a motion to give Executive Director the authorization to pursue digitizing licensee files, as long as the project can begin immediately and does not exceed \$8,000. Jacob Hack seconded. Motion passed.</p>
<p>New Business</p>		<p><u>Reorganization of professional licensure boards:</u> The board discussed the recent meeting with Public Protection Cabinet Secretary David Dickerson, attended by KBMIRT Executive Director and Board Chair as well as representatives of KSRT and KSNMT. A forthcoming Executive Order will reorganize all professional licensure boards, including KBMIRT, in an effort to protect the board, board members, and provide active state supervision of boards. The reorganization is necessitated by a 2015 U.S. Supreme Court ruling in <i>N.C. Dental Board vs. Federal Trade Commission</i>. The reorganization will group similar boards together in an authority for the purposes of government oversight, personnel staffing, and administrative support. The oversight will primarily come from an Executive Director, hired by the Public Protection Cabinet, that will provide active state supervision to each licensing board through management, oversight, and administrative assistance. Each licensing board will be housed within the Department of Professional Licensing under the Public Protection Cabinet. KBMIRT will continue to</p>	

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		<p>regulate and license the medical imaging and radiation therapy profession with oversight from the Executive Director and the Commissioner of the Dept. of Professional Licensing. The board will have five members, with appointments made through Boards and Commissions.</p>	<p>Carol Scherbak made a motion to authorize Amy Adkins to contact the Public Protection Cabinet regarding the placement of KBMIRT under the “Health Equipment Authority”, to explain that the board’s licensees are front line patient care professionals that are more comparable with physical therapists, occupational therapists, and respiratory therapists rather than hearing instrument specialists and ophthalmic dispensers, and that KBMIRT is the third largest healthcare licensure board in the state. Jaime Warren seconded. Motion passed.</p> <p>Steve Wells made a motion to authorize Amy Adkins to inquire if the board can provide the Public Protection Cabinet with specific qualifications the board feels is necessary for the “Board Administrator” to possess. Carol Scherbak seconded. Motion passed.</p> <p>Carol Scherbak made a motion to authorize Amy Adkins to seek clarification from the Public Protection Cabinet regarding if they want the board’s recommendation for qualifications of the board composition moving forward. Steve Wells seconded. Motion passed.</p> <p>Steve Wells made a motion to send out communication to licensees about the reorganization as edited by board counsel and approved by Amy Adkins. Sharon Whitaker seconded. Motion passed.</p>
Future meetings		<p>June 14, 2017</p> <p><i>All meetings are scheduled to start at 1:00 p.m. and are held at the KBMIRT office: 42 Fountain Place, Frankfort</i></p>	
Meeting adjourned			<p>Carol Scherbak made a motion to adjourn the meeting. Jaime Warren seconded. Meeting adjourned at 2:47 pm.</p>