

**North Dakota Medical Imaging and Radiation Therapy Board  
March 28, 2024  
Regular Board Meeting  
Held by Virtual Means  
Minutes**

**Call to Order**

The regular meeting was called to order by Board President, Amy Hofmann, at 2:30 pm. The Mission Statement of the Board was read by Porter.

**Present**

Board Members – Amy Hofmann, Amanda Grocott, Melanie Murra, Dr. Ryan Hegge, Tara Wagner, Kayla Moore, Ryan Kalmoe, Dr. Ryan Zimmerman.

Others - Shirley Porter, Executive Director; Jacinda Simmons, Board Staff; Allyson Hicks, Legal Counsel; as well as members of the public in virtual attendance.

**{Dr. Ryan Hegge and Tara Wagner absent}  
{Public member position vacant}**

**Minutes**

**01/03/2024 – A motion was made** to approve the minutes. (Grocott/Dr. Zimmerman/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (y), Moore (y)]  
**[Bd. Office]**

**Board Membership**

New Board members Dr. Ryan Zimmerman and Ryan Kalmoe were introduced.

**Approve Licensee List 1/1/2024-3/22/2024**

**A motion was made** to approve the list of licensees from January 1, 2024, to March 22, 2024. (Moore/Murra/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (y), Moore (y)]  
**[Bd. Office]**

**Audit**

Brady Martz completed a 2020-2021 audit for the Board at a final cost of \$11,500. The completed audit went well. The APT bookkeeper did not prepare a deferred revenue report, but Brady Martz did create the report. This is common for licensing boards due to limited resources. Findings in the completed audit were common findings of other licensing boards.

**A motion was made** to approve 2020-2021 audit performed by Brady Martz as completed. (Moore/Kalmoe/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (y), Moore (y)]

Brady Martz tentatively scheduled the 2022-2023 audit for some time between May and Nov 2024.  
**[Porter]**

### **Revised Budget**

Board reviewed the revised 2024-2025 budget at the last meeting. The Board now has the 24-month finances, ending December 31, 2023, and additional information to review and finalize the approval of the budget.

**A motion was made** to approve 2024-2025 budget as revised. (Grocott/Murra/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (y), Moore (y)] **[Porter]**

### **Financial Report/Financial Reviews**

CDs are doing better as rates have gone up.

**A motion was made** to approve the financial report and CDs. (Kalmoe/Murra/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (y), Moore (y)]

To improve the functionality of business between board meetings, the Executive Director suggests approving expenditures with consultation and approval of board treasurer. This would assist in the ability to expedite any website improvements or enhancements or purchases needed between board meetings. Anything above the threshold would be presented to the full board to decide.

**A motion was made** to allow the ED to approve expenditures of \$2,000 or less upon approval of Board Treasurer, any expenditures above \$2,000 must be presented to the full board for consideration. (Grocott/Murra/carried) [Dr. Hegge and Wagner absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (absent), Moore (y)] **[Porter]**

### **{Wagner & Dr. Zimmerman present}**

Board discussion of consideration to open another checking account at Starion Bank to utilize their business banking account features and then eventually close the current account at Security First Bank. This will allow the Board to take advantage of Business checking to: Maximize interest with CDARS or ICS. Starion Bank is a member of the ICS and CDARS Networks. When funds are placed in either product, they are divided into amounts under the standard FDIC insurance maximum of \$250,000 and are placed in demand deposit accounts at other ICS/CDARS Network banks. Only the ED and board treasurer would be on this account. A benefit is assistance in monitoring our CD renewal dates, locating the best CD rates, and remaining secure with the FDIC insurance, and keeping the CDs within ND local community banks.

**A motion was made** to approve a second checking account (listing ED & Treasurer) and eventually closing the current account and allow the ED to pay bills online, utilize ACH payments and monthly reviews of finances between ED and Treasurer. (Grocott/Murra/carried) [Dr. Hegge absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (absent), Moore (y), Wagner (y)] **[Porter]**

Board discussion regarding having the Board's finances moved from the APT services and hiring an external CPA/financial business with the ability to do payroll with direct deposit. Received two references from Brady Martz during our audit, working to gather estimates of costs if feasible.

Porter updated the Board on estimates she received. Questions about procurement and APT's contract were brought up. Porter will contact Bill Kalanek with APT, Inc. to discuss and procurement office for possible contract revisions. **[Porter]**

Porter requested to have an Acrobat Adobe Pro series license for Board use to create fillable pdf files and trackable approval for expenditures and reports. The most affordable license is through NDI with a state email account at monthly fees of Adobe \$6.25 & basic state email \$16.20. APT does not have a Pro license. Second estimate was received from Network Center for a single user license.

**A motion was made** to approve the ED to acquire through NDI an Adobe Acrobat Pro license and a basic state email account. (Kalmoe/Wagner/carried) [Dr. Hegge absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (absent), Moore (y), Wagner (y)] **[Porter]**

A voice vote was made to authorize Porter to have a state email if necessary. All were in favor.

### **Complaint Review**

**Small** – She has responded to the Board regarding her complaint and is currently cooperating with the process. Board reviewed and discussed her responses and did not request any further information. Board has not received any updates from ARDMS or Small regarding the compliance review.

**A motion was made** to dismiss the litigation process due to her cooperation and dismiss the complaint. (Moore/Grocott/carried) [Dr. Hegge absent] (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Dr. Zimmerman (absent), Moore (y), Wagner (y)] **[Porter & Legal Counsel]**

Porter will contact Small and the complainant, Aureus Medical, of the dismissal.

### **Application Review**

**Lund** – Her temporary provision permit will expire 4/1/2024 per the executed Agreement for Temporary Provisional License. Board reviewed her submitted responses to the additional inquiries of her Oregon Settlement Agreement she disclosed on her radiation therapy renewal application. Board had no additional inquiries for Lund.

**A motion was made** to grant her license renewal to 12/31/2025. (Grocott/Murra/carried) Dr. Hegge, Wagner, and Dr. Zimmerman absent) (Public member position vacant) [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Moore (y)] **[Bd. Office]**

Porter will contact Lund regarding granting renewal of radiation therapy license.

**Beneda** - Updates since November 2, 2023 meeting, Beneda was granted a six-month extension of the conditional sonography license to allow her to take her third attempt of the SPI examination in January 2024. Beneda stated ~~stating~~ she failed the February 12, 2024, SPI examination (her third attempt) and the ARDMS registry is requiring she complete additional educational course prior to being allowed to schedule another fourth attempt. Porter responded back to Beneda, thanking her for the update and informing her the conditional sonography license extension will expire on May 2, 2024, but her radiography license will remain unchanged. She has been reminded that if she does pass BOTH registry examinations and sends a copy of successfully passing the license could be updated as active.

### **LXMO Updates**

**Score Reports** - In the most recent ARRT LXMO statistics for ND, we only had one Conditional LXMO for the timeframe take the exam and she chose not to do all the modules at once, she will be taking the last required module on March 26.

**LXMO CCCA** – The Board has the first restricted LXMO CCCA (chiropractic restricted LXMO). She is doing her clinicals now at Chuppe Chiropractic Clinic in Bismarck. # Porter stated, it has been a great collaboration with the ND Chiropractic Board, Lisa Blanchard, Dr. Steve Chuppe and Board member Grocott as we worked to create a restricted scope of practice for chiropractic imaging practice.

**Control the Dose** – Porter completed process of reviewing ND state licensing laws with Control the Dose Limited X-Ray approved didactic course, listed on Board website.

### **Executive Director Performance Review**

Hofmann completed the ED review on March 26, 2024. Hofmann expressed her appreciation to Porter for her first performance evaluation after 18 months as Executive Director. Other Board members also expressed appreciation and believe she works beyond the projected 25 twenty-eight hours per week.

**A motion was made** to grant a raise of 8% for 2024-2025 effective as of April 1, 2024. (Moore/Kalmoe/carried) Dr. Hegge, Wagner, and Dr. Zimmerman absent) (Public member position vacant] [Roll Call Vote – Hofmann (y), Grocott (y), Murra (y), Kalmoe (y), Moore (y)]

The budget line item will be adjusted and brought to the next Board meeting. **[Porter]**

### **Board Office Updates**

As of March 27, 2024, there are 1838 active licenses held by 1559 people. This past renewal, 1565 licenses held by 1358 people were renewed. There were 372 license holders who did not renew, therefore 393 licenses expired December 31, 2023. There are currently thirty-two conditional licenses and no temporary licenses, although several are in the application process.

Board office hours are typically 8:30 am to 4:30 pm, except over the lunch hour.

### **Proposed Rules of ND Board of Dental Examiners**

ND Dental Board is proposing updates to their rules, with the public hearing on April 22 and the comment period closing on May 2, 2024. Their Executive Director forwarded a copy to this Board as a courtesy if there were any concerns. They are proposing the creation of a new sublicense for Dental Assistants-Limited Radiography Registrants. Under this Board's statute (NDCC 43-20), dental assistants and dental hygienists licensed are exempt. This Board has no concerns or comments. The Board appreciates the Dental Board consulting with them.

### **Executive Director Updates**

The next meeting of the Board is May 2, 2024, at 4:00pm CST, with the Labor Commissioner Nathan Svihovec and Carolyn Laird, Research Assistant, regarding the mandated legislative survey in SB 2249. We have a confirmed meeting/appointment with Commissioner Svihovec for this mandated meeting to discuss the survey regarding continuing education requirements and the practice of licensing out-of-state practitioners. Board survey responses were approved during January 3, 2024, meeting.

Austin Lafferty, Legal Counsel, will do a presentation on Open Records and Open Meetings at the Board's September 12, 2024, regular meeting.

Porter is in contact with the Executive Director ND Ethics Commission, Rebecca Binstock to request the Board's first ethics presentation. Binstock was unable to attend during this meeting due to scheduling conflicts and is not available in September for our next regular meeting. She will continue to see if we can make this presentation work during one of our special meetings in the future.

ND BCI updated their form removing their confusing return address from the required form as many applicants were returning the paperwork directly to BCI which is not acceptable. All paperwork must be returned to the Board Office for processing and then we the Board must submit fingerprints and required forms to BCI. BCI was rejected/returning all paperwork sent to them back to the applicant, directly causing this caused lengthy delays in the process for a number of applicants not following posted instructions.

### **Other**

The ND BON has another candidate for the fluoroscopy CRNA review. Porter reviewed and consulted with BON. In the past, Porter has worked with the physicist Board member on these. Kalmoe stated he is willing to assist Porter in review. **[Porter & Kalmoe]**

The Board members are finding the late afternoon board meeting time to be working well.

### **Adjourn**

5:08 pm

**Respectfully submitted,**

**Shirley Porter**  
**Executive Director**

**Jacinda Simmons**  
**Administrator**