

**North Dakota Medical Imaging and Radiation Therapy Board
March 17, 2022
Regular Board Meeting
Held by Virtual Means and at the Board office
Minutes**

Call to Order

The in-person and GoToMeeting virtual format 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, Amy Hofmann, Dr. Aaron Garman, and Tara Wagner.

Others - Jacinda Simmons, Board Staff; Allyson Hicks, Legal Counsel; guests: Amanda Grocott, NDSRT;-Carla Barrios, NDSRT and Abigail Berg, NDSRT, as well as members of the public in virtual attendance.

{Hofmann, Wagner, and William Thompson absent}

{Radiologist position vacant}

Minutes

12/16/2021 – A motion was made to approve the minutes. (Murra/Dr. Garman/carried) (Hofmann, Wagner, and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), Dr. Garman (y)] **[Bd. Office]**

12/29/2021 - A motion was made to approve the minutes. (Murra/Dr. Garman/carried) (Hofmann, Wagner, and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), Dr. Garman (y)] **[Bd. Office]**

Financial Report

Everything is in line with the budget for one month into 2-year budget, ending January 31, 2022.

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

{Hofmann present}

End of Biennial Fiscal Year (2020-2021) – Board ended fiscal year with both revenue and expenses being under budget. Net income was \$119,157. Total CD balance was \$243,841.

A motion was made to approve the year-end financial report. (Dr. Garman/Murra/carried) (Wagner and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), Hofmann (y)]

A motion was made to transfer \$104,000 from Board’s checking account with \$4,000 to savings, \$75,000 to litigation CD Fund, and \$25,000 to the IT Web funds. (Moore/Murra/carried) (Wagner and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y)] **[Bd. Office]**

NDSRT Licensure Questions

Amanda Grocott presented NDSRT’s concerns about license applications and the time of licenses being issued which is too long for most travelers. However, the Board stated that the timeline delay is not with the Board, it is with the process itself. The problems arise with the processing time with BCI and USPS mailing time. Legal counsel and the Board also explained how the CHRC process works with ND BCI and the FBI. The Board must abide by state statutes and the ND Attorney Generals office. Grocott was pleased to hear the Board’s side of the story and how the process works.

Porter suggested an application checklist for applicants, employers, human resource managers. This would be especially beneficial for travelers as they could see exactly what items they need to submit. They may also check updates of status for the applicant as that lists what items are missing submitted to the Board office.

The Board can also add an additional box to the online verification page that shows a summary of items remaining. **[Bd. Office]**

Grocott and Porter will send sample checklists to the Board office for the creation of a Board Application Checklist for posting on the website. **[Bd. Office]**

NDSRT had positive comments about online renewal.

Board Office Update

Office Hours and Correspondence Response Time – Office is open Monday through Friday from 8 am to 5 pm. Phone and email correspondence is currently handled several times a week.

Nonrenewed List of Licensees – There were 369 licenses that were not renewed possibly due to the high rate of travelers and many who retired.

The Board will post the list to the website. **[Bd. Office]**

Board Member Email Addresses Update – The Board is working with NetCenter to get this set up. The Board will notify Board members when they need to contact NetCenter to get it set up. **[Bd. Office]**

Wamberg Quarterly Report Update

Rebecca Wamberg’s immediate supervisors left Trinity. Jim Coffin is the Radiology Director and her interim supervisor. Coffin had informed the Board that Wamberg was writing down her exposure indexes for reporting to the Board. An immediate supervisor should do this, not Wamberg per the language in the settlement agreement. The Board will continue to work with Wamberg and Trinity for the formats of both quarterly reports **[Porter]**

Licensure Concerns – Amy Bertsch

Her complaint and letter expressed concerns about the Board office not answering phone calls. However, she did not leave any voice messages to be returned.

The Board desires next day response time for phone calls and two days for emails. Moore suggested an auto reply for email and to state that emails will be answered in 2-3 business days. The Board office will also listen to make sure the voicemail message gives the email address and add to leave a message for a callback. APT was made aware of the filed complaint.

The Board will respond to Bertsch that her complaint is outside the Board's jurisdiction, with the Board's suggestions for the website and phone message, any future concerns should be made to the ND Governor's office, and that the Board will keep her updated on improvements.

[Porter & Legal Counsel]

A motion was made to dismiss the complaint for lack of jurisdiction and refer her to the Governor's office. (Colby/Hofmann/carried) (Wagner and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Moore (y), Murra (y), Hofmann (y)]

{Moore absent}

{Wagner present}

Open Records & Open Meetings Laws

Hicks gave annual presentation to the Board.

Porter will check with Albertson Consulting if there are any additional security measures for application information that is uploaded into the secure documents. **[Porter]**

License Applications

N. Fierce —Pending charges from October 2021 still not resolved due to court delays. Her license can be issued but she will need to report if she is convicted or plead down to a lesser charge. The office will add a note in her file to be reviewed at a future date or renewal. **[Bd. Office]**

Approved List of Licensees 9/10/2021-3/10/2022

A motion was made to approve the list. (Dr. Garman/Murra/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Approved List of Renewed Licensees 2022-2023

There are currently 1557 licenses with 1351 current licensees.

A motion was made to approve the renewed license list. (Dr. Garman/Murra/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Conditional License LXMO Update

Stacie Brambrink and Chantal Sommers, the LXMOs in MN, holding a conditional ND license no longer wish to pursue the license and take the ND LXMO exam.

Since the standards between ND and MN are not equivalent, future applicants would need to meet ND requirements.

ARRT Scores Comparisons

ND scores higher than national average for the LXMO exam. The MN LXMO exam has a pass rate of 70% with unlimited attempts and applicants can choose modules according to their scope of practice. In ND, the pass rate is 75% with three attempts and applicants must pass all modules.

Continuing Ed Providers Request

At a recent meeting, the Board approved the LXMO education program from CE Providers. They are now requesting approval for their bone densitometry program. It would be like the set up for the LXMO program. However, there are currently no bone densitometry technologists that are not already grandfathered or licensed in another imaging modality.

A motion was made to deny the program because it is not needed at this time. (Hofmann/Dr. Garman/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)] **[Porter]**

Board Executive Director Position

Porter terms off the Board in July. She will need to abstain from discussion and voting since she is interested in the position. The Board office will edit the job description as needed. Current Vice President Colby will take over the meeting during this discussion.

The Board reviewed the job description and had no changes.

A motion was made to proceed with the Executive Director position as described in the job description. (Hofmann/Wagner/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

The Board will open the job posting on May 15, 2022, and close it after 14-30 days. The Board will allow 2 weeks of training the Executive Director. The Board will review applications and grade them. The Board will reach out to HRMS for assistance. The Board will meet again when HRMS is contacted. **[Colby & Board]**

Application Review and Background Check Process

The applications are currently being updated. Court martial will be added to the background history questions since the Board is receiving applications from applicants with military backgrounds. License and registry differences will be clarified. The application will be shortened, and most CE information will be removed. The Board will also update and simplify the application webpage to include a checklist of items required for the application.

Criminal History Record Checks – Legal counsel states that BCI is aware of the issues and delays with background checks. They are looking at updating their software and processes. However, BCI must first update the law enforcement software and procedures. The Board was not interested in doing conditional licenses pending the background check again. The Board will work to clear up any language to make the requirements clearer.

Licensure Compacts – Legal counsel explained licensure compacts. The individual would have a license in their home state with a compact in the field. Once a compact application is received, the Board confers with the compact about background checks, transcripts, and test scores. It may take hours instead of days to get a license because the home state has already issued the license. But with a compact, the Board would lose decision making on license requirements, fees, test scores, etc. Currently, the license requirements are widespread with some states requiring no license to others with more stringent requirements, like ND. A compact would not necessarily benefit the Board or the public and must be approved by the ND Legislature.

BON Joint Fluoroscopy Statement

DEQ sent a draft to BON, but it does not change the intent of the statement. It does not give authority to this Board over APRNs. It does not allow grandfathering.

A motion was made to approve the current statement approved by BON in January 2022 including the language from DEQ. (Brent/Murra/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Members to Review APRN Fluoro Education – Porter and Colby are on the BON committee to review education and give their recommendations but will not vote with the ND Board of Nursing.

Board Appointments

The Board is looking for a Board member who is a radiologist. Hofmann and Wagner filled terms and may be reappointed for their second term.

Election of Officers

A motion was made to keep the current officers. (Dr. Garman/no second/motion failed)

President - A motion was made to elect Porter as President until her terms ends.
(Wagner/Hofmann/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Vice President - A motion was made to elect Hofmann as Vice President.
(Wagner/Porter/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Secretary/Treasurer - A motion was made to elect Moore as Secretary/Treasurer.
(Wagner/Hofmann/carried) (Moore and Thompson absent) [Roll Call Vote – Porter (y), Colby (y), Wagner (y), Murra (y), Hofmann (y)]

Next Meeting Date

September 22, 2022 9 am Location TBD

A special meeting may need to be called by Vice President Hofmann to discuss the Executive Director job description and posting.

Adjourn 12:44 pm

Respectfully submitted,

Shirley Porter
President

Jacinda Simmons
Administrative Assistant