



AGENDA ITEM	Time	DISCUSSION	Action
			<p>recommendation to enter into an agreed order in case 16.17 to issue a sixteen (16) day suspension beginning April 1, 2017. Carol Scherbak seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.22b. Betty Brown seconded. Steve Wells abstained. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.23b. Carol Scherbak seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.24b. Karen Leek seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a forty-five (45) day suspension and a \$3,100 civil penalty in case 16.26a. Betty Brown seconded. During discussion, Carol Scherbak asked if the civil penalty amount could be reduced, considering the board had made the determination to cap the civil penalty at \$1,500. Board counsel advised that the law, as it stands currently, says the civil penalty is \$50 per day the violation occurred [201 KAR 46:070, Section 3(2)]. The recommendation was put to a vote and did not pass.</p> <p>Further discussion about maintaining consistency and maintaining the law as it is written ensued.</p> <p>Betty Brown made a motion to accept the original recommendation of the committee to issue a forty-five (45) day suspension and a \$3,100 civil penalty in case 16.26a. Carol Scherbak seconded. Motion passed.</p> <p>Steve Wells made a motion to amend 201 KAR 46:070, Section 3(2), to update the civil penalty from \$50 per day to \$25 per day. Jacob Hack seconded. Motion passed.</p> <p>The complaint/violation committee made a recommendation to dismiss case 16.26b. Betty</p>

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			<p>Brown seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.27b. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue an agreed order in case 16.28a that the civil penalty must be paid in full prior to the next renewal of license. Betty Brown seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.28b. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a subpoena to the facility for time records, drug screen results, documentation of procedures performed by individual, and documentation of any in-house investigations and reports in case 16.29. Betty Brown seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.30b. Karen Leek seconded. Recommendation passed.</p> <p>After reconsideration, the complaint/violation committee made a recommendation to dismiss case 16.32b. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a forty-five (45) day suspension and a \$2,150 civil penalty in case 16.33a. Betty Brown seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to dismiss case 16.33b. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to initiate an investigation in case 16.34a. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a</p>

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			<p>recommendation to dismiss case 16.34b. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to initiate an investigation in case 16.35. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to initiate an investigation in case 16.36. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a thirty (30) day suspension and a \$1,500 civil penalty in case 17.01a. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to dismiss case 17.01b. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to initiate an investigation in case 17.02a. Betty Brown seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to dismiss case 17.02b. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to initiate an investigation in case 17.03. Jaime Warren seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to issue a six (6) day suspension and a \$300 civil penalty in case 17.07a. Carol Scherbak seconded. Recommendation passed.</p> <p>The complaint/violation committee made a recommendation to dismiss case 17.07b. Jaime Warren seconded. Recommendation passed.</p> <p>Carol Scherbak made a motion to approve the final order in administrative action number 17-MIR-0026, Amy Downey V. KBMIRT, which dismisses the case as withdrawn and affirms the board's denial of the petitioner's application. Steve Wells seconded.</p>

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		<p><u>Applications Committee:</u></p>	<p>Motion passed.</p> <p>Carol Scherbak made a motion to reverse the board's previous decision to deny the license applications of Celeste Pace, Jo Woods, and Kerry Thompson and issue a license to the individuals once SB 116 becomes law. Betty Brown seconded. Motion passed.</p> <p>The applications committee made a recommendation to reverse the denial of the license applications of Jessica Frailey and Bruce Fout and issue a license once SB 116 becomes law. Sharon Whitaker seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to defer the application of Christina Grotkin pending additional documentation. Carol Scherbak seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve the application of Eddie Culp based on additional information that the program attended was JRCERT accredited. Karen Leek seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to approve Lisa Shirley's application to take the limited scope exam. Karen Leek seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to affirm Alexis Smith's eligibility to take the limited scope exam. Steve Wells seconded. Recommendation passed.</p> <p>The applications committee made a recommendation to send a letter to individuals that have been denied a license for not meeting the accreditation standard in the past and notifying them of requirements outlined in SB 116 once it becomes law. Carol Scherbak seconded recommendation. During the discussion, it was mentioned that we may not have all the information to determine whether an individual meets all the requirements of SB 116 and it may not be received well by an individual that does</p>

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		<p data-bbox="680 337 1188 367"><u>Communications Committee</u>: No report</p> <p data-bbox="680 440 1110 469"><u>Regulations Revision Committee</u>:</p> <ul style="list-style-type: none"> <li data-bbox="730 475 1192 865">a. Amendments to 201 KAR 46:060, 201 KAR 46:070, 201 KAR 46:090, and 201 KAR 46:040 were filed on February 15, 2017. The public comment period is open through March 31, 2017 and a public hearing is scheduled for March 21, 2017 at 10a should public comments be received. This information is available on the KBMIRT website.</li> <li data-bbox="730 878 1192 1170">b. During the last board meeting, the committee was asked to review current practice standards against current administrative regulations to assure consistency. The committee would need additional time to complete the comparison.</li> </ul>	<p data-bbox="1230 139 1913 297">not meet all the requirements. An amendment to the recommendation was made by Betty Brown to post information related to the changes on the KBMIRT website rather than send a letter. Carol Scherbak seconded. Recommendation passed.</p> <p data-bbox="1230 607 1913 764">The regulations revision committee made a recommendation to respond to a question received that the board would not approve an EEG Technician to inject radiopharmaceuticals. Betty Brown seconded. Recommendation passed.</p> <p data-bbox="1230 1179 1913 1503">Jacob Hack made a motion to update 201 KAR 46:040, Section 1 to remove "licensed practitioner of the healing arts" and replace the "and" with "or". Betty Brown seconded. Discussion surrounding the implications of this change took place. The main discussion point was that updates to the practice standards from the ASRT are going to be made in a few months that the board would need to review prior to adopting. Discussion surrounding the fact that the board could continue to uphold the practice standards</p>

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			<p>currently incorporated by reference or draft their own set of practice standards. The motion came to a vote. The motion failed to pass vote.</p> <p>Betty Brown made a motion to draft KBMIRT practice standards. Karen Leek seconded. Motion passed.</p> <p>Carol Scherbak made a motion to give Amy Adkins, board chair, the authority to approve non-substantive changes to the administrative regulations. Steve Wells seconded. Motion passed.</p> <p>Steve Wells made a motion to include the following disciplinary standard in the amendment to 201 KAR 46:070 when an individual has worked with an invalid license for 1-30 days a day for day suspension, and for any amount of days over 30, a 45-day suspension. Jaime Warren seconded motion. During the discussion, board counsel asked the board to consider pending cases and cases that are in the appeals process. An amendment was made to the original motion to apply this set of standards to all pending cases, including those that have appealed. Sharon Whitaker seconded. Motion passed.</p> <p>Carol Scherbak made a motion to amend the motion to include the following disciplinary standard in the amendment to 201 KAR 46:070 when an individual has worked with an invalid license for 1-5 days, issue a 5-day suspension, 6-30 days, a day per day suspension, and any amount of time over 30 days, issue a 45-day suspension. Jaime Warren seconded. During the discussion, it was mentioned that the disciplinary standard had been in place for more than a year and that it is important to remain consistent. The motion came to a vote. Motion passed.</p> <p>Carol Scherbak made a motion to repeal the motion that would amend 201 KAR 46:070, Section 3(2), to update the civil penalty from \$50 per day to \$25 per day, thus maintaining the \$50 per day civil penalty. Jaime Warren seconded. Motion passed.</p>

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Old Business	15 minutes	<p>KBN/KBMIRT Workgroup: No updates.</p> <p><u>SB 132</u>: Bill was withdrawn</p> <p><u>HB 172</u>: Referred to Senate Licensing &amp; Occupations Committee on Feb 23, 2017.</p> <p><u>SB 116</u>: Was enrolled and delivered to governor on March 6, 2017.</p>	
Executive Director Update	5 minutes	<p><u>License Update</u>: February</p> <ul style="list-style-type: none"> <li>a. New: 19</li> <li>b. Renewal: 500</li> <li>c. ISC: 4</li> <li>d. Late: 9</li> <li>e. Follow-up to late license submissions: in committee</li> </ul> <p><u>Related legislative activity</u>:</p> <p><u>Budget</u>: Report for Feb distributed</p> <ul style="list-style-type: none"> <li>a. Revenues</li> <li>b. Expenditures</li> <li>c. YTD Balance</li> <li>d. Outstanding Bills</li> </ul> <p><u>Other</u>:</p> <ul style="list-style-type: none"> <li>a. Record Retention Schedule Review: ongoing</li> <li>b. The board now has demonstrated that the revenue is sufficient to support a full-time administrative assistant. Current assistant will be leaving position at the beginning of April. It would not be possible to complete the hiring process before then, so it may be necessary to hire another temporary employee to fill the void.</li> </ul>	<p>Steve Wells made a motion to proceed with posting a full-time Administrative Assistant position. Carol Scherbak seconded. Motion passed.</p> <p>Carol Scherbak made a motion to hire a second temporary office assistant to aid in filling position until full-time Administrative Assistant is hired. Steve Wells seconded. Motion passed.</p>



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		c. Executive Director presented the board a quote for 12 rolling chairs for the board room. At this time, no quotes for additional furnishings have been obtained.	Carol Scherbak made a motion to proceed with the purchase of rolling chairs for the board room and have Executive Director obtain quotes for new board table, art work, and file cabinets. Betty Brown seconded. Motion passed.
<b>New Business</b>			
<b>Future meetings</b>		April 12, 2017 <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>	
<b>Meeting adjourned</b>			Jaime Warren made a motion to adjourn meeting. Steve Wells seconded motion. Meeting adjourned at 4:38 pm.