

**North Dakota Medical Imaging and Radiation Therapy Board
September 27, 2022
Regular Board Meeting
Held at the Board office and by Virtual Means
Minutes**

Call to Order

The regular meeting was called to order by Board President, Amy Hofmann, at 9:00 am.

Present

Board Members – Amy Hofmann, Brent Colby, Kayla Moore, Melanie Murra, Dr. Michael McIntee, William Thompson, and Amanda Grocott
Others - Shirley Porter, Executive Director; Jacinda Simmons, Board Staff; Allyson Hicks, Legal Counsel; as well as members of the public in virtual attendance.

{Tara Wagner absent}

{Rural physician position vacant}

Addition to the Agenda

A motion was made to add Executive Session under the authority of North Dakota Century Code to review confidential records to the complaint agenda item. (Dr. McIntee/Murra/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)]

Minutes

7/7/2022 – A motion was made to approve the minutes. (Grocott/Dr. McIntee/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)] **[Bd. Office]**

7/14/2022 - A motion was made to approve the minutes. (Moore/Murra/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)] **[Bd. Office]**

Financial Report

The report is for eight months into the 2-year budget. Revenue and expenses are in line with the budget. As of August 1, 2022, the monthly management services fee is \$2300. Additional funds totaling \$104,000 with \$4,000 added to savings and \$75,000 added litigation CD and \$25,000 to the IT Web fund CD.

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

Approved List of Licensees (05/24/2022-09/16/2022)

A motion was made to approve the list of licenses. (Moore/Grocott/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)] **[Bd. Office]**

ND Attorney General Seminar

ND Attorney General office will offer a seminar on Board-related matters on October 5, 2022. Hofmann, Grocott, and Porter will attend.

Duties and Authorities of Executive Director

A motion was made to move administrative duties from the Board president to the Executive director. (Moore/Dr. McIntee/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)]

Executive director will manage background check results, application review and approval, and other duties as directed by the board and job description. The Board president will manage the Board meetings.

Check Signing - A motion was made to authorize Porter and Moore to sign all checks; APT, Inc. will only sign checks as authorized by Porter. (Grocott/Murra/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)] **[Porter]**

Porter will send the paperwork to be a check signer to Moore. **[Porter]**

A motion was made to authorize APT, Inc. to sign the monthly check for Executive Director and other checks only as authorized by the Executive Director. (Grocott/Dr. McIntee/carried) [Wagner absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Dr. McIntee (y), Grocott (y), Thompson (y)] **[Bd. Office]**

Disciplinary Action Update

Wamberg and Trinity Health had positive and satisfactory updates for the Quarter two report.

Board Appointments

A rural physician is needed for the Board. If Board members have any suggestions, they should contact the Board office or refer the person to the ND Governor's office.

{Dr. McIntee absent}

Complaint

#2022-1 - Board discussion: request additional information from Fargo Sanford regarding more about the patient, the scans performed, if the licensee had an MRI before, and requesting the entire Epic file for that shift.

A motion was made to direct Executive Director and Legal Counsel to send a second subpoena to Sanford Health in Fargo. (Moore/Grocott/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (abstains), Moore (y), Murra (y), Grocott (y), Thompson (y)] **[Porter, Grocott, and Legal Counsel]**

Self-reported Ethics Violation

Bliven – A motion was made that the Board reviewed and took no action; she should continue to keep the Board posted on any updates or other convictions and she will need to disclose the DUI conviction at time of renewal stating the Board reviewed it at this meeting; Board office will

notify her of this update. (Grocott/Murra/carried) [Wagner & Dr. McIntee absent] (Rural physician vacant] [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)] **[Board Office]**

Fierce - A motion was made that the Board reviewed and took no action; she does not need to report at time of renewal since the charge was dismissed; Board office will notify her of this update. (Murra/Moore/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant] [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)] **[Board Office]**

Board Office Update

Current License Stats – Total licensees of 1747 with 1528 people holding those licenses. There are 34 conditional licenses and 16 temporary licenses.

Response Time from the Board Office – Next day for phone messages and 2-3 business days for email responses. **[Bd. Office]**

Executive Director Job Process – Board office contacted both Job Service and HRMS for assistance with process but received very little response or guidance.

Board Coverage During Absence – There should be Board coverage from someone at APT at all times. Porter now has access to the database and will work to gain access to the Board's email. The procurement contract doesn't specify coverage the contract states that APT must provide services during absence of the main contact for the Board.

{Dr. McIntee present}

2023 Legislative Session

The upcoming session will start in January 2023. As Executive Director, Porter will continue tracking bills.

There are small and minor updates needed to the law and rules but nothing substantial.

Conditional LXMO and BD License Updates

Feist – LXMO – At this time, he does not have an interest in taking the ARRT exam.

Schwabrow – LXMO - She will send her transcripts and petition. The Board office still has her background check forms and fees. **[Porter]**

Siders – BD – He has completed the course. The Board office is waiting for his ARRT exam application. **[Porter]**

Reindel – BD – She has not yet completed the didactic course or the background check yet. She and Siders are at the same facility, so they are trying to stagger their fees. **[Porter]**

Score Reports – There have been LXMOs who did not pass the ARRT exam and others who did not wish to take the third and final attempt. One person did not feel her education at Riverstone Health Billings Montana prepared her for the exam.

The Board has concerns about LXMOs not passing the exam. Porter will request course curricula for Board to review the didactic programs at Riverstone Health, Minnesota State Community and Technical College, and Dakota County Technical College to see if the programs are following ARRT specifications. **[Porter]**

LXMO Application and Clinical Competency Applications Update – Porter and Grocott will review and update the clinical requirements. The LXMO application has been updated and will be available online in the near future. Tabled to next meeting. **[Porter & Grocott]**

{Dr. McIntee}

Application & Database Security Updates

Board Member Login - A motion was made to approve the Board login for limited database access. (Grocott/Moore/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)]

The Board office will send out login information and instructions by email. **[Board Office]**

Updates to Database Security – A motion was made to require licensees and applicants to use a password instead of the last four SSN to login to complete the application, print license, and login to the dashboard but the last four SSN will still be used for the application status so employers can continue to login and utilize access to real-time updates. (Moore/Murra/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant) [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)]

Updates from the Executive Director

Cell Phone – Porter went through Procurement and was able to purchase a cell phone for \$99 from AT&T; the monthly statement will be unlimited data with hot spot for \$50/monthly.

Tax-exempt Status – It is pending with the tax department. The status can be used for a cell phone, paper, or any other purchases.

BON Update – Porter and Colby met with BON to review the APRN coursework for the fluoroscopy exam and gave their recommendations for changes.

CE Audits

The Board office recommends sending out notices with the renewal notice as this has the best response time and least problems. This way, licensees cannot renew unless they include verification of completing the CE. This process works well for staff and licensees. Sending audit notices after renewal causes more problems with licensees not sending documents or not responding. Most Boards audit 10% of their licensees. The Board can include language in the certification of the renewal stating they have completed their CE. Tabled to next meeting.

Policy Manual

Porter is working on a draft as a reference manual for Board motions regarding authority and Board procedures. **[Porter]**

Election of Officers

A motion was made to nominate Colby for vice president. (Moore/Grocott/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant]

A motion was made to cease nominations and cast a unanimous vote for Colby as vice president. (Moore/Grocott/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant] [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)]

Other

Foss - A motion was made to grant the application for temporary license. (Grocott/Murra/carried) [Wagner and Dr. McIntee absent] (Rural physician vacant] [Roll Call Vote – Hofmann (y), Colby (y), Moore (y), Murra (y), Grocott (y), Thompson (y)] **[Board Office]**

Next Board Meeting Date

A meeting will be held when the information is received from the subpoena to Sanford Fargo regarding the complaint.

Adjourn 12:00 pm

Respectfully submitted,

Shirley Porter
Executive Director

Jacinda Simmons
Administrator