

**North Dakota Medical Imaging and Radiation Therapy Board
March 10, 2020
Regular Board Meeting
Ft. Totten Room, ND State Capitol
Minutes**

Call to Order

The meeting was called to order by Board President, Shirley Porter, at 9:00 am.

Present

Board Members – Shirley Porter, Brent Colby, Kayla Moore, Melanie Murra, and Amy Hofmann (by phone).

Others - Jacinda Simmons, Board Staff; Allyson Hicks, Legal Counsel

{Dr. Roxanne Keene, Tara Wagner, Dr. Ted Fogarty, William Thompson absent}

Minutes

1/3/2020 - A motion was made to approve the minutes. (Hoffmann/Moore/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

Financial

Everything is in line with the budget for 24-months into the budget cycle ending 12/31/2019. Revenue ended at \$288,091 and expenses ended at \$163,875. This gives a net income of \$124,216. Renewal fees went well over budget on the revenue side. On the expense side, PayPal fees were over budget due to more people renewing online than what was budgeted. “Online Database and Updated Website” line item was also over budget due to additional improvements with the Board’s website.

A motion was made to approve the financial report. (Murra/Moore/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made to have APT, Inc. accountant send monthly and detailed statements and bank statements to the Board chair, retroactive to January 1, 2020, to better track the Board’s revenue and expenses. Documents to include, 1) monthly detailed balance sheet, 2) monthly income statement 3) checking and saving account’s reconciliation reports with the copies of the attached bank statements. (Moore/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made that all Board funds have FDIC insurance and that no account exceeds \$250,000 at one bank. (Murra/Moore/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made to keep about 15 months of budgeted expenses or 60% of total expenses in checking (a liquid status account) at all times, before transferring any funds into an investment account (a non-liquid account) which right now is about \$95,000-\$105,000, in checking.

(Colby/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made to ensure the Board always has an interest-bearing checking and saving account, which may require moving to another bank. (Colby/Hoffmann/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

Check Signer Motion - A motion was made to add Moore as a check signer and to keep Bill Kalanek with APT, Inc. and Shirley Porter as check signers. (Colby/Hoffmann/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

Increase in Litigation Funds – A motion was made to transfer \$75,000 from checking and add it to the litigation CD fund with an end goal of \$750,000 in CDs of excess liquid funds. (Moore/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

Increase in Website Improvements, create an IT Web Fund – A motion was made to transfer \$25,000 from checking and create an IT Web CD fund for website improvements with an end goal of \$300,000 of excess liquid funds, to be used for major web updates, improvements, and security updates to the website. (Murra/Moore/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made to transfer \$100,000 from checking and add it to the litigation CDs and an IT Web CD fund for website improvements as mentioned above. (Moore/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

A motion was made to grant the Board President, with assistance from APT, Inc. staff, if needed, to shop banks for checking account, interest and CDs, to stagger dates of maturity in CDs and to earmark them for litigation and IT Web improvements. (Colby/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)] **[Bd. Office]**

Open Records and Open Meetings Information

Legal Counsel explained and reviewed our annual open records and open meetings laws to the Board.

Complaint

#2019-01 – The Board requests more information on the complaint. **[Bd. Office]**

Administrative Rules Update

The Administrative Rules Committee meeting went well. The new rules will be effective on April 1, 2020.

LXMO Licensure

LXMOs can be licensed by endorsement if they have practiced in another state for at least 3 of the last 4 years or that they have passed the ARRT exam.

Minnesota does not have licensure for LXMOs. They are certified with the ARRT exam. If they have passed the exam or have been working for 3 of the last 5 years, they could be licensed.

The Board will increase the time allowed to 6 months to complete clinicals while under a conditional license to work towards LXMO licensure.

License Application Review

Nothing to review.

Radiologic Technologist License by Reciprocity with Arkansas

The Board should keep a list of states and modalities that are acceptable between the states. This wouldn't be considered a compact. Compacts are stated in law and must be among at least 7 states with similar license requirements. This could also include background checks depending on ND Law.

The Board office will respond by referring to our reciprocity statute and that all applications are reviewed individually.

Non-diagnostic Sonography Clinics

The law states an individual must be licensed if they are performing medical imaging for the diagnosis and assessment of various conditions. Based on that, the individual and business is not practicing illegally because the images are not being used for diagnosis and assessment.

ARRT Contract

The Board is waiting for the finalizing of the contract with ARRT's legal department.

[Porter]

Request to Waive Late Fee

A motion was made to waive the late fee for Dauenhauer. (Moore/Hoffmann/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent] [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)]

[Bd. Office]

Executive Director Position

Hiring an Executive Director is an option for the Board as it is provisioned in the Administrative Rules. After Porter is off the Board, the Board may want to hire a part-time Executive Director. They should at least have a medical background, preferably in imaging.

Board Office Update

Settlement Agreement Update – Mohr has fulfilled his settlement agreement requirements. His license is in good standing.

[Bd. Office]

Renewal Update – 1343 licensees renewed. There were 284 that did not renew.

Updates to Website – The Board office will make some updates and improvements to the website over the coming weeks. Some features to benefit licensees will be added.

[Bd. Office]

Approved List of Licensees

A motion was made to approve the list of licenses issued by the Board office from 1/1/2020-02/29/2020. (Moore/Murra/carried) [Dr. Keene, Dr. Fogarty, Wagner, and Thompson absent]
[Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), and Hofmann (y)]

Board Appointment

Dr. Aaron Garman informed the Board he has applied for the rural physician Board position, but no appointments from the Governor’s office. He previously served on the Board.

Next Regular Board Meeting Date

October 8, 2020

9:00 am

TBA

Adjourn

11:35 am

Respectfully submitted,

Shirley Porter
President

Jacinda Simmons
Administrative Assistant