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**VIRTUAL/TELECONFERENCE  
RADIOGRAPHY EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Tom Ryan (608) 266-2112  
March 8, 2023**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.*

**AGENDA**

**9:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1-3)**

**B. Approval of Minutes of November 9, 2022 (4-5)**

**C. Introductions, Announcements, and Recognition**

- 1) Recognition of Heidi Nichols, Radiographer Member (Resigned:11/1/2022)

**D. Reminders: Conflicts of Interest, Scheduling Concerns**

**E. Administrative Matters – Discussion and Consideration**

- 1) Department, Staff and Board Updates
- 2) 2023 Meeting Dates **(6)**
- 3) Annual Policy Review **(7-10)**
- 4) Election of Officers, Appointment of Liaison and Alternates, Delegation of Authorities **(11-19)**
- 5) Board Members – Term Expiration Dates
  - a. Berumen, Blas R. – 7/1/2024
  - b. Borst, Donald A. – 7/1/2025
  - c. Grebe, Paul J. – 7/1/2023
  - d. Julson, Rachael S. – 7/1/2024
  - e. Szykutowicz, Timothy P. – 7/1/2024

**F. Administrative Rule Matters – Discussion and Consideration**

- 1) Pending or Possible Rulemaking Projects **(20)**

**G. WHA 2021 Act 10 Temporary Licensure for Out of State Health Provider Applicants – Discussion and Consideration**

**H. Discussion and Consideration of Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments

- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Public Health Emergencies
- 14) Board Liaison Training and Appointment of Mentors
- 15) Informational Items
- 16) Division of Legal Services and Compliance (DLSC) Matters
- 17) Presentations of Petitions for Summary Suspension
- 18) Petitions for Designation of Hearing Examiner
- 19) Presentation of Stipulations, Final Decisions and Orders
- 20) Presentation of Proposed Final Decisions and Orders
- 21) Presentation of Interim Orders
- 22) Petitions for Re-Hearing
- 23) Petitions for Assessments
- 24) Petitions to Vacate Orders
- 25) Requests for Disciplinary Proceeding Presentations
- 26) Motions
- 27) Petitions
- 28) Appearances from Requests Received or Renewed
- 29) Speaking Engagements, Travel, or Public Relation Requests, and Reports

#### **I. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

#### **J. Deliberation on Division of Legal Services and Compliance Matters**

- 1) **Case Closing**
  - a. 21 RAD 005 – S.R.K., T.D.L. **(21-31)**
- 2) **Proposed Stipulation and Final Decision and Order**
  - a. 22 RAD 004 – Joshua J. Von Ruden, RTR **(32-42)**
  - b. 22 RAD 005 – Heather J. Freimark, RTR **(43-55)**

#### **K. Deliberation on Proposed Final Decision and Orders**

- 1) Luana S. Hammer, RTR, Respondent – DHA Case Number SPS-22-0066/DLSC Case Number 22 RAD 001 **(56-65)**

#### **L. Deliberation of Items Added After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters

- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Case Closings
- 13) Proposed Final Decisions and Orders
- 14) Matters Relating to Costs/Orders Fixing Costs
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

**ADJOURNMENT**

**NEXT MEETING: JULY 26, 2023**

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 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE  
RADIOGRAPHY EXAMINING BOARD  
MEETING MINUTES  
NOVEMBER 9, 2022**

**PRESENT:** Donald Borst, Paul Grebe, Rachael Julson, Timothy Szczykutowicz

**EXCUSED:** Heidi Nichols

**STAFF:** Tom Ryan, Executive Director; Whitney DeVoe, Legal Counsel; Dana Denny, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Donald Borst, Chairperson, called the meeting to order at 9:02 a.m. A quorum of four (4) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Paul Grebe moved, seconded by Rachael Julson, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JULY 27, 2022**

**MOTION:** Paul Grebe moved, seconded by Rachael Julson, to approve the Minutes of July 27, 2022 as published. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (s. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Donald Borst, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Donald Borst-yes; Paul Grebe-yes; Rachael Julson-yes; and Timothy Szczykutowicz -yes. Motion carried unanimously.

The Board convened into Closed Session at 9:08 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS**

**Case Closings**

**21 RAD 009 – R.L.C.**

**MOTION:** Donald Borst moved, seconded by Rachael Julson, to close DLSC Case Number 21 RAD 009, against R.L.C., for No Violation. Motion carried unanimously.

**Proposed Stipulation and Final Decision and Orders**

***21 RAD 007– Jessica M. Adkinson, RTR***

**MOTION:** Paul Grebe moved, seconded by Donald Borst, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jessica M. Adkinson, RTR, DLSC Case Number 21 RAD 007. Motion carried unanimously.

**Monitoring Matters**

***Stephanie A. Rouse, RTR  
Requesting Full Licensure***

**MOTION:** Rachael Julson moved, seconded by Timothy Szczykutowicz, to grant the request of Stephanie A. Rouse, RTR for full licensure. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

**MOTION:** Timothy Szczykutowicz moved, seconded by Paul Grebe, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened in Open Session at 9:32 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** Timothy Szczykutowicz moved, seconded by Paul Grebe, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

**ADJOURNMENT**

**MOTION:** Rachael Julson moved, seconded by Timothy Szczykutowicz, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:33 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: <b>Katlin Schwartz, Bureau Assistant</b>		2) Date when request submitted: <b>2/22/2023</b> <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: <b>Radiography Examining Board</b>			
4) Meeting Date: <b>3/8/2023</b>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>2023 Meeting Dates</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: <b>N/A</b>	
10) Describe the issue and action that should be addressed:  <p>The Board will review and potentially make a motion to approve the follow 2023 meeting dates:</p> <ul style="list-style-type: none"> <li>a. Wednesday, March 8, 2023 – Virtual</li> <li>b. Wednesday, July 26, 2023 – DSPS</li> <li>c. Wednesday, November 8, 2023 - Virtual</li> </ul>			
11) <b>Authorization</b>			
<i>Katlin Schwartz</i>		<b>2/22/2023</b>	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Katlin Schwartz, Bureau Assistant on behalf of Division of Policy Development Executive Directors		<b>2) Date when request submitted:</b> 12/14/2022 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> All Boards			
<b>4) Meeting Date: First Meeting of 2023</b>	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Annual Policy Review	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if applicable:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> <li>1. <b>In-Person Meeting Policy:</b> Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings.                         <ul style="list-style-type: none"> <li>• 4-5 Meetings per year = 1 in-person opportunity</li> <li>• 6-8 Meetings per year = 2 in-person opportunities</li> <li>• 12 Meetings per year = 4 in-person opportunities</li> </ul> </li> <li>2. <b>Attendance/Quorum:</b> Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law.</li> <li>3. <b>Walking Quorum:</b> Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law.</li> <li>4. <b>Mandatory Training:</b> All Board Members must complete their annual Public Records and Ethics Trainings, if not complete, the training will be done at the next meeting.</li> <li>5. <b>Agenda Deadlines:</b> Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting)</li> <li>6. <b>Travel Voucher and Per Diem Submissions:</b> Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example)</li> <li>7. <b>Lodging Accommodations/Hotel Cancellation Policy:</b> Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time.                         <ul style="list-style-type: none"> <li>• If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate.</li> </ul> </li> <li>8. <b>Inclement Weather Policy:</b> In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executive remotely.</li> </ol>			
<b>11) Authorization</b>			
Katlin Schwartz		12/14/2022	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
<b>Directions for including supporting documents:</b> <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## Timeline of a Meeting

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**8 business days prior to the meeting:** All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

**7 business days prior to the meeting:** The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

**5 business days prior to the meeting:** The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

**4 business days prior to the meeting:** Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

### Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
  - Public Hearings (on Admin Rules)
  - Administrative Matters
  - Legislation and Policy Matters
  - Administrative Rules Matters
  - Credentialing Matters
  - Education and Exam Issues
  - Public Agenda Requests
  - Current Issues Affecting the Profession
  - Public Comments
- Closed Session items
  - Deliberations on Proposed Disciplinary Actions
    - Stipulations
    - Administrative Warnings
    - Case Closings
    - Monitoring Matters
    - Professional Assistance Procedure (PAP) Issues
  - Proposed Final Decisions and Orders
  - Orders Fixing Costs/Matters Relating to Costs
  - Credentialing Matters
  - Education and Exam Issues

**Thursday of the Week Prior to the Meeting:** Agendas are published for public notice on the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

**1 business day after the Meeting:** "Action" lists are distributed by staff detailing board actions on closed session business.

**5 business days after the Meeting:** "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).



# Department of Safety and Professional Services

## PER DIEM REPORT

**INSTRUCTIONS:** Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

**Purpose Codes:**

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

NAME OF EXAMINING BOARD OR COUNCIL <b>EXAMPLE EXAMINING BOARD</b>			BOARD OR COUNCIL MEMBER'S NAME <b>MARY SUNSHINE</b>	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p><b>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</b></p> <p><b>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</b></p> <p><b>Department staff completes the fields titled "Total Days Claimed".</b></p>
<b>CLAIMANT'S CERTIFICATION</b>			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i> Claimant's Signature		1/4/2021 Date		
			Supervisor	
			Date	

EMPL ID: 100012345-0

To be completed by Department staff: **TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00**



**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

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3) Name of Board, Committee, Council, Sections: Radiography Examining Board			
4) Meeting Date: 3/8/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> <li>• Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities</li> </ul>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> <li>1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson &amp; Secretary</li> <li>2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate</li> <li>3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations.             <ol style="list-style-type: none"> <li>a. Credentialing Delegations</li> <li>b. Monitoring Delegations</li> <li>c. Pre-Screening Delegations</li> </ol> </li> </ol>			
11) <span style="float: right;">Authorization</span> <hr/> Katlin Schwartz <span style="float: right;">2/22/2023</span> <hr/> Signature of person making this request <span style="float: right;">Date</span> <hr/> Supervisor (Only required for post agenda deadline items) <span style="float: right;">Date</span> <hr/> Executive Director signature (Indicates approval for post agenda deadline items) <span style="float: right;">Date</span>			
Directions for including supporting documents: <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>			

## RADIOGRAPHY EXAMINING BOARD

### 2022 Elections and Liaison Appointments

ELECTION RESULTS	
<b>Chairperson</b>	Donald Borst
<b>Vice Chairperson</b>	Rachael Julson
<b>Secretary</b>	Heidi Nichols

#### Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
<b>Credentialing Liaison(s)</b>	Donald Borst <i>Alternate: Tim Szczykutowicz</i>
<b>Education and Examinations Liaison(s)</b>	Heidi Nichols <i>Alternate: Donald Borst</i>
<b>Monitoring Liaison(s)</b>	Heidi Nichols <i>Alternate: Paul Grebe</i>
<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Donald Borst <i>Alternate: Paul Grebe</i>
<b>Legislative Liaison(s)</b>	Donald Borst <i>Alternate: Heidi Nichols</i>
<b>Travel Authorization Liaison</b>	Donald Borst <i>Alternate: Tim Szczykutowicz</i>
<b>Practice Question Liaison(s)</b>	Heidi Nichols <i>Alternate: Donald Borst</i>
<b>Website Liaison</b>	Donald Borst
<b>Screening Panel</b>	Donald Borst, Rachael Julson <i>Alternate: Heidi Nichols</i>

#### Delegation of Authorities

### *Document Signature Delegations*

**MOTION:** Timothy Szczykutowicz moved, seconded by Rachael Julson, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

### *Delegated Authority for Urgent Matters*

**MOTION:** Timothy Szczykutowicz moved, seconded by Rachael Julson, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

### *Delegation to Chief Legal Counsel Due to Loss of Quorum*

**MOTION:** Donald Borst moved, seconded by Paul Grebe, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one meeting. Motion carried unanimously.

### *Monitoring Delegations*

#### **Delegation of Authorities for Monitoring**

**MOTION:** Donald Borst moved, seconded by Rachael Julson, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the March 9, 2022 agenda materials on pages 17-18. Motion carried unanimously.

#### **Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

## *Credentialing Authority Delegations*

### **Delegation of Authority to Credentialing Liaison**

**MOTION:** Rachael Julson moved, seconded by Timothy Szczykutowicz, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** Paul Grebe moved, seconded by Rachael Julson, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

### **Delegation of Authority for Predetermination Reviews**

**MOTION:** Donald Borst moved, seconded by Timothy Szczykutowicz, to delegate authority to the Department Attorneys to review and approve predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

### **Delegation of Authority for Conviction Reviews**

**MOTION:** Rachael Julson moved, seconded by Donald Borst, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of radiography. Motion carried unanimously.

### **Delegation to DSPS When Applicant's History Has Been Previously Reviewed**

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous radiography credential and there is no new conviction record. Motion carried unanimously.

### **Delegated Authority for Application Denial Reviews**

**MOTION:** Donald Borst moved, seconded by Rachael Julson, that the Department's Attorney Supervisors are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

### *Pre-Screening Delegation to Open Cases*

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

### *Pre-Screening Delegation to Close Cases*

**MOTION:** Timothy Szczykutowicz moved, seconded by Rachael Julson, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

### *Voluntary Surrenders*

**MOTION:** Rachael Julson moved, seconded by Donald Borst, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

### *Education and Examination Liaison(s) Delegation*

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies***

**MOTION:** Timothy Szczykutowicz moved, seconded by Donald Borst, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

**MOTION:** Rachael Julson moved, seconded by Donald Borst, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

**MOTION:** Donald Borst moved, seconded by Paul Grebe, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

***Travel Authorization Liaison Delegation***

**MOTION:** Rachael Julson moved, seconded by Timothy Szczykutowicz, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

***Practice Question Liaison(s) Delegation***

**MOTION:** Paul Grebe moved, seconded by Timothy Szczykutowicz, to delegate authority to the Practice Question Liaison(s) to confer with Department staff when necessary to answer practice questions. Motion carried unanimously.

***Website Liaison(s) Delegation***

**MOTION:** Rachael Julson moved, seconded by Paul Grebe, to authorize to the Website Liaison(s) to act on behalf of the Board in working with Department staff to identify and execute website updates. Motion carried unanimously.



## **Roles and Authorities Delegated for Monitoring**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

### **Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
- ~~5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section ordered continuing/disciplinary/remedial education.~~
- ~~6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.~~
- ~~7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section ordered evaluation or exam.~~
5. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. *(Except Pharmacy and Medical)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
  - a. Initial: 49 screens (including 1 hair test, if required by original order)
  - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
  - c. 2<sup>nd</sup> Reduction: 28 screens plus 1 hair test
  - d. 3<sup>rd</sup> Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.

~~11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.~~

### **Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

### **Authorities Delegated to Board Legal Counsel**

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.

Updated 12/13/2021

2022 Roles & Authorities

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Dana Denny, Administrative Rules Coordinator		2) Date when request submitted: 02/23/2023 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Radiography Examining Board			
4) Meeting Date: 03/08/2023	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters - Discussion and Consideration 1. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? (If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff) <input type="checkbox"/> Yes <Appearance Name(s)> <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Review of Draft Biennial Report under s. 227.29, Wis. Stats.			
11) Authorization			
<i>Dana Denny</i>		2/23/2023	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			