

MINUTES

**UTAH
RADIOLOGY TECHNOLOGIST LICENSING BOARD
MEETING**

January 7, 2010

**Room 475 – 4th Floor – 1:00 p.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 1:05 p.m.

ADJOURNED: 2:55 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Troy Dicou – Chairperson
Ruth Potkins
Alexis Nieves
Carla Willard
Loy Ann Hunt

Board Members Absent:

Guests:

Kay Gallegos
Kevin Marshall

DOPL Staff Present:

Kent Barnes – Sr. Business Analyst
Connie Call – Compliance Assistant

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of the October 1, 2009 Board Meeting Minutes

Ms. Hunt seconded by Mr. Christensen made a motion to approve the October 1, 2009 Board Meeting Minutes, with corrections. The motion carried unanimously.

APPOINTMENTS:

1:15 p.m. Compliance

Ms. Call explained;

Ballard, Amy:

Ms. Call reminded the Board that at the October 1, 2009 Board Meeting Ms. Ballard requested release

from her probation. The Board agreed to consider her requested if she submitted a letter requesting an early release, explaining what she had learned from this experience, and a letter from her Employer indicating their support of Ms. Ballard's early release.

Ms. Call explained Ms. Ballard has not submitted the requested information. Ms. Ballard will be contacted and requested to submit the letters prior to the July 1, 2010 Board Meeting.

Marshall, Kevin:

Is currently non-compliant with his Stipulation and Order, do to his failure to submit his December, and January Employer Reports. Ms. Call then added that due to a different Compliance Assistant, conducting his initial interview, Mr. Marshall may not understand all probationary requirements. She then requested that the Board educate Mr. Marshall, this time. Mr. Dicou then requested for this probation to be strictly monitored.

Brown, Trevor:

Ms. Call reminded the Board that at the October 1, 2009 Board Meeting, Mr. Brown requested to be released from his probation. The Board agreed to consider his request upon receipt of requesting his release, and explaining what he has learned from this experience. In addition a letter from his Therapist indicating his support of Mr. Brown's early release, and clarifying the reason for any missed appointments.

Ms. Call explained that Mr. Brown has submitted the requested letters, she then read them for the Board.

1:30 p.m. Marshall, Kevin

Mr. Marshall appeared for his scheduled probationary appointment. Ms. Call explained that he is non-compliant with his MOU (Memorandum of Understanding), and that he had been requested, at the last meeting, to submit a letter from ARRT (American Registry of Radiologic Technologists) showing proof that his certification is active and in good standing, and his Employer reports, as required by his Stipulation and Order.

Ms. Call explained, that she has not received the requested letter from ARRT. Mr. Marshall stated that he had obtained the letter from ARRT, however, he

did not have it with him, it was then added that he will submit the letter to Ms. Call, prior to the end of business hours today. Mr. Christensen questioned Mr. Marshall regarding the content of the ARRT letter. Mr. Marshall explained that ARRT had requested “court documents and stuff like that”, and had later granted him his certification with no restrictions.

Ms. Call also questioned Mr. Marshall regarding his failure to submit his Employer Reports. Mr. Marshall explained that he was working on a Per Diem basis. Ms. Call reminded Mr. Marshall that if he works any hours his Employer Reports must be completed by his employer, and submitted by Mr. Marshall. She then added, if he was not working in this profession, his license remains in a probationary status, however, the probationary period stops, until he becomes employed. Ms. Call then reminded Mr. Marshall that he must also complete and submit the Employer Report indicating that he is unemployed, on or before February, March, April, May, June and July 20th, 2010. Mr. Marshall acknowledged he understood. Ms. Call then gave Mr. Marshall an “Employer Report” which reflects the due dates, and explained that if the form is misplaced, a copy may be obtained from the Divisions web site.

Mr. Marshall later acknowledged that he is no longer employed, at all. He further explained that he is looking for employment in every State.

Ms. Call questioned Mr. Marshall regarding his residency. Mr. Marshall explained that he was between residences. Mr. Dicou reminded Mr. Marshall that he is required to keep the Division updated regarding his contact information, Mr. Marshall agreed.

Mr. Marshall then left the meeting. It was proposed to allow Mr. Marshall one week to submit the missing information. Ms. Willard disagreed, adding “if the documentation is not submitted today, he is non-complaint”, the remainder of the Board agreed.

1:45 p.m. Gallegos, Kay

Ms. Gallegos appeared for her scheduled appointment with the Board. Mr. Ormond explained that Ms. Gallegos entered into a plea in abeyance agreement, on June 8, 2009, to Tampering with evidence, a class A misdemeanor. If Ms. Gallegos remains in full

compliance with her plea agreement, this charge will be dismissed in December 2010.

Ms. Gallegos submitted with her application for licensure letters from ARRT, and Ms. Tanya Nolan, both were favorable, of Ms. Gallegos becoming licensed in this profession. The Board questioned Ms. Gallegos regarding what she had learned from this experience. She explained that she now insists that her children be raised in a drug free home.

The Board discussed in detail the aggravating and mitigating aspects of Ms. Gallegos charge. Ms. Hunt seconded by Mr. Nieves made a motion to grant Ms. Gallegos a license as a Radiology Practical Technician, without restrictions, contingent upon further review of her charges when she applies for licensure as a Radiology Technologist. The motion carried with Mr. Christensen recused.

DISCUSSION ITEMS:

Brown, Trevor – Review of letter requesting an early release

After a brief discussion Ms. Potkins seconded by Ms. Hunt made a motion to release Mr. Brown from his probationary status. The motion carried unanimously.

ARRT – Update of Clinical Requirements

Reviewed, this document was previously forwarded to the Board, for their review. Mr. Dicou and Mr. Christensen explained that they have requested the opinion of their facility director. Mr. Nieves later explained that he will do the same.

The Board will forward any comments to the Division.

Licensure requirements for Radiology Physician Assistant, and Radiology Assistants

An extensive discussion was conducted regarding licensure/certification of RPA (Radiology Physician Assistants) and RA (Radiology Assistants). Mr. Dicou explained that currently neither is recognized, as a licensed profession, by the Division. However, each individual using these titles must be licensed as a Radiology Technologist.

It was further explained that lack of licensure is causing confusion by medical facilities. Mr. Christensen clarified that facilities are unsure what supervision level or duties RPA's and RA's are allowed to do, additionally facilities are attempting to write practice standards, which should be dictated by

the Division.

The Board was concerned that RPA's and RA's are not being appropriately supervised. The Board was also concerned that RPA's and RA's are supervising Radiology Technologists, which is a violation of Title 58 Chapter 54. It was then recommended to require RPA's become licensed as Physician Assistants.

2010 Board Meeting Dates

Mr. Ormond explained that due to budgetary issues the Division is considering reducing the number of times each of our Boards/Committees meet. The Board agreed to cancel the April 1 and October 7, 2010 meetings.

CORRESPONDENCE:

ARRT – Educator Update

Reviewed, with no further action taken.

ADJOURN:

2:55 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved (ss)
Chairperson, Radiology Technologist Licensing Board

Date Approved (ss)
Bureau Manager, Division of Occupational & Professional Licensing