

BOARD OF MEDICAL IMAGING AND RADIATION THERAPY



MINUTES of September 26, 2018

The September 26, 2018 meeting of the Board of Medical Imaging and Radiation Therapy convened at 1:00 P.M. with the following members present:

Brandy Cusson, Chair
Richard Serino
Winslow Whitten
Raymond Hebert
Tammy Newell

Absent: David Hou

The Board voted to approve the minutes from July 30, 2018, as amended, on a motion from Richard Serino with a seconded by Raymond Hebert.

PUBLIC MINUTES
QUALIFICATION AND LICENSURE

1. **MEDICAL IMAGING AND RADIATION THERAPIST APPLICATIONS FOR LICENSURE**

The Board approved of the following medical imaging and radiation therapist applications for initial licensure on a motion from Raymond Hebert with a second by Richard Serino:

David L. Paul
Mark Galarneau
Brooke Hackett
Iryna Sokolova
Sophia Zeigfinger

ADMINISTRATIVE

2. The Board opened the Public Forum at 1:00 pm. No members of the Public were present. The Board closed the Public Forum at 1:15 pm.
3. Rules:
 - a. Rule writing on Mirt 400 has been postponed to the October meeting. The OPLC Rules attorney has resigned his position. The Board's Administrator will fill in until a new rule writing attorney can be hired by OPLC.

4. Maureen O’Leary of Dartmouth Environmental Health and Safety asked the Board if the use of a Mini C-Arm Unit within its sports medicine program for the purpose of quickly assessing the condition of student-athletes on the sidelines of a game or practice session constitute the performance of “medical imaging”? If the answer to this question is yes would the individuals performing these procedures be required to meet the requirements under RSA 328-J? The Board voted on a motion from Richard Serino with a second by Winslow Whitten to respond that individuals who dispense radiation would fall under RSA 328-J and would be required to be licensed or registered by this Board or be a New Hampshire licensed physician. Persons who have been engaged in the practice of medical imaging or radiation therapy, other than a radiologist assistant, who do not hold a current certification and registration from a certification organization approved by the board may continue to practice in the modality of medical imaging or radiation therapy in which they are currently employed provided that they register, do not change the scope of their current practice, practice only under the supervision of a licensed practitioner, and obtain a license from the Board on or before January 1, 2020.

5. Nathalie Garbani, EdD, RVT at Life Line Screening asked the Board to clarify the level of supervision needed while an individual was under the Grandfather provision in the law. The Board voted on a motion from Winslow Whitten with a second by Richard Serino to respond as follows:

The individual registered in accordance with RSA 328-J:22 (Grandfather Provision) must be supervised by a physician or licensed sonographer and be registered by the Board of Medical Imaging and Radiation Therapy. The supervisor must be on site, within the same building. While the Board is working on the rules for temporary licensure a new graduates, those graduates would be required to register. That registration would be in accordance with RSA 328-J:13, III, exchanging “temporary licensure” with “registration” making that registration valid for employment purposes for a period not to exceed one year.

6. Carol Straney has sent the Board an e-mail in which she describes a perceived inconsistency in the dates required to become licensed. Stating that the web site says that all individuals must be licensed by January 1, 2019 and the requirement under RSA 328-J:22 Grandfather Provision wish states licensed by January 1, 2020. In addition she expressed concerns about the criminal background check requirement and requested the Board consider an alternate method using FBI fingerprint check. The Board voted on a motion from Winslow Whitten with a second by Raymond Hebert to respond explaining that the requirement for licensure of January 1, 2019 if for those individuals who already hold their national registry and the January 1, 2020 date is for those individuals who fall under RSA 328-J:22 the Grandfather Provision allowing them time to obtain their national registry. In addition the Boards role is to protect the public from harm but will take her concerns and suggestion under advisement.

7. Marcy Rushford, FACHE, CRA asked the Board a question about student radiographers and sonographers who are in their last semester of training, registry eligible, working in the field and being paid for their services. The Board has determined that they will consult their Attorney before issuing a response.

8. The Board reviewed material submitted by Jennifer Newsome to be used to register individuals under the Grandfather Provision of the law. The Board voted on a motion by Winslow Whitten with a second by Raymond Hebert to move forward in the Registration Process.
9. Robert Everson submitted an e-mail in which he expresses concerns about the requirement for applicants for licensure to obtain criminal background checks. The Board voted on a motion from Tammy Newell with a second by Winslow Whitten to respond that the Board's mission is to protect the public and part of that protection is to review an applicant's possible criminal history. The Board will take Mr. Everson's concerns and suggestions under advisement.
10. Michael O'Connell of PMC Medical Group and Granite State Pain Associates expressed concerns about the implementation of the RSA 328-J:22 which states in part that anyone under the Grandfather Provision must be licensed on or before January 1, 2020. Mr. O'Connell also states that there are not rules that specifically define "Performing medical imaging/x-ray" and that there is not enough time for these individuals to obtain the proper education. The Board voted on a motion from Winslow Whitten with a second by Tammy Newell to respond that the Board's law does refer to the dispensing of radiation and can be found under RSA 328-J:1 Definitions. Specific to C-Arm fluoroscopy RSA 328-J:1, IV "Fluoroscopy" means the exposure of a patient to ionizing radiation in a fluoroscopy mode including the positions of the patient, positioning of the fluoroscopy equipment, and the selection of exposure factors. The law became effective July 1, 2016 which does allow individuals sufficient time to obtain the required education before January 1, 2020. With that said the Board does hear Mr. O'Connell's concerns and will take his concerns under advisement.

ADJOURN: on motion by Richard Serino with a second by Winslow Whitten, the motion to adjourn at 3:48 P.M. carried in the affirmative.

Minutes respectfully submitted by Tina M. Kelley, Administrator.

Brandy Cusson, Chair

at meeting dated