

# Oregon Board of Radiologic Technology (OBRT) Quarterly Board Meeting

## JANUARY 9, 2009 MINUTES

State Office Building      800 NE Oregon Street, Room 1A      Portland, Oregon

### ATTENDANCE

**Members and Staff:** Frank Erickson, MD, Interim Vice Chair; Peter-Jon Chin, CNMT; Thomas King, LRT; Doug Cech, LRT; Frank Krause, Public Member; Pat Williams, LRT; Kimberly Earp, LRT, LRTT; Terry Lindsey, RPS (Advisory Member); Margaret Lut, RPS (Advisory Member); Linda Russell, Executive Director; Bernice Fox, Administrative LEDES Specialist; Heidi Park, Administrative Licensing Specialist

**Members Absent:** Carrie Whitlock, LRT, LRTT, Board Chair

**Also Present:** Carol Parks, Senior Assistant Attorney General; Lora Carson, Department of Administrative Services (DAS) Contracted Accountant; Michael Kaplan, Budget and Management Analyst; Susan Castanette, LRT

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

The Executive Session is pursuant to ORS 192.660 (1)(K). Interim Vice Chair Frank Erickson called the meeting to order at 8:40 AM in Conference Room 1A, Portland State Office Building (PSOB), Portland, OR to discuss confidential Board discipline and investigative cases that are confidential according to ORS 676.175.

### PUBLIC SESSION – CALL TO ORDER

Interim Vice Chair, Frank Erickson called the Public Session to order at 11:15 AM and welcomed guests. He asked for any thoughts or comments from the public.

The Board presented member Peter-Jon Chin with a plaque of appreciation that read, "With thanks for your outstanding dedication, continuing education contribution and service as a Board member of the Oregon Board of Radiologic Technology from January 23, 2006 through January 22, 2009". Peter-Jon Chin resigned his position as a Board member due to an increase in his job responsibilities as manager for Providence Health Services. He was also presented with a Certificate of Appreciation from the Governor's office for his service to the Board.

There was some discussion regarding the Board's draft bill before the current legislature. Interim Vice Chair Frank Erickson commented that the bill has been numbered HB 2245, which means it will go before the House first, then the Senate.

### APPROVAL OF MINUTES

Interim Vice Chair Erickson asked if there were any other additions or corrections to the October 10, 2008 Board meeting minutes. Hearing none, Thomas King made a motion to approve the minutes for the meeting; seconded by Peter-Jon Chin; vote unanimous.

## **RATIFICATION OF LICENSES ISSUED**

The Board approved the following licenses that have been issued: Permanent Initial Radiologic Technologist licenses 107201 to 107453; Permanent Limited Permit Holder licenses 3800 to 3813; Temporary Initial Radiologic Technologist licenses, Temporary Initial Radiation Therapist licenses and Temporary Initial Limited Permit licenses L04163 to L04224 (Motion made by Thomas King; seconded by Frank Krause; vote was unanimous).

## **INVESTIGATION CASES**

Doug Cech read the investigative case roster:

**05-06-04A** Licensee did not appear before the Board. The Board moved to withdraw the case from the Office of Administrative Hearings and allow licensee to take the Limited Scope in Radiography examinations administered by the ARRT. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**07-11-03** Licensee did not appear before the Board. No action was taken.

**08-02-01** Licensee did not appear before the Board. No action was taken pending further investigation. Thomas King recused himself due to conflict of interest as defined by ORS 688.555.

**08-05-01** Licensee did not appear before the Board. The Board moved to offer the licensee the option of surrendering her license in lieu of paying her \$500 Civil Penalty. If licensee chooses not to give up the license, it will be suspended until licensee makes full payment and provides proof of compliance with the terms of the Stipulated Agreement. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-09-01** Licensee did not appear before the Board. The Board moved to issue a Final Order by Default for Revocation of Limited Permit. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-09-05** Licensee did not appear before the Board. The Board moved to issue a Notice of Proposed Disciplinary Action for all of the violations and sanctions from the October 10, 2008 Board meeting with additional violations of ORS 688.525(1)(g) with a \$500 Civil Penalty and ORS 688.525(1)(b) as defined by OAR 337-010-0006(2)(h) with a \$1000 Civil Penalty. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-02** Applicant did not appear before the Board. The Board moved to approve withdrawal of the Temporary Limited Scope application. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-03** Licensee appeared before the Board. The Board moved to issue a Stipulated Agreement with a Civil Penalty of \$500 and random UA's until October 2009 in violation of ORS 688.525(1)(a). We will request a signed release of information form for results of the UA's. We will stay the \$500 Civil Penalty pending negative UA's from the employer. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-04** Applicant did not appear before the Board. No action was taken.

**08-10-06** Applicant did not appear before the Board. The Board moved to send a letter to applicant granting a temporary limited scope permit pending receipt of documentation needed by the Board or a satisfactory response. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-07** Licensee did not appear before the Board. The Board moved to request the licensee appear before the Board at their next meeting on April 10, 2009 to respond to new allegations. (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

The Board moved to approve and close the following case involving operating without licensure: (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-05**

The Board moved to approve and close the following case involving failure to disclose criminal history on application: (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**08-10-01**

The Board moved to approve and close the following case involving completion of probation and monitoring: (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**03-05-01**

No action was taken by the Board on the following monitored probationary cases: (Motion made by Doug Cech; seconded by Thomas King; vote unanimous).

**05-06-04**    **07-02-01**    **08-01-01**    **08-09-03**

## **COMMITTEE UPDATES**

In the absence of Continuing Education Committee Chair Carrie Whitlock, Peter-Jon Chin reported there were no updates for the committee. Kimberly Earp volunteered to be on the committee since Peter-Jon Chin will no longer be a Board member.

Frank Erickson, Chair of the Legal Committee, commented that we are waiting for the printed version of the new bill that will be reviewed by the committee. The legislative session begins January 12, 2009. Frank Krause and Thomas King volunteered to be members on the committee.

Doug Cech reported on the Limited Scope/Permit school inspections. He stated he had nothing to report as there haven't been any recent school inspections. Linda Russell acknowledged that we need some of the new Board members to join the committee as Doug Cech is the Chair and the only member of this committee. Linda Russell commented that she is willing to go out on the inspections but needs more members to participate. Thomas King said he is willing to be on the committee but he requires training to do the inspections. Margaret Lut volunteered to serve as an advisory member on the committee.

Linda Russell discussed the training and orientation for new Board members. The next formal Governor's office Board training is March 10, 2009. She offered to continue doing the orientation for the new members but added that they could also attend the March 2009 orientation. She asked the new Board members to let her know if they want to attend.

### **EXECUTIVE DIRECTOR UPDATE**

Linda Russell reviewed and discussed the 2007-2009 Budget Summary and the 2007-2009 Biennium Annual Allotment Report. She also explained the Assistant Attorney General's expenses on the investigative cases.

Linda Russell then introduced Lora Carson, Shared Client Services (SCS) contracted accountant. Lora presented a one-page spreadsheet that was a view of how she sees our budget. She discussed the budget items for this biennium projected out through June 30, 2009; she projected both revenue and expenditures. Lora remarked that the Board has been very prudent in their spending.

Linda Russell asked Michael Kaplan, Budget and Management Analyst (BAM) to discuss his thoughts about the upcoming legislative session. He spoke about the current economic climate and the importance of being prepared when presenting and discussing HB 2245 before the legislature. Linda Russell asked the Board members to submit their ideas to her as soon as possible as it is unknown when the bill will be scheduled for a public hearing. The public hearing is the Board's chance to present our case before the legislature and receive a "Do Pass" on the bill.

### **OLD BUSINESS**

Linda Russell passed out the ballots to the Board members to vote for the Vice Chair position that will serve until July 2010. The ballots were counted and Frank Erickson was elected as Vice Chair.

## **NEW BUSINESS**

Linda Russell began a discussion about the Board's Best Practice Performance Measures, reviewing sections 1 through 8. She will send the self-evaluation out to Board members in June each year. The Board's Best Practices consists of 15 different points or best practices. On the Best Practice Assessment Score Card, the Board members will mark either yes or no representing the knowledge of each of the Best Practice. The Board members will sign and date it, and send it back to Linda by fax, e-mail or mail.

## **PUBLIC COMMENT & ADJOURNMENT**

Board Vice Chair Frank Erickson asked if there was any other business or public comment. Hearing none, he thanked everyone for coming and adjourned the meeting at 2:30 PM.

The next Board meeting is scheduled for April 10, 2009 at 8:30 AM in Conference Room 1-A at the Portland State Office Building.