

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

PRESENT: Gregg Bogost, Linda Caldart-Olson (excused at 2:00 p.m.), Kelley Grant, James Lemerond (excused at 2:00 p.m.), Mary Ellen Jafari (arrived at 9:34 a.m.) Susan Sanson

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 9:11 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- After Item “D” (open session) Under the item titled “Other Board Business” **ADD:**
 - Review and Approval of Letter to Governor Elect Scott Walker”

MOTION: James Lemerond moved, seconded by Gregg Bogost, to approve the December 16, 2010 agenda as amended. Motion carried unanimously.

REVIEW AND APPROVAL OF MINUTES OF NOVEMBER 16, 2010

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

ADMINISTRATIVE REPORT

Jeff Scanlan informed the Board that there were no administrative matters to report at this meeting.

REVIEW AND APPROVAL OF APPLICATION FORMS

License to Practice Radiography & Transitional Application Process – Limited X-Ray Machine Operator (LXMO) Permit

The Board reviewed the application forms for obtaining a license to practice radiography and for obtaining the LXMO permit. Jeff Scanlan informed the Board that he has reviewed the application forms, provided in their agenda materials, and has added handwritten notes regarding the content of the forms. The Board discussed the information provided on the application forms and identified revisions to the forms. Board discussion of the forms that will be used after the transitional application period ends ensued. The Board noted that once the transitional period ends the applications will be revised.

Also discussed during the course of the Board review of the application forms was consideration of portability of credential to or from other jurisdictions. The Board outlined what information would be accepted in terms of granting a credential to an individual from another jurisdiction. Additionally, the Board discussed credentialing of foreign trained graduates. Colleen Baird and Jeff Scanlan noted that some of the other professions they work with have organizations that evaluate foreign education equivalence and validate the authenticity of official documents. The Board discussed how it plans to address foreign education equivalence determinations.

Kris Hendrickson, Credentialing Supervisor – Health, joined the Board to answer questions about the application process. The Board discussed the resources that are available to the Department in terms of receiving and updating application files. The anticipated timeframes for application processing were considered by the Board and Jeff Scanlan spoke to application issues that may affect the timeliness of the processing timeframes.

(Mary Ellen Jafari joined the meeting at 9:34 a.m.)

BOARD REVIEW OF FREQUENTLY ASKED QUESTION (FAQ) DRAFT RELATING TO NEW PERMITTING AND LICENSURE REQUIREMENTS RESULTING FROM 2009 WISCONSIN ACT 106

The Board received two separate frequently asked question (FAQ) drafts: 1) “Wisconsin’s Radiography Licensure Act – Frequently Asked Questions” drafted by Kelley Grant and; 2) “Frequently Asked Questions” drafted by Colleen Baird. The Board reviewed these drafts and worked to combine, clarify and to organize the content of these documents. The members of the Board will review the portions of the FAQ draft that were not addressed at today’s meeting and return to the next meeting with revisions and/or recommendations relating to the FAQ draft.

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

Jeff Scanlan reported to the Board that the contract negotiations with the American Registry of Radiologic Technologist (ARRT) for the Wisconsin LXMO examination are progressing favorably.

Report of Limited Scope Examination Pass Rates Utilized by Other Jurisdictions

Gail Pizarro, Ph.D. joined the Board to discuss the limited scope examination cut scores utilized by other jurisdictions. She indicated that the 27 states that require a permit also require an applicant to pass the limited scope examination. The Board was advised that the various jurisdictions have set their pass score at either 70 % or 75 % but clarified that two-thirds of the states have set their pass score at 70%. In response to an inquiry of the Board Gail Pizarro, Ph.D. indicated that ARRT does not set a passing score for the limited scope examination nor do they provide a recommendation in terms of the pass score.

The Board discussed the pass scores utilized by Iowa and Minnesota (70%). Board discussion of potential cross border issues and their magnitude ensued. The Board decided that more information is required before it can set its pass score and requested that Gail Pizarro, Ph.D. work to obtain Iowa, Illinois, and Minnesota's percentages of passage on first attempt. This issue will be addressed at the Board's next meeting.

REVIEW OF DRAFT ADMINISTRATIVE RULES FOR REGULATION OF RADIOGRAPHY

The Board reviewed its draft rules containing the revisions requested at the last meeting of the Board and worked to identify further revisions to be made to the rules. A number of new revisions were identified by the Board during the course of discussion. All revisions identified by the Board were applied to the rule draft by Jeff Scanlan during the course of the meeting. Susan Sanson indicated that she would obtain a list of the courses that cover the exam content areas from James Lemerond for inclusion in the Board's FAQ document.

MOTION: Gregg Bogost moved, seconded by Mary Ellen Jafari, to authorize Susan Sanson to conduct final approval of the revised application forms and the Board's FAQ document. Motion carried unanimously.

(James Lemerond and Linda Caldart-Olson were excused at 2:00 p.m.)

Discussion of Approach to Scope of Practice for Limited X-Ray Machine Operators (LXMO) and Radiographers – Appearances by DOE Staff

Jim Polewski and Aaron Konkol, DOE Prosecuting Attorney's, joined the meeting as requested by the Board to discuss the best approach to implementing scopes of practice for radiographer licensees and LXMO permit holders. Jeff Scanlan provided background regarding the Board's discussion of scope of practice.

The Board discussed adoption of the ethics of the American Registry of Radiologic Technologist (ARRT). Jim Polewski informed the Board that there are concerns from an enforcement perspective related to adoption of the code of ethics of another entity. He indicated that the difficulty in adopting the ethics of another organization is that the Board loses some measure of its decision making ability. He added that the organization can choose to amend its code of ethics in a way the Board opposes and expressed that such changes can have an adverse affect on enforcement. Jim Polewski suggested that the Board may wish to incorporate portions of the ARRT code of conduct into its scopes of practice as opposed to adopting its code of ethics outright. He advised the Board to be flexible in its language usage and encouraged the Board to retain its ability to apply discretion in matters of enforcement when rule writing.

The Board reviewed the scope of practice language drafted by Colleen Baird and discussed how to approach the implementation of scopes of practice for the radiographer license and the LXMO permit. The Board will discuss this matter in more detail at a future meeting.

INFORMATIONAL ITEM: NEW YORK TIMES ARTICLE, AUTHORED BY WALT BOGDANICH AND JO CRAVEN MCGINTY – RADIATION WORRIES FOR CHILDREN IN DENTISTS' CHAIRS

Noted.

APPENDIX: WISCONSIN STATUTE CHAPTER 462 AND 2009 WISCONSIN ACT 106

This item was included for Board reference purposes only.

PUBLIC COMMENTS

None.

OTHER BOARD BUSINESS

Bill Balke, Department of Health Services/Division of Public Health (DHS/DPH), informed the Board that he has drafted a proposal for a cooperative agreement between the Department of Regulation and Licensing and the Department of Health Services in terms of auditing LXMOs but noted that this draft is currently subject to consideration and as such, is not ready for distribution. He read his draft proposal for the benefit of the Board. The Board indicated that it is satisfied with the proposal as reported by Mr. Balke and made no suggestions for change. The Board acknowledged Bill Balke for his efforts.

Review and Approval of Letter to Governor Elect Walker in Support of Retention of Jeff Scanlan as Bureau Director

The Board reviewed a letter Susan Sanson drafted to Governor Elect Walker, on behalf of the Board, regarding the Board's support for the retention of Jeff Scanlan as its bureau director. The Board modified the letter draft.

ADJOURNMENT

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

The meeting adjourned at 3:21 p.m.