

**North Dakota Medical Imaging and Radiation Therapy Board
September 11, 2025
Regular Board Meeting
Held by Virtual Means
Draft Minutes**

Call to Order

The meeting was called to order by Board President, Amy Hofmann, at 4:00 pm.

Present

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

Others - Shirley Porter, Executive Director; Jacinda Simmons, Board Staff; Austin Lafferty, Legal Counsel; Rebecca Binstock, Executive Director of ND Ethics Commission.

{Dr. Ryan Zimmerman, Amanda Grocott, and Kate Franklund absent}

Minutes

4/10/2025 – A motion was made to approve the minutes as prepared and submitted.
(Wagner/Kalmoe/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent)
[Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

[Bd. Office]

Approved License List

A motion was made to approve the list of licenses issued 4/1/2025 to 8/31/2025.
(Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent)
[Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

[Bd. Office]

Executive Director Salary Research

At the last meeting, the Board requested a cost comparison of salaries for Executive Directors of other state boards. However, it was not easily found as many Boards are boards with state government and do not necessarily have the same structure as this Board. Other North Dakota Boards follow the OMB's ND Salary Ranges document, using Grade 10 as that that aligns the duties and responsibilities of an Executive Director for a licensing board. No in-state data was available from ND Job Service or ND Human Resources. Board discussion was held regarding a merit increase and considerations of 2025 COLA.

A motion was made to give the Executive Director a 6% increase effective for the next pay period. (Kalmoe/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent)
[Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)] **[J. Eaton]**

The Board intends to be more proactive in discussing merit raises and cost of living adjustments at the same time as the annual evaluation and review of the Executive Director in the future.

{Wagner absent}

Renewals

This is the renewal year for all licensees; the earliest date to renew is September 1. Due to security and software updates to the database, the renewal opening will be delayed, possibly by two weeks in September. The Board's website and database will be updated to version 6.14 for more security. There were delays in sending out renewal notices until testing in dev site could be completed to ensure online applications are functioning properly. The Board will host a soft opening next week with a notice being sent out the following week. The executive director will contact board members holding a license to renew and be part of the soft opening testing of the renewal application. A message will be sent to Board members when the renewal notice is sent out to licensees. **[Bd. Office]**

Board Office Report

The Board members were able to view the current number of licensees in each license category. Board discussion of active temporary and conditional license holders.

Legislative Update and Compact Update

Several Legislative licensing bills concerning license boards passed this last session. The Board is already performing many of the functions and requirements of the newly passed state laws.

SB2395 – Universal licensure & board operations, have not received any forms or information regarding reportable information. Passed and signed into law on August 1, 2025.

SB2308 – Governor's task force & report (sections 10 & 42).

SB2251 – Board audits, (Sections 3 & 4) changed the threshold of annual income, if less than two million of annual receipts, may submit an annual report. The state "auditor may still make other exams or an audit if chooses in addition to the annual report." Passed and signed into law on August 1, 2025.

SB2273 – Physical therapists with a doctorate degree and completed a board-approved formal medical imaging training program may order diagnostic medical imaging examinations. This is a change from last session of only able to order plain films only, they wanted to do MRI & CT as well. Passed and signed into law on August 1, 2025.

SB2258 – Enforcement of agency rules. Passed and signed into law on August 1, 2025.

SB2180 – opportunity to provide public comment at meeting of a public entity. Boards are not required to do this, but it may be good practice to begin for our licensing board to engage the public and provide further transparency. Passed and signed into law on August 1, 2025.

SB2084 – Authorizing travel & lodging reimbursement rates. Passed and signed into law on August 1, 2025.

HB1355 – Relating to abbreviated notice for admin rulemaking. Passed and signed into law on August 1, 2025.

HB1442 – Creates a task force on government efficiency (version of ND “DOGE” legislation) with expiration date and emergency clause. Passed and signed into law on August 1, 2025.

ND licensing compact bills and researching licensing compacts:

HB1035 – Social Work passed. Passed and signed into law on August 1, 2025.

SB2146 – Occupational Therapy passed, **SB2223** – Dietitians passed, **SB2341** – School Psychologists committee recommended do not pass, **SB2108** – Physician Assistants failed, and **SB2357** amended to creating a composite board of mental health professions: Addiction Counselors, Social Work, Family & Marriage Therapy, Psychology, Counselors and possibly to include DHHS Peer Support Specialists which failed.

To the Board’s knowledge, a licensing compact does not exist for medical imaging and radiation therapy. Upon recent inquiries to our neighboring states there is currently no interest in starting a licensing medical imaging compact, furthermore no discussion on the national level as far as Board members are aware.

{Wagner present}

Logo

Follow up from previous meeting, a BSC graphic design student was selected from among a group of four interested.

Matthew Vana, a graphic design student at BSC, created two draft letterhead, certificates, and verification for the Board with a couple different logos and color schemes for board review. The Board reviewed and discussed the different drafts presented from Vana.

A motion was made to approve the blue logo with the circle format.

(Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent)

[Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)] **[Bd. Office]**

A motion was made to approve the logo contract for up to \$350 and backdating it to June 2025 allowing the executive director to execute the contract and complete the integration of the chosen color and design. (Wagner/Moore/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)] **[Bd. Office]**

Financial Report

The Board discussed and reviewed the July financial reports and CD report for August. The Executive Director reviews all manual journal entries monthly, with the Board Treasurer reviews monthly bank statements and comprehensive financial reports.

A motion was made to approve the July 2025 financial reports with manual journal entries as submitted. (Wagner/Kalmoe/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

[Bd. Office]

2026-2027 Budget Draft

A streamlined budget draft was presented to the Board. This streamlined draft was created by the Executive Director and Eaton for Board consideration and approval. After renewals close at the end of the year, revisions will be made to the budget for the Board approval.

A motion was made to approve the 2026-2027 Budget draft. (Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

Payment Processing Fees

The Board currently uses PayPal as the third-party payment processor to collect licensing fees for online applications and renewals. It is expensive for the Board as they take out a percentage from every transaction and charge a monthly fee. PayPal is not willing to give offer a reduced rate or negotiate fees, the account was updated to remove Bill Kalanek from APT from its account, adding the Executive Director instead. Executive Director reviewed Stripe and Clover, which both had the best per-transaction fee and no monthly fees. Legal Counsel states the Board does not have the authority to charge transaction fees back to the licensee.

A motion was made to switch the payment processor from PayPal to Clover. (Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)] **[Bd. Office]**

Brady Martz Audit 2026

With SB2251 now effective in law, Boards with less than \$2 million of revenue are not required to complete a formal audit and can instead do the state audit report. The state auditor would still require a full audit if there are any concerns with the annual report. The Board discussed the annual reporting vs auditing for the years 2024-2025. The Board is current in its reporting of audits to the State Auditor.

A motion was made to continue doing audits with Brady Martz instead of doing the state audit report. (Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

CE Audit

Legal Counsel states that the Board must randomly select to audit the CE for all licensees, not just those with CE-compliant modalities.

After renewal in March 2026, a percentage of those who renewed would be subject to an audit of their continuing education. Board discussion of categorizing the CE audit by license types as follows:

First audit group: LXMO, BD, RCIS/RCES, fluoroscopy technologists, general diagnostic operators, and grandfathered license holders are already required to submit CE hours if they choose to renew their licenses. Suggested audit of 10%.

Second audit group: The Primary modality areas: radiographers, sonographers, nuclear medicine technologists, radiation therapists, MRI technologists, and radiologist assistants. Suggested audit of 10%.

Third audit group: The active practice other modalities which include: Cardiac-interventional (CI), Cardio-vascular Interventional (CV), Computed Tomography (CT), Mammography (M), Quality Management (QM), Vascular-interventional (VI), Bone Densitometry (BD), Breast Sonography ARRT. The Other active practice areas are required

to have 5 hours per modality of their active practice. Suggesting 15% to audit with the rationale of higher percentage as this is the only accountability of active practice, as this is not required to submit during a renewal, and not a national registry requirement.

Board members stressed the importance of heavily advertising the upcoming CE audit to its licensees, as this is the first audit. Plan to add to website, to the renewal notification, and to update calendars.

If non-compliance, the Board will meet to discuss and develop a policy, as this is the first audit. Item tabled for a future meeting. Possible suggestions for non-compliance would be to send a letter via email and USPS mail notification of noncompliance with CE. The licensee must complete whatever CE hours are missing and provide proof back to us within 20 days. If there is no response to the request to submit CE and become compliant, we will notify Legal Counsel, and he will send a letter with his AG letterhead regarding CE non-compliance.

A motion was made to audit 10% for groups one and two, and 15% for group 3. (Moore/Wagner/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

CE Attestation– Legal counsel read the attestation that will appear on the renewal application regarding completing the CE and waiver of the administrative hearing.

“I hereby certify and affirm that I have successfully completed the required hours of continuing education during the two-year licensing period of January 1st through December 31st. If audited, I agree to provide documentation that verifies I have met the requirements as claimed. If the North Dakota Medical Imaging and Radiation Therapy Board concludes that I have not complied with the requirements set forth in North Dakota Administrative Code Chapter 114-02-02, I hereby agree to waive my right to an administrative hearing and appeal pursuant to N.D.C.C. Ch. 28-32 and agree the Board may issue an order taking disciplinary action against my license.”

A motion was made to approve the attestation as above. (Wagner/Moore/carried) (Dr. Zimmerman, Grocott, Franklund, and Murra absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Moore (y), Wagner (y), Dr. Hegge (y)]

[Murra present]

LXMO Updates

The Board reviewed the ARRT state comparison and the progress report for LXMO conditional practice. Some individuals test very well; others do not, with some failing the three attempts. The Executive Director shared concerns of those few who may be failing the second attempt to possibly require additional remediation of some sort before approving the third and final attempt or add and allow a fourth attempt. Board consensus was to remain with the same policy with no changes, as this is not a frequent occurrence.

Public Comment & Complaint Process

Public comment period during a board meeting is not required by state law, but is good practice for transparency and access to the Board. A few other licensing boards offer a time

frame set within the agenda for the public to address the Board, following guidelines to do so.

A motion was made to approve a policy allowing the public to provide comments during a public comment window following Board-approved guidelines. (Wagner/Murra/carried) (Dr. Zimmerman, Grocott, Franklund, and Moore absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Murra (y), Wagner (y), Dr. Hegge (y)]

Complaint Process: Board discussed SB2395 requiring Boards to provide a pathway to licenses to submit a complaint/comment and notify the Office of the Governor. Austin assisted with drafting the following language for Board consideration:

“Pursuant to North Dakota Century Code section 43-51.1-03(11), an applicant aggrieved by a licensure delay must first try to resolve the matter with the Board. If the matter cannot be resolved between the applicant and the Board, the applicant may bring the matter to the Governor’s Office at governor@nd.gov.”

A motion was made to approve the above statement, adding it to the website immediately. (Wagner/Murra/carried) (Dr. Zimmerman, Grocott, Franklund, and Moore absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Murra (y), Wagner (y), Dr. Hegge (y)] **[Bd. Office]**

Election of Officers- two-year terms

A motion was made to approve Murra as President, Hofmann as Vice President, and Moore as Treasurer/Secretary, effective January 1, 2026. (Wagner/Murra/carried) (Dr. Zimmerman, Grocott, Franklund, and Moore absent) [Roll Call Vote – Hofmann (y), Kalmoe (y), Murra (y), Wagner (y), Dr. Hegge (y)] **[Bd. Office]**

Executive Director Updates

Grocott - Congratulations to Amanda Grocott, our radiography board member, who was elected Secretary to the ASRT Board and will serve a one-year term. With the national appointment, she can no longer serve on the state board, as it is considered a conflict by ASRT. Grocott has resigned as the radiography Board member. We wish her the best. She will present ND proudly.

New public Board member - The Governor’s office has appointed a new public member, Katherine (Laherty) Franklund. The Governor’s office has also reappointed Kayla Moore to continue to serve as our radiation therapy member. After clarification of partial terms, they confirmed Kayla was eligible to be reappointed. We now have an opening for a radiography member to serve.

BCI - The turnaround time for ND BCI criminal background results continues to be four business days, since October 2024.

Application Status – It has become a valuable resource for applicants and managers to track the status of applications.

Teams Meetings - The Board is now utilizing its 365 account and hosting meetings via Teams instead of paying APT for Zoom on an annual basis. The Board already has the ability with the 365 account, so should not pay for another meeting platform. We will also be creating/designing a Board SharePoint and One Source sites, the end goal is to move our

documents, resources, and forms from individual computers to a 365 cloud-based. This would help the Board in finding documents and resources for Board meetings.

Board Per-diem - Executive Director is currently working on a Board Compensation (per diem) policy to bring to the board: mileage, meals, & lodging already recognize state rates. Suggested per-dem rates would be \$35 for 2 hours and less; \$75 2-4 hours; \$150 over 4 hours. This is in accordance with NDCC 43-62-13, 114-01-03, 44-08-04 & 54-03-20, 54-06-09. Members must submit paperwork if choosing to be compensated, not automatically dispersed. Each Board has their own laws/rules/policy, but these suggestions are standard of other licensing boards. Tabled to future Board meeting.

2026 Meeting Dates – Possible dates for two required regular Board meetings:
April 23 or 30, 2026, and
September 10, 17, or 24, 2026.

Board's Review Task Force - Executive Director was appointed by the Governor to the Board's Review Task Force created by SB2308, serving as the representative of an occupational licensing board member with seven others. Secretary Howe is the Governor's designee serving as the Chair. The first meeting is scheduled for October 3, 2025.

Adjourn

6:06 pm

Respectfully submitted,

Shirley Porter
Executive Director

Jacinda Simmons
Administrator