

**RADIOGRAPHY EXAMINING BOARD
MEETING MINUTES
NOVEMBER 16, 2010**

PRESENT: James Lemerond, Susan Sanson, Kelley Grant, Gregg Bogost, Mary Ellen Jafari (excused at 12:06 p.m.), Linda Caldart-Olson (arrived at 9:10 a.m.)

STAFF: Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant and other DRL Staff

GUESTS: Bill Balke, Department of Health Services/Division of Public Health (DHS/DPH); Michael Blumenfeld, Blumenfeld and Associates

CALL TO ORDER

Susan Sanson, Chair, called the meeting to order at 9:07 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

MOTION: James Lemerond moved, seconded by Greg Bogost, to approve the November 16, 2010 agenda as published. Motion carried unanimously.

REVIEW AND APPROVAL OF MINUTES OF SEPTEMBER 23, 2010

Amendments to the Minutes:

- **Page 4 of the Minutes:** Under the agenda item titled: “Discussion on Minimum Education Requirements for Issuance of Permits and Licenses” under the subsection titled: “Establishment of Minimum Education Requirements for Issuing a Limited X-Ray Machine Operator Permit”, make the following revisions:
 - Second paragraph, first sentence – “The Board discussed the utilization of accredited radiologic ~~technologist~~ technology education programs that are available in the state, but wondered if the content of the radiologic ~~technologist~~ technology programs could be abbreviated for the purposes of obtaining LXMO education.”
 - Third paragraph, third sentence – “...seeking LXMO education in their current radiologic ~~technologist~~ technology program.”
 - Fourth paragraph, fourth sentence – “Susan Sanson proposed that the Board identify the key courses within a radiologic ~~technologist~~ technology programs which would...”

MOTION: James Lemerond moved, seconded by Mary Ellen Jafari, to approve the minutes of September 23, 2010 as published. Motion carried unanimously.

(Linda Caldart-Olson arrived at 9:10 a.m.)

ELECTION OF OFFICERS FOR 2011

Kelley Grant nominated the 2010 slate of officers to continue in 2011. Nomination carried by unanimous vote.

Susan Sanson called three (3) times for other nominations.

The 2010 Board Officers were elected to continue in 2011.

2011 ELECTION RESULTS	
Chair	Susan Sanson
Vice Chair	James Lemerond
Secretary	Kelley Grant

ADMINISTRATIVE REPORT

2011 Meeting Dates

The Board reviewed its proposed 2011 meeting dates and discussed availability.

MOTION: Gregg Bogost moved, seconded by James Lemerond, to approve the proposed 2011 meeting dates. Motion carried unanimously.

REVIEW OF PROPOSED NOTIFICATION OF NEW PERMITTING REQUIREMENTS FOR LIMITED X-RAY MACHINE OPERATORS

The Board reviewed a revised draft of the proposed notification of permitting requirements. The Board identified revisions to be made to the draft notification. Jeff Scanlan will revise this notification as directed by the Board. The Board discussed the timing for distribution of this notification and decided that this notice should not be sent until the application forms have been approved for use, the frequently asked question draft has been completed and LXMO examination contract negotiations have been finalized.

The Board discussed a nonstatutory provision that was intended to be applicable only to LXMO applicants, but as written appears to be applicable to radiography applicants as well. The issue identified by the Board is that it appears that 3 to 5 years of experience would be required to obtain credentials during the transition period. The Board inquired of its ability to correct or clarify this provision. Colleen Baird advised the Board that if an applicant meets the credentialing requirements and the Board does not need to depend on the nonstatutory provisions, the Board can legitimately address this issue by indicating that an individual with the appropriate qualification meets the requirements of the statute. She suggested that the Board could address this matter by including it in the Board's FAQs.

MOTION: Kelley Grant moved, seconded by Gregg Bogost, to approve the notification as amended. Motion carried unanimously.

The Board discussed the scope of practice and the need to clarify practices that are not included as a part of radiography licensing. The Board noted its desire to include scope of practice in rule.

REVIEW AND APPROVAL OF APPLICATION FORMS

The Board was advised by Jeff Scanlan that the application forms are not ready for Board review. He informed the Board that depending on the result of LXMO examination contract negotiations, application form revisions may be required. The Board indicated that Mary Ellen Jafari, Susan Sanson, James Lemerond will review the application forms and approve the use of these forms.

UPDATE REGARDING STATUS OF EDUCATION AND EXAMINATION - JILL REMY, OFFICE OF EDUCATION AND EXAMINATIONS

Jill Remy, Program Manager, Office of Education and Examinations, appeared before the Board to provide an update regarding the status of the LXMO examination contract. Jill Remy informed the Board that the state is responsible for providing notification to applicants of their examination scores. She reported that the contract for the LXMO examination has been a sticking point and indicated her hope that the contract will be finalized in the month of December. The Board requested that Jill Remy and Gail Pizarro, Ph.D. provide information in terms of the limited scope examination pass rates utilized by other jurisdictions. The Board discussed the timeframes for release of the notification and application forms.

The Board was informed by Jill Remy that there will be examination issues that will need to be addressed in the future. Jeff Scanlan spoke to the need for the Board to layout in rule a clear set of educational standards for obtaining the LXMO permit once the transitional application period has ended. The Board discussed the timing regarding the development of programs for obtaining the LXMO permit.

The Board discussed the feedback provided by radiologic technology programs in the state regarding their willingness and ability to include LXMO students in their programs for the purpose of meeting the Board's proposed educational requirements. The Board indicated that LXMO students would attend the same programs as the students of a radiography program; however LXMO students would be removed from certain components of the program. The Board discussed the core curriculum requirements for obtaining the LXMO permit. Susan Sanson raised the issue of how to determine competence for LXMO students, a requirement for taking the limited scope examination and discussed the original intent of legislation regarding this permit. The Board decided that labs could be used for determining competency and indicated that the program director could submit an attestation of completion and competence as a means of verification. Susan Sanson, James Lemerond and Mary Ellen Jafari will work with Department staff to create an application attestation form in conjunction with their review of the application forms for use. The Board discussed what it would define as acceptable education and indicated that only JRCERT accredited programs would be accepted as meeting the educational requirements for obtaining a LXMO permit. The Board noted that this topic would need to be addressed as a part of its rules.

REVIEW OF DRAFT ADMINISTRATIVE RULES FOR REGULATION OF RADIOGRAPHY

Susan Sanson outlined areas of rule that she felt should be addressed such as the inclusion of the scope of practice, the code of ethics, and education requirements for obtaining the LXMO credential.

The Board reviewed a draft of the administrative rules for regulation of radiography. The Board requested revisions to its draft rules during the course of its review. The Board outlined a number of items that should be included in the Board's FAQ document.

(Mary Ellen Jafari was excused at 12:06 p.m.)

The Board requested continued discussion of RAD 2.02 at its next meeting in order to allow Colleen Baird to conduct additional research of the Board's options for addressing language relating to requirements for submission of evidence of examination completion. James Lemerond will contact JRCERT to identify the likelihood of online programs receiving accreditation. The Board requested separate discussion of options for addressing scope of practice and asked that Colleen Baird formulate legally feasible options for the Board's review. During the course of the Board's draft rule review the Board discussed how to achieve credential auditing of LXMOs. Bill Balke, DHS, indicated that DHS may be able to form a memorandum of agreement that would allow them to audit for LXMO credentials when they conduct inspections of x-ray equipment in the state. The Board requested that Mr. Balke draft a recommendation in terms of how this agreement and inspections should be addressed so that the Board can discuss this proposal at a future meeting.

APPENDIX: WISCONSIN STATUTE CHAPTER 462 AND 2009 WISCONSIN ACT 106

This item was included for reference purposes only.

PUBLIC COMMENTS

The Board reviewed correspondence from Greg Watchmaker, MD regarding his perspective relating to Wisconsin Act 106 and the regulation of users of x-ray technology. Colleen Baird informed the Board that they may receive such comments during public hearing for the promulgation of rules. The Board worked to identify how it will respond to this correspondence. Gregg Bogost will draft a response to Dr. Watchmaker and will forward this document to Jeff Scanlan so that the Department can send out this response on behalf of the Board.

The Board reviewed correspondence from Lawrence C. Pyzik of the American Chiropractic Registry of Radiologic Technologists (ACRRT) requesting Board recognition of the tests offered by the ACRRT for the purpose of obtaining the limited x-ray machine operator permit. Jeff Scanlan will respond to this inquiry on behalf of the Board.

OTHER BOARD BUSINESS

None.

ADJOURNMENT

MOTION: Kelley Grant moved, seconded Linda Caldart-Olson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:13 p.m.