

Oregon State Board of Radiologic Technology (OBRT)

April 10, 1998 Minutes

State Office Building ☐ 800 NE Oregon Street, Suite 407 ☐ Portland, Oregon

ATTENDANCE

Members and Staff: Brian Buckingham, LRT; Kenneth Faulkner, Ph.D., Public Member; Darrell Hocken, RT, Advisory Member; Betty Palmer, LRT; Glen Plam, LRTT, Chairman; Kenneth Stevens, Jr., MD, Radiologist; Chris Stewart, Clerk; David Taylor, LRT; Lianne Thompson, Executive Officer; Doug Van Fleet, Clerk.

Members Absent: Lee Flanders, LRT.

Also Present: Kristine Adams-Wannberg, Budget Analyst; Larry Cartmill, ConCorde Career Institute; Diana Dolstra, Board of Medical Examiners; David Jones, PA-C, Oregon Society of Physician Assistants; Frank Mussell, Assistant Attorney General; Shelia Orwoll, Oregon Health Sciences University; Barbara Smith, LRT, Oregon Society of Radiologic Technologists (OSRT) and Portland Community College; Anne Warden, LRT, OSRT.

Committee Meetings held to consider agenda items, 9:00 a.m. –

A quorum was established and the meeting called to order at 9:57 a.m.

PERSONNEL MATTERS

Brian Buckingham, LRT, was introduced as the board member replacing Kim Ashbeck, LRT. Christopher Stewart was introduced as the new clerical person.

MINUTES APPROVAL [Attachments 1 & 2]

January 9, 1998: Mr. Van Fleet said that there were (already) two corrections to the minutes sent in advance to the board. **Dr. Faulkner moved to approve the minutes as corrected. Ms. Palmer seconded. Unanimously passed.**

March 12, 1998: Ms. Thompson corrected by saying that Mr. Buckingham was excused—not absent. **Dr. Faulkner moved to approve the minutes as corrected. Ms. Palmer seconded. Unanimously passed.**

REPORT OF THE CHAIR

Mr. Plam presented plaques to departing members Mr. Taylor and Dr. Faulkner, highlighting the former's being a regular attender as long ago as 1992 and the latter's "...having learned (as a public member) more about diagnostic and therapeutic radiologic technology than he ever wanted to know."

BOARD OFFICE REPORT

Ms. Thompson, pleading legal sufficiency and volunteering to begin, asked that each person introduce themselves.

Activity Report—A current task is the preparation of legislative concepts for the next Legislature. In order to develop the concepts, Ms. Thompson has attempted to analyze the statute, rules and policies, looking for missing pieces. She presented items one through fifteen [Attachment 3] (describing an applicant's developmental phases) as checks for possible statute deficiency. "Equivalency" and "Reciprocity" seem to be lacking. Ms. Thompson characterized the 15 as "an attempt to be helpful." Mr. Plam: "This is probably the first time that anyone has gotten their mind around our law."

Physician Assistant and Nurse Practitioner (Re)Certification—Mr. Plam introduced the discussion: "This board is not standing in the path of anyone's getting a license. People come voluntarily to us."

Mr. Jones: "[Nonetheless], there is a stumbling block" in that 15 to 25 nurse practitioners and physician assistants, who have allowed their limited permits to be expired for more than two years, wish now to renew. The protracted expiration was a response to the 1993 Legislature's passing of SB 644, which exempted physician assistants and nurse practitioners from board licensing. Radiation Protection Services rules (which regulate unlicensed operators) require more hours of training than board rules, so Mr. Jones wonders whether his group of 15 to 25 may now renew.

Ms. Thompson quoted the statute re expiration (ORS 688.515(4)): "The board may renew any expired limited permit upon payment of a delinquent fee in an amount set by the board plus the biennial renewal fee. However, no such late renewal may be granted more than two years after a permit has expired. A limited permit which has been expired for more than two years may be reissued only in the manner prescribed for an original limited permit."

Ms. Palmer asked whether all of Mr. Jones' group remained up-to-date with continuing education. Mr. Jones answered that radiation use and safety was not kept up, but film interpretation was. Dr. Faulkner worried re how to assure the public of the professional sufficiency of a person who has been so long without radiation-use-and-safety refreshment. **He moved that the chairman and executive officer develop language for submittal to the board—to provide a dispensation for the aforementioned class of nurse practitioners and physician assistants. Ms. Palmer seconded; the motion passed unanimously.**

Legislative Concepts—Ms. Thompson presented legislative concepts—13 of which are dated April 1, 1998 [Attachment 4] and 10 dated April 9, 1998 [Attachment 5]. Number 2 of the 10 was corrected to read "688.405(12)." Number 4 was deleted. Number 5 would remove "Educational Testing

Service” references from “Qualifications of Radiologic Technologist” in ORS 688.465 and ...475. Number 8 was deleted.

The meeting was recessed at 12:00 noon for 15 minutes.

A Teacher-Standards-and-Practices-Commission memo [Attachment 13] was presented. The legislative concept would preclude sealing of police investigation reports and give judges discretion to re-open records. **Dr. Faulkner moved to support the concept; Ms. Palmer seconded; board passed unanimously.**

OSRT—Ms. Thompson reported having attended the annual meeting. She acknowledged the receipt of free meals and two door prizes. One of the latter was \$50 which she delivered to the board; the other she declined.

Database Count and Number of New Licenses/Permits [Attachments 6 and 7]

- < 2,877 active licenses and limited permits, including
- < 328 “initial” (having not yet been required to renew), including
- < 64 approved during the first quarter.

Dr. Faulkner moved to ratify the first-quarter licenses and permits issued [Attachment 8]; **Ms. Palmer seconded. The motion was accepted unanimously.**

Activity Report—Outreach—At the OSRT convention, Stewart Bushong, Prof. of Radiologic Science, Baylor College of Medicine, uttered government regulations’ “Four Cs”: Complex, Confusing, Convoluted and Costly. Ms. Thompson countered with OBRT’s: Clear, Concise, Collaboratively developed and Constantly evolving [Attachment 9].

Budget Benchmarks—Ms. Thompson has corresponded with Scott Bassett, Oregon Progress Board, on 99-01 benchmarks [Attachment 10]. She uses them liberally, both primary and secondary, to help concentrate the mind.

Office Relocation—Ms. Thompson announced that the board’s support staff will be moving within Suite 407 so as to concentrate in the space to be vacated by the Board of Massage Technicians (the northeast corner). Two surplus computers (so that Mr. Stewart will have equipment sufficiency) will be donated by Radiation Protection Services.

Network Administrator contract—This requires consensus of nine peer executive officers, understanding of what the current administrator has done, sending the contract to Salem and advertising the opportunity. Ms. Thompson characterized the contract activity as an enduring frustration.

LIMITED PERMIT

Results of February Limited Permit Examinations [Attachment 11] – Mr. Van Fleet characterized the results as unremarkable. He directed the board’s attention to the reverse slashes appearing in the first two pages. Those slashes are required so that Mr. Stewart’s new spreadsheet format doesn’t perform unwanted divisions. Graphs showing school trends (requested by Mr. Plam in the July 1997 meeting) have been developed [Attachment 12] by Mr. Stewart. Mr. Plam requested that they not

be made public yet.

INVESTIGATIONS

NOTE: In accordance with ORS 688.605(2), the identities of some individuals and facilities are confidential and withheld from public disclosure during the period of investigation.

(Tracking is occurring on previous cases.)

All motions and seconds originated with the Investigations Committee; all board decisions were unanimous.

- Case 97-12-03: \$1000 fine suspended.**
- Case 97-12-05: \$200 fine (six months to twelve months of unlicensed practice).**
- Case 98-02-01: \$100 fine suspended (seven days of unlicensed practice).**
- Case 98-02-02: \$100 fine (up to six months of unlicensed practice).**
- Case 98-03-01: \$100 fine (up to six months of unlicensed practice).**
- Case 98-03-02: \$100 fine suspended (two days of unlicensed practice).**
- Case 98-03-03: \$100 fine (up to six months (10/31/1997-03/18/1998) of unlicensed practice).**
- Case 98-03-04: Two drug convictions, fine and probation, CDAC evaluation: no addiction, negative urinalysis, parole officer: parole subject to early finish (about halfway).**
- Case 98-04-01: \$100 fine.**

LEGISLATION

(Nothing beyond legislative concepts above.)

CONTINUING EDUCATION (CE) [Attachment 14]

Mr. Van Fleet reported that fifty-one continuing-education approval requests were received during the first quarter. All were approved.

Ms. Palmer introduced her documents re approval request, completion certificate and license or permit renewal policy [Attachment 15]. She also wants the board to reserve the right to be present at activities. Mr. Plam recommended that an *ad hoc* committee flesh out her ideas.

OLD BUSINESS

Policy Manual Review: “OBRT Policy Manual” [Attachment 16] was subjected to a further item-wise discussion “until 2:00.” (“Policy [#] is to be [whatever].”) 29 deleted, 32 converted to an administrative rule, 33 replaced by the equivalent American-Society-of –Radiologic-Technologists statement, 34 deleted, 35 deleted, 36 deleted, 37 deleted, 38 deleted, 39 deleted, 40 deleted, 41 deleted, 42 deleted, 43 deleted, 44 deleted, 45 deleted, 46 deleted, 47 worked on, 48 made to read “Any applicant or renewer with a felony conviction will be referred to the Investigations Committee for recommendation to the board.”, 51 deleted, 52 deleted, 53 deleted, 54 converted to an administrative rule, 55 deleted, 56 deleted, 58 deleted, 59 deleted, 60 referred to the Continuing-Education Committee, 62 converted to an administrative rule. Number 63 was passed unanimously: **“All board policies will be reviewed periodically.”**

NEW BUSINESS

(As above (“Physician Assistant and Nurse Practitioner (Re) Certification”))

The meeting was adjourned at 2:25 p.m.