

Oregon Board of Radiologic Technology (OBRT) Quarterly Board Meeting

April 20, 2007 MINUTES

State Office Building 800 NE Oregon Street, Room 135 Portland, Oregon

ATTENDANCE

Members and Staff: Ernest Wick, LRT, Board Chair; David Hamby, PhD, Vice-Chair; Carrie Whitlock, LRT, LRTT; Lorraine Bevacqua, LRT; Frank Erickson, MD; Richard Fucillo, LRT; Peter-Jon Chin, CNMT; Bob Ropcinski, RPS (Advisory Member); Linda Russell, Executive Director; Heidi Park, Staff; Bernice Fox, Staff

Members Absent: None.

Also Present: Doug Cech, LRT, New Board Member; Barb Smith, Portland Community College/OSRT

EXECUTIVE SESSION – CALL TO ORDER – ORS 192.660 (1) (K)

The Executive Session is pursuant to ORS 192.660 (1)(K). Chair Ernest Wick, called the meeting to order at 8:32 AM to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175.

Chair Wick announced the Board had received the resignation of Board member, Debbie Powell, LPH. Chair Wick then asked new Board member, Doug Cech, to introduce himself to the Board.

Chair Wick announced that due to Bob Ropcinski's retirement, this would be his last appearance as the RPS Advisory Member. Bob informed the Board his replacement would be Mary DeFerrari, who was unable to attend the meeting today due to a previous engagement. She will attend our next Board meeting in July. The replacement for his position in the department will probably be named around the first week of May.

PUBLIC SESSION – CALL TO ORDER

The OBRT Board meeting was held Friday, April 20, 2007 in Conference Room 135, Portland State Office Building (PSOB), Portland, OR. Board Chair, Ernest Wick called Public Session to order at 1:53 PM and welcomed guests.

APPROVAL OF MINUTES

Chair Wick asked if there were any additions or corrections to the January 12, 2007 Board meeting minutes. Hearing none, Richard Fucillo made a motion to approve the minutes for the meeting; seconded by Frank Erickson; vote was unanimous.

Chair Wick asked if there were any additions or corrections to the January 11, 2007 Strategic Planning Meeting minutes. Linda Russell proposed a correction that should have included Richard Fucillo as a member of the Continuing Education committee; it will be reconfirmed at our next Strategic Planning meeting on July 13, 2007. Since Debbie Powell resigned, she will be taken off the Continuing Education committee. Linda reminded the Board to give some thought to the committees they signed up for and make sure those are the ones they want to commit to at our next meeting in July. Lorraine Bevacqua reminded the staff to include Peter-Jon Chin as a new member of the Continuing Education committee. Chair Wick asked if there were any other additions or corrections to the January 11, 2007 Strategic Planning Meeting minutes. Hearing none, Richard Fucillo made a motion to approve the minutes for the meeting; seconded by Lorraine Bevacqua; vote was unanimous.

RATIFICATION OF LICENSES ISSUED

The Board approved the following licenses that have been issued: Permanent Initial Radiologic Technologist licenses 106507 to 106660; Permanent Initial Limited Permit 3708 to 3729; Temporary Initial Radiologic Technologist licenses and Temporary Initial Limited Permit licenses L03615 to L03710 (motion presented by David Hamby; seconded by Richard Fucillo; vote unanimous).

INVESTIGATIONS CASE

David Hamby read the investigative case roster:

06-03-03 Licensee appeared before the Board. The Board moved to amend the original notice of proposed disciplinary action, suspend licensure for one year and impose a \$1,000 fine based on 688.525 (1)(d) as defined by 337.010.0060 (2)(h). (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

06-11-02 Licensee appeared before the Board. The Board moved to impose a fine of \$500 for a notice of disciplinary action based on a violation of 688.525 (1)(g) as defined by 337-010-0060 (3)(g). (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

06-11-03 The Board moved to issue a stipulated agreement for a single violation, revising original notice of proposed disciplinary action for 688.525 (1)(g) as defined by 337.010.0060 (2)(h) and impose a fine of \$500. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

07-01-02 Licensee appeared before the Board. The Board moved to take no action as there was no violation. The Board voted to issue licensure and close the case. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

07-01-03 Licensee appeared before the Board. The Board moved to take no action as there was no violation. The Board voted to issue licensure and close the case. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

07-02-01 Licensee did not appear before the Board. The Board moved to send a letter of denial of reinstatement of licensure and require licensee to submit certification of ARRT registration before licensure is issued. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

07-03-01 Licensee did not appear before the Board. The Board moved to keep the case open based on information from AAG, Carol Parks and to monitor the legal situation until resolution of the case. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous.)

07-04-01 Licensee did not appear before the Board. The Board moved to close the case. (Motion made by David Hamby; seconded by Richard Fucillo; vote unanimous).

07-04-02 Licensee appeared before the Board. The Board moved to take no action as there was no violation. The case is closed. (Motion made by David Hamby; seconded by Lorraine Bevacqua; vote unanimous).

07-03-05 Licensee appeared before the Board. David Hamby declared his conflict of interest to the Board members and did not participate in the discussion. The Board moved to impose a fine of \$500 for a notice of disciplinary action based on violation of 688.525 (1)(g) as defined by 337-010-0060 (3)(g). The Board voted to issue licensure and close the case. (Motion made by David Hamby; seconded by Frank Fucillo; David Hamby did not vote; remaining Board members voted to approve the motion).

Licensees appeared before the Board. The Board moved to impose a fine of \$500 for a notice of disciplinary action based on violation of 688.525 (1)(g) as defined by 337-010-0060 (3)(g) on the following cases. The Board voted to issue licensure and close the cases: (Motion made by David Hamby; seconded by Frank Fucillo; vote unanimous).

07-03-02 **07-03-03** **07-03-04**

No action was taken by the Board on the following monitored probationary case:

03-05-01 **05-06-03** **05-06-04**

OLD BUSINESS

Executive Director, Linda Russell presented and clarified details of the revised OBRT 2005-2007 Budget Summary from our March revenue and expenses. We are currently under budget with three months left to go before the end of the fiscal year on June 30, 2007. Depending upon whether or not our legislation moves through the House, it will provide a clear understanding of some of the expenditures that might come up this biennium to cover the impact of SB144. Linda is being diligent to keep the agency within its budget and making an effort to build up reserves; the legislature would like to see at least a six-month reserve. The Governor's Executive Appointment Director told Linda she was doing a very good job and proud of what is being done for OBRT. Linda said the legislature would be scheduling HB144 to come before the House Committee on Healthcare after April 30, 2007.

Linda addressed the process of the public bringing a concern or issue before the Board in public session. Those who are interested need to address the Board in writing and have it submitted by the deadline prior to the agenda formation. This will give those interested parties ample time for discussion and comments on the topics that are on the agenda for that meeting. This information is posted on our website. Bernice will send out a letter to everyone who has requested our agenda and meeting minutes to let them know these are posted on our website. If they still wish to receive a paper copy, they can do so by calling, e-mailing or faxing a request by the posted deadline date. This will still provide a needed service but at a lower cost and be a time saver.

NEW BUSINESS

Vice Chair Hamby congratulated Linda Russell and the staff for receiving the State Controller's Gold Star Certificate for fiscal year 2006. The State Controller's Gold Star Certificate is Oregon's equivalent to the internationally recognized GFOA Certificate of Achievement for Excellence in Financial Reporting. This is the first time the OBRT has received this honor.

Chair Wick commented on his attendance at the recent OSRT meeting. He thought it was well run with great speakers. He answered many questions between sessions and made himself available to address some concerns. There were several Board members present and we were well represented. In conversation with Linda Russell, it was decided to make a presentation at the next OSRT meeting – an update of what's going on at OBRT; how many licensees we have, the action we take, etc.

Lorraine Bevacqua commented that the OSRT meeting was well done and well run. She was impressed with the attendance by ASRT, ARRT and JCERT. It was helpful to have all the people together at the same time and be able to ask questions and give them feedback. She also said the rest of the country is watching what happens with SB144 in the legislature. Richard Fucillo thought it was a very good meeting and

received feedback from representatives from other states who are aware of what we're trying to achieve with SB144. Doug Cech also attended and thought it was well organized and well done.

Frank Erickson asked if there has been any opposition to SB144 in the legislature. Linda stated that overall, there has been no major opposition and only some minor language changes were needed.

PUBLIC COMMENT & ADJOURNMENT

Board Chair Ernest Wick asked if there was any other business or public comment. Barb Smith from Portland Community College/OSRT thanked OBRT for being represented at the meeting and commented the next OSRT meeting would be in the Bend area. Chair Wick thanked everyone for their participation on and commitment to the Board. It has been a real team effort and the Board is moving in the right direction.

Linda asked the Board for guidelines to define the criteria for bringing licensees and applicants before the Board. The Board agreed to implement policy #0007. This allows the Executive Director, at her discretion, to resolve a case of nondisclosure, and issue a Notice of Disciplinary Action and impose a Civil Penalty if a conviction is a Misdemeanor and is more than 7 years old. The results over the next 3 months will be reported at our next Board meeting on July 13, 2007 and any adjustments or changes can be made at that time.

Barb Smith asked for clarification if new applicants and renewal licensees would be affected by this ruling, so she can notify her students. The Board informed her that it does affect both new applicants and renewal licensees. While the students may have passed other required background checks, they still need to inform the OBRT of all Misdemeanor and Felony arrests and convictions on their applications, regardless of when they occurred. If the students have had their convictions expunged, they must submit proof of expungement with their application.

Board Chair Ernest Wick asked if there was any other business or public comment. Hearing none, he thanked everyone for coming and adjourned the meeting at 2:37.

The next Board meeting is scheduled for July 13, 2007 in Conference Room 140 at the Portland State Office Building.