

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

FILED

JUL 30 9 59 AM '97

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Form #5

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: West Virginia Board of Examiners of Radiologic Technology TITLE NUMBER: 18

CITE AUTHORITY: W.V. Code 30-23-1 et. seq.

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Fees for Services Rendered by the Board

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.

Deborah Smith
Deborah Smith, Chairman

\$3.80(w/out comments)
\$20.00(w/comments)

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #1

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: West Virginia Board of Examiners of Radiologic Technology **TITLE NUMBER:** 18

RULE TYPE: Legislative **CITE AUTHORITY:** W.V. Code 30-23-1 et. seq.

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Schedule of Fees for Services Rendered by the West Virginia Radiologic Technology Board of Examiner.

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

DATE OF PUBLIC HEARING: Tuesday, June 10, 1997 **TIME:** 6:00 P.M.

LOCATION OF PUBLIC HEARING: State Capital Conference Room C, Building 7
Charleston, West Virginia 25301

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH

COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS: West Virginia Board of Examiners
Radiologic Technology
3049 Robert C Byrd Drive, Room
303
Beckley, WV 25801

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments.

The issues to be heard shall be limited to the proposed rule.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL.

DATE: May 9, 1997

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: West Virginia Board of Examiners of Radiologic Technology

LEGISLATIVE RULE TITLE: Fees for Services Rendered by the Board

1. Authorizing statute(s) citation W.V. Code 30-23-1 et seq

2. a. Date filed in State Register with Notice of Hearing:
May 9, 1997

- b. What other notice, including advertising, did you give of the hearing?
List of those provided with notices of hearing is attached.

- c. Date of hearing(s): June 10, 1997

- d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.
Attached XXX No Comments received _____

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)
July 23, 1997

- f. Name and phone number(s) of agency person(s) to contact for additional information:
Mary Casto 304-256-6985 787-4398

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

NA

b. Date of hearing: _____

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

NA

d. Attach findings and determinations and reasons:

Attached _____

**TITLE 18
LEGISLATIVE RULES
RADIOLOGIC TECHNOLOGISTS**

**SERIES 1
RULES AND REGULATIONS OF THE WEST VIRGINIA BOARD OF
EXAMINERS OF RADIOLOGIC TECHNOLOGISTS**

§18-1.1. General provisions.

1.1 Scope. – Except as otherwise specifically provided, these regulations apply to all persons in West Virginia who apply X-rays or assist in the application of X-rays to human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner. These regulations establish the general rules for licensure of Radiologic Technologists in West Virginia.

1.2 Authority. – W. Va. Code §30-23.

1.3 Filing Date. – May 5, 1984.

1.4 Effective Date. – May 23, 1984.

1.5 Definitions. – As used in these regulations:

- (a) "Board" means the West Virginia Radiologic Technology Board of Examiners;
- (b) "License" means a license granted and issued by the Board for the practice of radiologic technology;
- (c) "Licensed Practitioner" means a person licensed to practice medicine, chiropractic, podiatry, osteopathy or dentistry;
- (d) "Radiologic Technologist" means a person, other than a licensed practitioner, who applies X-rays or assists in the application of X-rays to human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner;
- (e) "Reciprocity" means the granting of a license or temporary permit to persons who hold a license or certificate in another state;
- (f) "Supervision" means responsibility for and control of quality, radiation safety and technical aspects in the application of x-radiation to human beings for diagnostic or therapeutic purposes;
- (g) "Temporary Permit" means a permit granted and issued by the Board for the practice of radiologic technology which shall expire thirty (30) days after the Board gives written notice of results of the examination held following the issuance of such temporary permit; and
- (h) "Unethical Conduct" means, but shall not be limited to:
 - (1) Engaging in the practice of radiologic technology while in an intoxicated condition under the influence of narcotic or any other drugs which impair consciousness, judgement or behavior; or
 - (2) Immoral conduct while engaged in the practice of radiologic technology or behavior indicating an unfitness to practice radiologic technology; or
 - (3) Willful falsification, destruction or theft of property or records relating to the practice or radiologic technology; or
 - (4) Failure to exercise due regard for the safety of life or health of the patient; or
 - (5) Unauthorized disclosure of information relating to a patient or his records; or
 - (6) Discrimination in the practice of radiologic technology against any person for reason of race, religion, creed, color or national origin.

1.6 Communication. – All communications concerning these regulations and applications filed thereunder shall be addressed to the West Virginia Radiologic Technology Board of Examiners, Room 303, 3049 Robert C Byrd Drive, Beckley, West Virginia 25801.

§18-1-2. Board functions.

2.1 Duties and powers of the Board. – The duties and powers of the Board are defined in the W.Va. Code §30-23-1 et seq. It shall be the duty of the Board to carry out the provisions of this article to the best of its ability.

2.2 Board meetings.

(a) The Board shall meet at least twice annually to conduct examinations.

(b) The Board shall hold at least one (1) annual meeting during June of each year at the place and time designated by the chairman for the purpose of electing a chairman and secretary. New officers shall take office on July 1 of that year.

(c) Meetings of the Board may be called by the chairman at any reasonable time. The chairman shall call a meeting at any time upon the request of three (3) or more Board members.

(d) Each Board member shall be notified by mail of the time and place of any meeting at least two (2) weeks prior to the date on which the meeting will be held. Notification of special or emergency meetings may be by the most expedient means. An agenda of the subjects to be discussed at each meeting will be sent to each member prior to the meeting date.

(e) All meetings of the Board shall be open to the public in compliance with the Open Meetings Statute, W. Va. Code §6-9a.

(f) All forms, revisions to licenses and other printed material necessary for the administration of this licensing agency shall be approved by the Board.

(g) No Board member shall act officially for the Board or convey the impression to others that he is acting officially for the Board without prior authorization from the Board.

2.3 Duties of the chairman.

(a) He shall designate the time and place of meetings on his own authority or at the direction of three (3) Board members.

(b) He shall preside at all meetings or, in the case of his inability to attend any meeting, the secretary shall serve for the meeting.

(c) He shall exercise general supervision of the affairs of the Board and shall have the usual powers of such office and such other powers and duties as the Board may direct.

2.4 Duties of the Secretary.

(a) He shall assist the chairman in carrying out his duties when required.

(b) He shall preside over meetings in the absence of the chairman.

(c) He shall act in behalf of the chairman in cases of extended incapacitation or long absences of the chairman.

(d) He shall keep the minutes of the proceeding at Board meetings and the records of the Board.

(e) He shall have custody of all fees received by the Board and shall be responsible for the transfer of such funds to the State Treasurer.

(f) He shall receive, accept responsibility for, issue (with Board approval) and account to the Auditor for the State of West Virginia for all licenses and temporary permits and keep duplicates of certificates handled by the Board.

(g) He shall be responsible, with the approval of the Board, for the preparation and submission of the annual budget to the Board.

(h) He shall maintain an accurate list of licenses with names and addresses.

(i) He shall maintain a list of approved schools and make this list available to interested persons.

§18-1-3. Licenses and temporary permits.**3.1 Application for licenses and temporary permits.**

- (a) Any person requesting an application for a license or temporary permit shall be furnished the necessary forms, and such other information or questionnaires as the Board may deem desirable.
- (b) The application forms shall be designed to provide the information necessary to satisfy the Board that all requirements pertaining to the West Virginia Code are being fulfilled.
- (c) All applications shall be signed by the applicant.
- (d) The application shall be accompanied by a money order, certified check or personal check.
- (e) Failure to complete all forms and to provide all information may be just cause for rejections of the application by the Board and cause the application to be returned to the applicant.
- (f) Any person knowingly furnishing false information in such application shall be denied a license or if the applicant has already been licensed before the falsification of such information has been made known to the Board, such license or temporary permit shall be subject to suspension or revocation. In addition, the Board may undertake prosecution of the applicant pursuant to W.Va. Code §30-25-13.

3.2 Issuance of licenses and temporary permits.

- (a) The Board shall issue to each applicant a license or a temporary permit within thirty (30) days of receipt of a properly completed application and payment of the appropriate fee if the applicant:
- (1) Is of good moral character;
 - (2) Has completed four (4) years of high school education or its equivalent;
 - (3) Has successfully completed a minimum twenty-four (24) month course in radiologic study in a school of radiologic technology approved by the Board;
 - (4) Has passed the examination prescribed by the Board, which examination shall cover the basic subject matter of radiologic technology, skills and techniques;
 - (5) Has not been convicted of a felony in any court in this State or any federal court in this or any other State within ten (10) years preceding the date of application for registration, which conviction remains unreversed; and not have been convicted of a felony in any court in this State or any federal court in this or any other State at any time if the offense which he was convicted related to the practice of radiologic technology, which conviction remains unreversed; and
 - (6) Holds a license or certificate, including the American Registry of Radiologic Technologists, to practice radiologic technology issued by any other state, the requirements for which license or certificate are found by the Board to be at least equal to those provided for a license to practice radiologic technology in this State without examination.
- (b) Whenever the Board finds that an applicant meets all requirements for a license to engage in the practice of radiologic technology, it shall forthwith issue to him such license.
- (c) The license shall be valid for a period of ~~two (2) years~~ one (1) year from the date of issuance.
- (d) The license shall be renewed every ~~two (2) years~~ one (1) year without examination upon application for renewal on a form prescribed by the Board. The applicant shall be responsible for obtaining, completing, signing and forwarding the renewal application to the Board with the required fee.
- (e) The Board may deny an application for renewal for any reason which would justify the denial of an original application for a license. In addition, an application for renewal will be considered delinquent and subject to an additional fee if it is not received within thirty (30) days after the due date.
- (f) The Board may issue a temporary permit to engage in the practice of radiologic technology to an applicant who meets the qualifications of Section 3.2 (a), (b), (c) and (e) of these regulations, pending examination of such applicant.
- (g) The temporary permit shall expire thirty (30) days after the Board gives written notice of the results of the examination held following the issuance of such temporary permit.
- (h) A temporary permit may not be renewed or another thereof issued to the same person.

(l) The failure of an applicant to seek renewal of license within two (2) years from its dated of expiration will result in the applicant's having to become relicensed.

3.3 Exemptions.

(a) The following persons are not required to obtain a license in accordance with the provisions of these regulations:

(1) A technology student enrolled in or attending an approved school of technology who as part of his course of study applies x-radiation to a human being under the supervision of a licensed practitioner;

(2) A person acting as a dental assistant who under the direct supervision of a licensed dentist operates only radiographic dental equipment for the sole purpose of dental radiography;

(3) Any person engaged in performing the duties of a technologist in his employment by an agency, bureau or division of the Government of the United States; and

(4) Any licensed practitioner, radiologist or radiology residents.

(b) Any person who is engaged in the practice of radiologic technology in this State for a period of three (3) years or more within the last five (5) years prior to July 7, 1977, is eligible for a license to engage in the practice of radiologic technology without examination and without meeting the requirements of the W. Va. Code §30-23-3(a), if application for such license is made within twelve (12) months after the effective date of July 7, 1977, and if such person meets the requirements of Section 3.2 (a), (b) and (e) of these regulations.

(c) Any person who has been engaged as a radiologic technologist for at least one (1) of the three (3) years immediately prior to July 7, 1977, and passes a proficiency examination prepared by the Board is eligible for a license to engage in the practice of radiologic technology without further examination and without meeting the requirements of the W. Va. Code §30-23-3(a), if application for such license is made within twelve (12) months after the effective date of July 7, 1977, and if such person meets the requirements of Section 3.2 (a), (b) and (e) of these regulations.

(d) A proficiency test will be conducted by the Board at a time and place designated by the Board for those individuals who have worked as a technologist one (1) of the past three (3) years immediately prior to July 7, 1977. Those individuals receiving a satisfactory score as determined by the Board will be issued a license to practice radiologic technology.

(e) A licensure examination will be conducted twice annually at a time and place designated by the Board. Those individuals receiving a satisfactory score as determined by the Board will be issued a license to practice radiologic technology.

3.4 Reciprocity.

(a) Reciprocity will be considered with other states on an individual basis.

(b) A license issued to an individual by another state will not be honored in lieu of a license issued by the West Virginia Radiologic Technology Board of Examiners.

(c) Violation of laws regulating radiologic technologists in any other state by an individual licensed by this Board while he is visiting or residing in another state shall be considered as unethical conduct by this Board.

3.5 Responsibilities of the licensee.

(a) It shall be the responsibility of each person engaged in radiologic technology to be familiar with the requirements of the law regulating such activities in West Virginia and with the regulations of this Board.

(b) It shall be the responsibility of each person engaged in radiologic technology to make timely application for licensure or renewal of license, to complete such forms properly and to pay the fees required, and to hold himself available for examination at the times and places designated by the Board. Any information or reminders which the Board may issue shall be regarded as courtesies and shall not diminish the responsibilities of the person engaged in radiologic technology.

3.6 Display of license or temporary permit.

(a) Each person entitled to engage in the practice of radiologic technology in this State shall prominently display at his principal place of employment his license or temporary permit to practice radiologic technology and his current certificate of registration (a wallet-sized registration card issued ~~bi-annually~~ annually by the Board to every person to whom it issues a license) shall be carried while engaged in the practice of radiologic technology.

DRAFT

(b) The current licensure and/or renewal registration card shall be exhibited when requested by and of the following:

- Program; or
- (1) A Board member; or
 - (2) An employee of West Virginia State Department of Health's Radiological Health
 - (3) Any person upon whom the licensee applies X-ray; or
 - (4) An employer in whose employ the licensee practices or intends to practice radiologic technology.

(c) An employer, Board member or employee of the Radiological Health Program shall not accept a photocopy or other facsimile of a license or wallet-sized registration card as adequate evidence that a person is licensed to practice radiologic technology. Where, for convenience or security, a photocopy or facsimile is displayed, the original document shall be readily available for review.

3.7 Duplicate license.

(a) In requesting a name or address change, the current license must be returned to the Board with the required fee prior to issuance of a corrected license.

(b) In requesting a duplicate license due to loss of license, a notarized statement substantiating the loss must be completed and submitted to the Board with the required fee prior to issuance of a duplicate license.

3.8 Schedule of fees for services rendered by the West Virginia Radiologic Technology Board of Examiners.

(a)	Application Fee	\$30.00	\$75.00
(b)	Annual License Renewal Fee	\$20.00	\$50.00
(c)	Temporary Permit Fee	\$45.00	\$25.00
(d)	Reinstatement Fee (delinquent)		\$15.00
(e)	Reciprocity Fee		\$25.00
(f)	Duplicate License	\$-2.00	\$10.00
(g)	Change of Name	\$-2.00	\$10.00
(h)	Rules and Regulations	\$-2.00	\$10.00
	<u>Add</u>		
(i)	<u>Roster of Active Licenses</u>		<u>\$25.00</u>
(j)	<u>Mailing Labels (Name and Address/per 1000)</u>		<u>\$50.00</u>

§18-1-4. Educational Requirements for candidates for licensure.**4.1 Standards for an approved school.**

(a) The candidate for licensure shall have studied at a school approved by the Board of Examiners of Radiologic Technologists.

(b) Acceptable schools may be conducted by an approved university, college, hospital or post secondary vocational/technical schools and institutions.

(c) In order for a school to be deemed acceptable, at least two thousand (2,000) examinations per student of a variety to allow demonstrated competency in essential procedures during the two (2) year program.

(d) School administration shall assure proper financial support for the effective operation of the school and provide a classroom with the required teaching aids, a library and study space.

(e) When didactic and clinical education are not provided in the same institution, accreditation shall be obtained by the sponsoring institution for the total program. There shall be a written affiliation agreement between the sponsoring institution and each clinical education center, clearly defining the uniform responsibilities and obligations of each.

(f) The medical director of the school must be a radiologist.

(g) There shall be a qualified program director who shall devote full-time to the sponsoring institution with primary responsibilities for the educational program to include: Organization, administration, periodic review, continued development and general effectiveness. The program director's responsibility shall not be adversely affected by educationally unrelated functions. The program director shall be a full-time employee of the sponsoring institution/education centers. Each program shall designate a clinical instructor. In multiple affiliate programs, a clinical instructor shall be designated for each clinical education center. In programs with a total of ten (10) or less students, the program director's responsibility may include clinical education. The clinical instructor shall be responsible for clinical instruction and clinical competency evaluation of students. Responsibilities for supervision and evaluation shall not be adversely affected by educationally unrelated functions.

(h) There should be a corps of well trained technologists who are capable of assisting in classroom instruction as well as in the practical teaching of students.

4.2 General facilities. - The radiology department should be housed in suitable quarters and provided with modern equipment capable of performing all types of radiologic examinations and treatments which are usually performed in a general hospital. Installations should conform to the requirements of the Bureau of Standards.

4.3 Physical resources.

(a) Classrooms should contain seating and writing surfaces for each student in the class; have sufficient space to conduct demonstrations of procedures and to use audiovisual resources appropriate to teaching radiography; be equipped with proper lighting, temperature control and ventilation; meet safety requirements; be available for all scheduled classes on a basis that allows faculty to plan a semester in advance in order to post class schedules and to prepare the room; be reasonably accessible so that travel time does not disrupt or negatively affect the educational process. Provisions should be made for students' coats, books and personal items.

(b) Documentation demonstrating that energized laboratories meet prevailing radiation safety regulations should be posted or otherwise readily available for inspection.

(c) Offices for the administrative and instructional staff should be reasonably accessible, suitably private and secure for the planning, research, evaluation and counselling responsibilities. The security of instructional materials, files and examinations should be assured.

(d) A library shall be readily accessible, containing an adequate supply of up-to-date books, periodicals and other reference materials related to the curriculum and the profession.

(e) Instructional aids, equipment and facilities for demonstration shall be provided, such as an articulate skeleton, teaching file or radiographs, anatomical models and charts, slides, etc.

4.4 Instructional program.

(a) Classroom instruction should average a minimum of five (5) hours per week.

(b) Classes are to be held regularly regardless of the work load of the department.

(c) Examination grades must be made a permanent part of the student's record.

4.5 Basic curriculum. – The basic curriculum to be offered by an approved school to a candidate for licensure shall include, but not be limited to: introduction to radiography, medical ethics and law, medical terminology, methods of patient care, human structure and function, radiographic procedures, principles of radiographic exposure, imaging equipment, radiographic film processing, evaluation of radiographs, radiation physics, principles of radiation protection, principles of radiation biology, radiographic pathology, introduction to quality assurance, introduction to computer literacy and clinical education. The curriculum shall include a plan for well structured competency based clinical education.

§18-1-5. Administrative hearing procedures for the Board of Radiologic Technologists.

5.1 Hearing procedures.

(a) Hearings on any suspension, revocation or denial of an application for a license that is ordered by the Board and that is contested by the applicant shall be conducted according to the W. Va. Code §30-23-10.

(b) The applicant may be represented by counsel at the hearing; the Board shall be represented by the Attorney General or his assistants. Special counsel shall be appointed to aid the Board in its rulings on the admission of evidence.

(c) The technical rules of evidence shall not apply at hearings conducted by the Board: Provided, however, That each party shall have the right to cross-examine any or all witnesses.

(d) Any concurring or dissenting opinions of Board members shall be in writing and accompany the Board's final order as outlined in the W. Va. Code §30-23-10(g).

5.2 Procedures for judicial review. – Any person adversely affected by a decision of the Board rendered after a hearing shall have the right to pursue an appeal pursuant to the W. Va. Code §30-23-10(g).

MEMORANDUM

DATE: July 10, 1997

TO: Legislative Rule Making Committee

FROM: WV Radiologic Technology Board of Examiners

RE: Increase of Fees

It is through this correspondence that the West Virginia Radiologic Technology Board of Examiners, hereinafter referred to as "Board", request the Legislative Rule Making Committee to consider changes in W.V.Code 30-23-1 and consider the information provided as justification for such changes. The Board would like to offer the following comments for review:

Senate Bill 358 requested that the State Board communicate to licensees on an annual basis, as well as to legislative members. This annual report would be approximately 3300 reports going out. This would incur a cost related to labor of putting the annual report together plus the printing and mailing.

Senate Bill 358 also required the State Board to mandate continuing education tracking system with inspection. This incurs increased mailings, stationary, envelopes and labor intensity as well as computerized systems for tracking. Many of the technologists commented that the ARRT/ASRT has mandatory continuing education tracking for those who are registered or members of the professional organization, however only a small group of technologists belong to the ASRT and not all technologists in the state hold certification with the ARRT. The board still has a need for financial resources to assure that those who do and do not hold ARRT Certification met the continuing education requirements established by law.

In order to be more accessible to our licensees we would like to incorporate a WV State Board of Examiners Web page that would give licensees access to who is licensed in the State, to allow them to get an application, etc. We have often received criticism by those we license that we are not accessible to the needs of those we serve or that we do not do our perceived jobs. We do not have the money to accommodate full time assistant, to be available to a work force that has twenty-four hours, seven days a week, three hundred sixty-five days a year responsibility. Those who work hours outside normal business hours (permanent midnights or afternoons)

would be served if we have on-line access.

We currently only have one phone line, we do not have an 800 phone line or can we afford to have a second phone. We need to have a fax line as well as E-mail and a 1-800 number. The Board office recently moved to comply with ADA guidelines. Our former office did not meet the requirements for licensees to enter the building, therefore we have had to move to a new location. We have increased rental expenses, as well as operational costs for the new facility.

We are experiencing increased complaints regarding unlicensed personnel apply ionizing radiation to human beings without being qualified or licensed. These complaints require an investigator at \$45/hour plus expenses. Our board members all have full time jobs and can no longer keep up with the number of complaints, inspect radiography programs and do all that the law requires us to do without increased resources/finances. The biggest issue is the lack of training to conduct investigations, proper documentation requirements for the investigations, skills to interview, and conducting investigations requires in-depth knowledge of the laws. The Board Member's background do not include the investigative and legal requirements. The Board Member's expertise is in actual health care delivery. We admittedly struggle with carrying out the duties of the Board that relate in inspections, investigations, enforcement of the law, and instituting appropriate legal action. It is imperative that the Board position itself to better handle complaints with qualified resources.

Senate Bill 358 also gave the board members an opportunity to be paid per diem rate. The board has never received compensation other than travel reimbursement. We have historically only conducted two meetings per year, but the increased demands on the board is requiring an increased number of meetings and travel. We can no longer afford to do this work without compensation. It is only fair and fitting that this Board be compensated as other Boards are and per the opportunities allowed by Senate Bill #358.

The Board office is in need of updated equipment, a copier that will duplicate more than one page at a time and can take care of the demands of 3,500 members. Office furniture is needed, desks, chairs, files, conference table, etc.

The board is required to inspect 9 Radiologic Technology Educational Programs throughout the State. This requires overnight travel expenses for members to be a part of the radiography program inspections, that can be 1-2 days long. In order to keep current with changes that are required by the educational curriculum, it is necessary to send board members to training on an annual basis. In an effort to keep current with licensure issues throughout the States, the board would like to have at least one board member represent us at the CLEAR or FARB conference.

Some were upset that we did not mail to each and every member. The cost of mailing is approximately \$1.00 /licensee, this would have been an additional \$3,500.00, that the board did not have. We took great efforts to notify those who were licensed. We mailed to over 558

facilities/organizations. We put an ad in the professional magazine. The annual report went out in 1996 we informed the membership that changes were coming due as a result of Senate bill #358. We instructed the membership to call with any questions or suggestions that they may have about the development of the up coming changes. We spoke at the local and state professional societies to inform individuals of changes and requested input.

The field of Radiologic Technology has changed drastically over recent years. This field is more appropriately referred to as "Medical Imaging" and incorporated such subspecialties as Ultrasound, CT Scanning, MRI, Mammography, etc. Some of these subspecialties are regulated Federally and professionally different than the other. It is the Board's opinion that we need to look at all these related imaging modalities and develop a statute that would establish standards for all modalities of Medical Imaging. With this goal in mind, additional resources , at least on a consultation basis, would be necessary to assist the Board.

It was mentioned that we should incrementally increase the fees and not increase the entire amount at one time. However, knowing that the board has not made in changes since 1978, we do not wish to annually come back to this committee for changes that need to made. We know these changes will not become effective for several months and this allows the licensees to make adjustments. We have included information on other states and professions and we feel that we feel our justifications for the increase are clearly substantiated.

In closing, the increase in fees is to keep current with the daily operational costs to better serve our licensees and the public of West Virginia. As a Board, we unanimously support moving forward with the proposed changes, taking into consideration the few comments generated by the membership by written or oral comment from the public hearing.

If you need further information, please feel free to give us a call at the Board Office at 304-787-4398. Thank you for your consideration.

/jc

**TITLE 18
LEGISLATIVE RULES
WEST VIRGINIA BOARD OF
EXAMINERS FOR LICENSED RADIOLOGIC TECHNOLOGIST**

SERIES 2 - CONTINUING EDUCATION

SUMMARY OF PROPOSAL

This is a new series which adds continuing education as a pre-requisite for renewal of licensure in the State of West Virginia. The rules add twenty-four (24) contact hours of continuing education within the two (2) year period immediately preceding request for renewal of the license. The rule provides for exemptions, establishes an audit system, defines providers of continuing education and establishes guidelines for acceptable offerings.

The board has not had a fee increase since 1978, when the law went into effect.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Fees for Services Rendered by the Board

Type of Rule: XXX Legislative Interpretive Procedure

Agency: WV Board of Examiners for Radiologic Technology Address:

Beckley, West Virginia

1996-97

1. Effect of Proposed Rule	Annual		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$ None	\$ None	\$ None	\$ None	\$ None
Personal Services			\$23,288.00		
Current Expense			\$12,994.00		
Repairs and Alterations					
Equipment			\$5,050.00		
Other					

2. Explanation of above estimates.

Above expenses are actuals for the 1996-97 year. See attached sheet for projected increases and assumptions.

3. Objectives and these rules.

Increase fees, charges by the Board to cover costs of implementing Continuing Education requirements for renewal of licensure through Series 2, of Board rules being proposed.

Complete projections of revenue and expenditures through FY-2000 attached.

**WEST VIRGINIA STATE BOARD OF EXAMINERS
FOR LICENSED RADIOLOGIC TECHNOLOGISTS**

Projected Revenue and Expenditures with Increases

Fund Balance as of June 30, 1996, per Board records - \$ see attached

WEST VIRGINIA BOARD OF EXAMINERS
RADIOLOGIC TECHNOLOGY

Revenues, Expenditures and Balance History:

Balance Beginning July 1, 1992 \$40,562.63

<u>YEAR</u>	<u>REVENUE</u>	<u>EXPENDITURE</u>	<u>BALANCE</u>
1992-93	\$24,712.00	\$24,880.97	\$40,393.66
1993-94	\$20,421.00	\$27,689.89	\$33,124.77
1994-95	\$27,182.00	\$25,252.08	\$35,054.69
1995-96	\$21,740.00	\$30,181.29	\$26,613.40

Balance ending June 30, 1996

	<u>PROJECTED</u>	<u>PROJECTED</u>	<u>PROJECTED</u>
1996-97	\$29,716.00	\$34,811.90	\$21,517.50
1997-98	\$92,777.00	\$72,000.00	\$42,294.50
1998-99	\$97,408.00	\$75,600.00	\$64,102.50

ASSUMPTIONS: Cost have been calculated with requirements for increased expenses for the following reasons: Increased usage of office supplies, duplication/printing, postage, annual licensure renewal vs. Bi-annual renewal. We are currently required to communicate to licensees and governmental officials activities of the board by the use of a newsletter. Requirements for continuing education tracking will incur increased labor expenses and information tracking system. Board members are now entitled to per diem expenses for work related to board activity. Increased complaints requires hiring of an investigator to monitor, inspect and investigate activity. Entering the computer age technology will require equipment expenditures to install, additional telephone lines for communication purposes.

FINANCIAL INFORMATION

Line Item	1997-98 Estimated	1998-99 Estimated
001 Salary	\$15,718.00	\$ 16,500.00
002 Per Diem Payments to Bd. Mex.	2,000.00	3,000.00
010 Administrative Fees	250.00	300.00
011 Social Security Matching	1,800.00	2,000.00
012 P/E Insurance	4,600.00	5,000.00
014 Workers' Compensation	150.00	200.00
015 Unemployment Compensation	250.00	300.00
016 P/E Retirement Fund	1,500.00	1,600.00
020 Office Expense (Supplies)	3,000.00	5,000.00
021 Printing Expense	1,500.00	3,000.00
022 Rent	4,200.00	4,200.00
023 Utilities	1,400.00	1,600.00
024 Telecommunications	1,200.00	2,400.00
025 Attorney	2,000.00	2,000.00
025 Investigator	2,000.00	7,000.00
026 Travel	4,000.00	5,000.00
027 IS & C Net (Computer Programming)	600.00	800.00
031 Association Dues	175.00	300.00
032 Liability Insurance	1,200.00	1,500.00
034 Household Expense	25.00	50.00
035 Advertising & Promotional	500.00	700.00
038 Maintenance Contracts	360.00	500.00
051 Miscellaneous (Court Reporter, etc.)	3,000.00	4,000.00
053 Postage & Freight	3,000.00	5,000.00
054 Computer Supplies	300.00	500.00
055 Credit Card Purchases (Supplies)	200.00	300.00
061 Office & Communication Equipment Repair	200.00	500.00
063 Household Equipment Repair	50.00	50.00
070 Office & Communication Equipment	0	700.00
077 Books & Periodicals (CE)	0	1,100.00
078 Other Equipment	350.00	500.00
Total	\$ 55,528.00	\$ 75,600.00

MATERIAL REGARDING PUBLIC HEARING

Fees Charge by other state boards:	Initial Fee	Renewal	Reinstatement
Board of Accountants	85.00	60.00 per year	30.00
Board of Barbers & Cosmetolgist	25.00	25.00 yearly plus 5.00 for each month license is expired.	
Dental Hygienists	35.00 no experience 50.00 experience	50.00 yearly	25.00
LPN Board	51.50	25.00 yearly	75.00 from 1 to whenever.
Respiratory Therapist	(Bob Kiss set there initial fee of \$200.00 since they are starting from 0.)		65.00 yearly
Board of Pharmacy (Technicians - non professionals)	50.00	10.00 yearly.	

ACTIVE LICENSEES - 2,433
 GRANDFATHERED 134
 INACTIVE 945
 TOTAL 3,512

COURT REPORTER:

She will have a tape as backup.

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

Financial Informations from 7/1/82-6/30/96

FY 1984-85	Beginning Balance as of 6/30/85		54,498.41
	Income	\$18,405.27	
	Disbursements	35,367.66	
FY 1985-86	Income	19,366.65	
	Disbursements	16,192.87	
FY 1986-87	Income	22,555.90	
	Disbursements	16,196.19	
FY 1987-88	Income	16,264.64	
	Disbursements	16,846.05	
FY 1988-89	Income	21,732.11	
	Disbursements	17,603.32	
FY 1989-90	Income	18,751.65	
	Disbursements	21,513.64	
FY 1990-91	Income	22,630.98	
	Disbursements	21,458.58	
FY 1991-92	Income	19,458.00	
	Disbursements	25,683.57	
Fy 1992-93	Income	19,458.00	
	Disbursements	26,683.57	
FY 1993-94	Income	20,421.00	
	Disbursements	27,689.89	
FY 1994-95	Income	27,182.00	
	Disbursements	25,252.00	
FY 1995-96	Income	21,740.00	
	Disbursements	30,181.29	
	Income from Investment Interest from 6/30/95 - 6/30/91	4,816.78	
	Ending Balance as of 6/30/96		26,613.40

WEST VIRGINIA RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

Financial Informations from 7/1/82-6/30/96

FY 1984-85	Beginning Balance as of 6/30/85		54,498.41
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**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of July 1996)**

	Application Fee	Renewal Fee	License Renewal Period
Arizona	\$60 Mammography \$20	\$60 Mammography \$20	2 years
California	\$45.23 each certificate \$45.23 Mammography \$45.23 Fluoroscopy \$75 (NMT)	\$29 \$50 (NMT)	2 years 5 years
Colorado	\$50 Mammography \$80 Limited (Examination)	None None	Mammography - This is for a Provisional Certificate for six months while in a training program or waiting to take the ARRT Advanced Level Examination - May be extended for six months.
Connecticut	\$100	\$50	1 year
Delaware	\$10	\$10	4 years
Florida	\$35 (By Endorsement) \$50 (By Examination)	\$40	2 years
Hawaii	\$10	\$10	1 year
Illinois	\$40	\$40	2 years
Indiana	\$30	\$30	2 years
Iowa	\$45	\$35	1 year
Kentucky	\$60	\$35	2 years
Louisiana	\$50/Each Discipline	\$50/Each Discipline	2 years
Maine	\$50	\$40	2 years
Maryland	\$100 \$75 (NMT)	\$50	2 years
Massachusetts	\$50	\$50	2 years
Michigan	-0-	-0-	
Minnesota			
Mississippi	No fee set at this time		
Montana	\$90	\$25	1 year
Nebraska	Limited - \$55 Temporary - 18 mos. Students w/1 yr. schooling \$40	\$55 Inc. Limited No renewal \$50 - Exam Fee	2 years

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of July 1996)**

	Application Fee	Renewal Fee	License Renewal Period
Nevada	\$40 Mammographer	\$40 Mammographer	3 years
New Jersey	\$40 \$40 (NMT)	\$50 \$20	2 years 1 year
New Mexico	\$100 \$60 Limited \$50 - Exam Fee	\$100 \$60 Limited	2 years
New York	\$20	\$30	2 years
Ohio	\$30	\$20	2 years
Oregon	\$70	\$70	2 years
Rhode Island	\$50	\$50	8/1 Odd numbered years
Tennessee	\$40 Limited - \$10 plus \$25/each qualification	\$15 \$30 Limited	2 years
Texas	\$75 Limited - Call for Fees	\$40	2 years
Utah	\$60	\$30	2 years
Vermont	\$25	\$70	2 years
Virginia	\$150 \$50 - Limited \$25 - Traineeship	\$100 \$25 - Limited	2 years - Birth Month/ Odd Years. Minimum of 320 hours of licensed radiologic practice required. Report of professional activities.
Washington	Certificate - \$50.00 Registration - \$35.00 Exam Fee - \$30.00	Certificate - \$50.00 Registration - \$35.00 Late Penalty - \$30.00	1 year/Subsequent renewals every two years on birthday
West Virginia	\$30	\$20	2 years
Wyoming	Application Fee \$25 + General \$60 Restricted \$35 + \$35 Exam Fee	\$60 \$35 - Restricted \$50 - Special \$25 - Temporary	2 years

In addition, some states require an examination fee.

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of July 1996)**

	Application Fee	Renewal Fee	License Renewal Period
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New Mexico	\$100 \$60 Limited \$50 - Exam Fee	\$100 \$60 Limited	2 years
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Texas	\$75 Limited - Call for Fees	\$40	2 years
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Virginia	\$150 \$50 - Limited \$25 - Traineeship	\$100 \$25 - Limited	2 years - Birth Month/ Odd Years. Minimum of 320 hours of licensed radiologic practice required. Report of professional activities.
Washington	Certificate - \$50.00 Registration - \$35.00 Exam Fee - \$30.00	Certificate - \$50.00 Registration - \$35.00 Late Penalty - \$30.00	1 year/Subsequent renewals every two years on birthday
West Virginia	\$30	\$20	2 years
Wyoming	Application Fee \$25 + General \$60 Restricted \$35 + \$35 Exam Fee	\$60 \$35 - Restricted \$50 - Special \$25 - Temporary	2 years

In addition, some states require an examination fee.

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENABLING/ENACTED CONTINUING EDUCATION - (As of July 1996)**

	MANDATORY	HOURS	YEARS	CE STANDARDS IDENTIFIED
Arizona	NO YES (Mammography)	Must show current ARRT card for renewal. 4 in Mammography	2	YES
California	NO Nuclear Medicine - 5 clock hours/Each Scope Mammography - 15 hours in Mammography	(Proposed - 24 hours/2 years)	5 3	NO YES
Colorado		ARRT and MQSA Requirements (Limited -None)		
Connecticut	NO			NO
Delaware	NO			
Florida	YES	12	2	YES
Hawaii	NO			YES
Illinois	YES	12 6 Limited	1 1	YES
Indiana	NO YES	10 Mammography	2	NO YES
Iowa	YES	24 General 12 Limited	2	YES
Kentucky	YES	18 General 12 Limited	2	YES
Louisiana	YES	24	2	YES
Maine	YES	24 (12 Cat.A/6 Modality)	2	YES
Maryland	YES	30	2	YES
Massachusetts	YES	20 2 Radiation Safety/8 each category licensed for Mammography 20 (12 in Mammography) (2 Radiation Safety, 6 Health care, Radiography or Mammography)	2 2	YES YES
Michigan (11/95)	YES	15 in Mammography	3	YES
Mississippi	YES	24	2	YES
Montana	NO	Copy of Current ARRT Card		NO
Nebraska	YES	24 (Current ARRT Card) 24 Limited	2	YES
Nevada	YES	15 in Mammography (At least 5 hours in 18 months)	3	YES
New Jersey	NO			YES
New Mexico	YES	20	2	YES
New York	YES	24 (Mammography - 12)	2	YES
Ohio	YES	6 Radiation Protection	2	YES

AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENABLING/ENACTED CONTINUING EDUCATION - (As of July 1996)

	MANDATORY	HOURS	YEARS	CE STANDARDS IDENTIFIED
Oregon	YES	24	2	YES
Pennsylvania				
Puerto Rico				
Rhode Island	YES	10 (1-Radiation Protection) (3-Category A)	2	YES
Tennessee	YES	20	2	YES
Texas	YES	24 General * 12 Limited *	2 2	YES
Utah	YES	16 General 10 Limited Permit 16 Mammography (in Mammography)	2	(NOT YET)
Vermont	YES	24 General and Limited		YES
Virginia	NO		2	NO
Washington	NO			
West Virginia	NO			NO
Wyoming	YES	24	2	YES

* At least 50% of the required number of hours shall be satisfied by attendance and participation in instructor-directed activities.

No more than 50% of the required number of hours may be satisfied through verifiable independent self-study. These activities include reading materials, audio materials, audiovisual materials or a combination thereof which meet requirements in subsection (d) of Texas Rules and Regulations Relating to Medical Radiologic Technologist Certification.

304-293-6703

WV Board of Examiners
Proposed Rule Title 18

Title of Rule being amended: Schedule of Fees for Services Rendered by the WV
Radiologic Technology Board of Examiners

Who received a draft of the changes to the Rules and Regulations, and the notice of public hearing in Charleston on June 10.

a. about 500 copies were sent out. One went to every facility that employs an x-ray technologist, and to anyone who has x-ray equipment, physician offices, clinics, local and state x-ray technologist societies, the WV Hospital association, and to the legislative folks.

The bill that was passed in July 1996 that we are now complying with, affected all of the 35 boards in this state including the X-Ray Technologists Board Of Examiners. The board is following the legal legislative process in submitting the attached information to the legislative rules committee, etc. The changes had to be submitted, and have the public hearing within certain numbered days prior to August 1, 1997.

What brought about the need for changes in the fee schedule?

1. There has never been any increase in fees since the WV Radiologic Technology Licensure law became effective July 7, 1977.

The cost of providing service for WV technologists has increased, including:

a. Postage-- The board did not have enough money in the budget for postage to even send out the draft copy of the amendments and notice of the public hearing. Money had to be borrowed from another fund to cover the postage cost.

b. The board has been operating on a declining budget for the past five years. The annual financial report has shown continual budgetary decreases because it costs more to operate the functions of the board than is being taken in with the current 20 year old fee schedule.

c. The office has recently been moved to another location requiring higher rent, in order to meet ADA requirements for serving the public. The previous office was located on the third floor, an individual accompanied physically challenged applicants and would come up to the office to make a request or inquiry, Mary Casto went to the applicant, and carried paperwork down signature, etc. Although Mary didn't complain, it did not meet ADA accessibility requirements.

d. Clerical salary has increased over the period of secretarial employment.

e. Reports to the governor are required to be sent on line, so there was a recent purchase of computer hardware, software and printer to facilitate reporting, information management, such as, tracking CME of WV licensed technologists (there remain about 300 non-ARRT technologists) who were grandfathered in at the time of the enactment of the licensure law, memo, letter, and license processing, in other words, operating an office and functioning in the 1990's.

What will the WV Radiologic Technologists see as a benefit to them from the proposed changes?

1. Development of an Internet Home Page so that applicants can access information about the WV Licensure Law, Rules and Regulations, and download applications, forms, etc. from their computers.
2. The board is planning to have a 1-800 # for calling to the Board office.
3. Thorough professional investigation of complaints by a professional investigator who would be able to investigate and follow up with potential offenders who have had complaints lodged against them. The appearance of clout, vs. volunteer board members lends to the credibility and legal weight placed on those choosing to ignore the law. Initially, an investigator would be used on a per diem basis because the benefit of increased fees would take at least two years to realize, based on current licensees, new applicants, and renewal timeframes. An investigator charges \$45.00/hour, and 40cents per mile plus expenses while investigating a complaint. He will produce a written court document.
4. In order to protect the profession in the long run, we should be considering supporting full time employed Board members vs. volunteers who are full time employees in Health Care Professions, considering the time and travel commitment that board members make.

What does it mean to have an annual fee for a bi-annual license?

1. The technolgist will be given the option of remitting the fee annually or biannually. In consideration of the budget necessary to accomplish the mission of the Board, an annual fee of \$50.00 was proposed.

June 10, 1997

PLEASE SIGN YOUR NAME IF YOU WISH TO SPEAK

Rodney Kovack	-	Radiological Bureau Tech
Cathy Santla	-	Self
Jack Fink	-	Self
Nancy W. Jeff	-	Staff No. ^{systems} - Self
Denise Smith	-	Self
Gloria Atkins	-	self
Mark Wilcox	-	Bd. Member

MEMORANDUM**PLEASE POST**

May 7, 1997

Dear Concerned Persons:

Enclosed are two (2) proposed changes to the existing 30-23-1 Rules and Regulations for Radiologic Technology.

1. A new Series (2) which adds continuing education as a pre-requisite for renewal of licensure in the State of West Virginia for all Radiologic Technologist/Radiation Therapist.
2. Proposed fee increase is based on the added costs of implementing continuing education requirements and providing better service to the licensee. The Board has not proposed a fee increase since 1984.

A public hearing will be June 10, 1997, 6:00 P.M., State Capitol Complex, Conference Room C, Building 7. Please submit any written comments to the board office by June 6, 1997.

Sincerely,



Deborah Smith, Ph.D., RT (R)

DS/jc

Enclosures

WV Radiologic Technology
Board of Examiners
3049 Robert C Byrd Drive
Room 303
Beckley, WV 25801

Phone/Fax: 304-256-6985

**BEFORE THE WEST VIRGINIA RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS**

**A PUBLIC HEARING TO DISCUSS PROPOSED
CHANGES TO 30-23-1 RULES AND REGULATIONS
FOR RADIOLOGIC TECHNOLOGY**

**THE FOLLOWING is a transcript of a public hearing
held on June 10, 1997, at 6:00 p.m., State Capitol
Complex, Conference Room C, Building 7, and taken by
Rebecca L. Robie, Certified Court Reporter and Notary
Public, pursuant to notice.**

COPY

**WEST VIRGINIA COURT REPORTING
P.O. BOX 3062
Charleston, West Virginia 25331
(304) 342-3084**

APPEARANCES**BOARD OF EXAMINERS:**

Deborah Smith, Ph.D., RT(R), Chairman
Alice Belmont, Secretary
Grady Boyer, incoming Chairman
Alva Deardorff, M.D.
Mark Wilcox, RT
Mary Casto, Executive Secretary
Gary Kopher, Esq. *BARRY KOENER*

SPEAKERS:

Rodney Kovak
Kathy Savilla
Richard Parker
Gary Duff
Alta Denise Smith
Glora Adkins

1 **June 10, 1997**

2 **MS. SMITH:** It is a few minutes after 6:00
3 and we would like to get started. My name is Deborah
4 Smith and I am the Chairman of the West Virginia Board
5 of Examiners for Radiologic Technology, and I would like
6 to introduce the Board. To my left is Alice Belmont;
7 she is Secretary of the Board of Examiners. To my right
8 is Grady Boyer, new incoming Chairman. To Grady's right
9 is Dr. Al Deardorff; he is a radiologist board member.
10 Beside Dr. Deardorff, is Mark Wilcox, a radiologic
11 technologist board member. We have Mary Casto, our
12 Executive Secretary, and we have ^{BARRY KJENER} Gary Kopher, from the
13 Attorney General's Office; and we have Rebecca Robie,
14 from West Virginia Court Reporting, who will do a
15 written report for us of everything that is said
16 tonight.

17 We'd like to thank you for coming. This is a
18 public hearing and we appreciate you coming forward.

19 We have just a few things to talk about in
20 explanation -- going over what the proposed changes are
21 to our legislation that is currently in existence.

22 Our law went into effect in 1978 and when that
23 law was first written, we only had -- well, in 1984 --

1 we didn't really have the records to show up until 1984,
2 when Mary took over the Board, but we had approximately
3 1400 technologists in 1984. Today, we have over 3000
4 technologists.

5 The fees that was put into the Board at that
6 time have not been changed in all of those years. And
7 as all of you know, we have always been threatened with
8 the possibility of limited licensure, and we chose not
9 to open our law to make the changes in fees.

10 And then in 1996, the West Virginia
11 Association of Licensure Board, which is an association
12 of all boards who want to participate, went together and
13 discussed all the problems that we currently have with
14 our boards in going forward as a board, individually, in
15 getting legislation passed; which is very difficult.
16 So, as an association representing all of the boards, we
17 proposed Senate Bill 358 for three years and it took us
18 three years to get that senate bill passed.

19 We went as an organization representing a
20 large number of licensees. In that senate bill we had
21 numerous things that the Board would be required to do.
22 Senate Bill 358 was passed and signed into law, July of
23 1996.

1 We now will have two lay members that will be
2 appointed to our Board, public members.

3 We will have -- it's required by law for us to
4 have at least two meetings per year and we feel that we
5 need to meet more than two times per year.

6 Also, it's proposed in 358 that we can
7 increase our fees to be operationally strong.

8 We have continuing education required by
9 Senate Bill 358, which mandates us to put continuing
10 education into effect and to monitor that.

11 We have compensation of members -- these
12 members -- they volunteer -- we are appointed by the
13 Governor. They have not received compensation for
14 activity of the Board other than travel expenses. Now,
15 they have the opportunity to have expenses paid to them
16 for the work on the Board. We have legal -- the ability
17 to legally -- I forget what the proper term is -- to
18 empower our people to use subpoena powers and things
19 like that. ^{BARNES} Gary's a lawyer; he speaks that language
20 better than I.

21 But that's why this year we have decided this
22 year to go forward to make the changes. We have
23 received notice that in order for any of our changes to

1 go into effect, all of that had to be in by August 1st
2 to the Secretary of State's Office. The bill, again,
3 was passed in July, so we have been working at the Board
4 trying to make determination as to what needed to be
5 done.

6 Just a few things I want to go over. We have
7 really done our homework, so to speak, as a board, in
8 making the decisions as to what the fees should be. We
9 have financial statements going back to 1984 showing
10 what our income and disbursements were. We have a
11 declining balance every year. We have had increased
12 operational expenses.

13 Operational expenses being: we've had to
14 change the Board office to accommodate ADA, the law that
15 went into effect -- did not have an elevator, to allow
16 our licensees to get up the stairs to get the license,
17 so we had to move our board office.

18 We had increased rent fees, utility fees, our
19 fees have gone up for labor and printing, and mailing of
20 license.

21 We have now, requirements of computerization
22 that is now required for us to digitally and
23 electronically send Board reports to the Governor's

1 office. As well as, now we're gonna be required to send
2 information to a national data base, very similar to
3 what our physicians are being required to do.

4 We have increased complaints, which we need to
5 hire an inspector, as well as an investigator, and we
6 have not had those operational expenses in the past. We
7 continue to inspect our schools and we have to send
8 people there, usually for one to two full days, to do
9 school inspections.

10 We have a need, as a Board, to stay educated.
11 We have JRCERT training that we need to send our people
12 to and keep them up to speed on all the essentials that
13 are required for the school programs.

14 We have conferences such as CLER, the Council
15 on Licensure Enforcement, that we need to send someone
16 to to keep up on the latest national changes that are
17 taking place.

18 We have a need to update our furniture in the
19 office. It is furniture that was bought in the 1970's.

20 That is just a few of the operational expenses
21 that we are incurring. We, as a board, look at all the
22 states -- other states -- they have licensure fees and
23 we compared our fee increase with all of the other

1 states that have that. We looked at other health care
2 professional boards and looked at what their current
3 fees are in comparison to what we were paying.

4 I think I've covered the biggest items on the
5 list. There's a lot of small things, operationally,
6 we're not gonna get into, but we feel very confident in
7 the decisions that we have made concerning the fee. But
8 by law, we are required to hear from our membership your
9 comments. So this is what this meeting is all about
10 tonight.

11 And again, I really thank you for coming and
12 expressing your concerns. We have received letters, as
13 well as telephone calls about this. We would now like
14 to welcome you the opportunity to speak before the
15 Board.

16 And what we do is, that we ask that you please
17 sign up in the back of the room if you would like to
18 comment. Again, this is a comment period. This is not
19 a debate. All of your comments will be recorded and
20 sent forward to the Legislative Rule-Making Committee.

21 We would like to limit your comments to ten
22 minutes, and then after ten minutes, we would like to
23 stop that comment period. When you get up to comment,

1 we would like for you to state your full name, where you
2 are from, and who you represent.

3 If you have a list of people that you are here
4 representing, please submit that to me. You are only
5 allowed to comment one time and then anything else --
6 please try to say it all in the ten minute period that
7 you are given. We will not respond back, unless it's
8 something -- unless we can. I mean, we'll try to answer
9 your questions the best we can, but we will not debate
10 your comments.

11 So, did everybody sign up that wanted to talk?
12 We'll get the list and get started.

13 Rodney, you're first on the list.

14 MR. KOVAK: Do I have to go to the speaker,
15 to the --

16 MS. SMITH: Yes, if you would, please.

17 MR. KOVAK: No problem.

18 MS. SMITH: If you have anything you would
19 like to submit before we get started, I would appreciate
20 it.

21 Just state your full name and who you
22 represent.

23 MR. KOVAK: My name is Rodney Kovak. I'm

1 inspector for the state radiological program; I inspect
2 x-ray equipment throughout the state. And I'm also a
3 registered radiological technologist and have been since
4 1967.

5 Although, I agree that we need to increase our
6 dues, I think that an increase from \$20. every two
7 years, or \$10. a year to \$50. a year is an undue, and
8 nonrealistic increase for the average x-ray
9 technologist. Bearing in mind, that the average
10 technologist in this state pays approximately \$300. a
11 year in fees and dues to other organizations so that
12 they can maintain ECE points.

13 I, again, agree that we need an increase, but
14 I believe the five hundred percent increase at one time
15 is a big pill to swallow. There are other boards in
16 this state that charge probably more fees, but they have
17 been in existence a lot longer than we have, and these
18 increases have come over a long period of time. And
19 that's really all I have to say. I thank the Board for
20 their time, and thank you all, very much, for listening.

21 MS. SMITH: Thank you, Rodney. Kathy
22 Savilla.

23 MS. SAVILLA: My name is Kathy Savilla and

1 I'm a radiologic technologist here in Charleston, and I
2 represent actually my own opinion. I'm sure others
3 would also share my opinion once they were made aware of
4 the information.

5 I think a lot of the problem that we see with
6 what's happening is just ignorance; people are not aware
7 of what it takes to keep the license board running and
8 operating properly.

9 I am for the increase. I don't think it's in
10 any way unreasonable. And from what I can understand
11 from what Debbie just stated, when the group of license
12 boards got together, they went together as a group and
13 decided that these were the requirements that were
14 needed for the licensing boards statewide to operate.

15 And the two laypersons on the Board, meeting
16 at least twice a year -- honestly, twice a year -- is
17 that reasonable for a board to even operate on only two
18 meetings a year.

19 And you're talking about volunteer people, who
20 are out there for our profession, to do what's best for
21 the public and for our profession. So, I am strongly
22 for the raise in the fees and the continuing education.

23 **MS. SMITH:** Thank you, Kathy. Rick Parker.

1 **MS. SMITH:** What was your request? To do
2 what?

3 **MR. PARKER:** To look at your Code. Your
4 Code says that membership must be notified by mail. I
5 never was.

6 **MS. SMITH:** Can we make a comment on that.
7 We are required to notify our membership, and it does
8 not say, specifically, if we notify individually, or how
9 we do that. We sent out 588 public notice of hearings -
10 - we attempted to put this in the Mountaineer Tech-Neek
11 to allow people to know that this was coming about. I
12 feel it's the responsibility of the technologists to
13 keep up with both current laws, and we did make every
14 effort to notify people.

15 We had 34 returned, but out of that 34
16 returned -- those were physician's offices that we
17 attempted to mail but there was no forwarding address.

18 **MR. PARKER:** So what you're saying is, if
19 they didn't get the information, it's just too bad for
20 them?

21 **MR. BOYER:** Well, there's no way we can be
22 sure that everybody's --

23 **MR. PARKER:** Well, I'm not talkin' about

1 everybody.

2 MR. BOYER: We used the (inaudible) which
3 to me would be probably the best way to get information
4 out to a large group of people.

5 MR. PARKER: At St. Joseph's Hospital, if
6 you send something to a manager, it doesn't go any
7 farther. And I'm pretty sure since nobody on the Board
8 knows what's going on either, that their people didn't
9 get the information either.

10 You know, I'm on the Board of Directors. I
11 didn't know. I was dumbfounded when I heard it. It was
12 like, how could this go by without the Board of
13 Directors knowing anything about it.

14 MS. SMITH: Excuse me, I'm not going to
15 debate this, but you've read the Mountaineer Tech-Neek
16 and published the article for us and you knew it was
17 there.

18 MR. PARKER: I put the article in there
19 myself.

20 (Brief inaudible discussion)

21 MS. SMITH: Right.

22 MR. PARKER: I did it. You didn't do it.

23 MS. SMITH: Okay. Thank you. Gary Duff.

1 **MR. DUFF:** Gary Duff, Chief Technologist,
2 St. Joseph Hospital, Parkersburg.

3 The biggest problem I have with this new
4 topic, basically, is the increase from \$20. to \$100. on
5 a biannual basis. I would have hoped the Board would
6 look at it more realistically, knowing that there's
7 improvements to be made, the way we do business in
8 radiology and the Board.

9 I think if you would ask anybody across the
10 state, they would realize that there would have to be
11 some type of increase. But such a dramatic amount at
12 one time, I think stirs a little bit of interest in
13 everybody, and is a little overwhelming.

14 So along with that and the way the
15 communication is passed down, it seemed to me it created
16 a lot of curiosity and a lot of animosity toward the
17 Board for wanting to promote this. Since, basically, in
18 this state we've been trying to represent ourselves as
19 professionals, over the past few years we've done a
20 tremendous impact in coming up with Mountaineer Tech-
21 Neek and the local and state societies.

22 I feel, personally, that it could have been
23 handled better and communication out there would be a

1 lot better if the Board would work with the WVSRT and
2 the local, individual chapters to promote it out there.
3 To get the true aspect. Whether if they agree with it
4 or disagree with us, it's a different point, but I think
5 everybody should have been warned in some aspect.

6 Yes, Debbie, I think it's everybody's
7 responsibility to know what's happening in West
8 Virginia, nationally, and everything else, but a lot of
9 people don't know how to do that. And that's our fault,
10 too, because we're the Board, you're dealing with the
11 examiners and you're part of the State Board, and the
12 local societies. It's our fault that these people
13 didn't know that, but also, at the same time, whenever
14 we got this within like a three week or four week type
15 thing, I felt the time-frame was a little tight. That
16 people wouldn't know this. And I'm sure there's a lot
17 of people out there right now that don't even know this
18 is happening. So it's our fault. It's my fault, it's
19 your fault, it's everybody on that Board, it's everybody
20 on the WVSRT Board, it's everybody in the local
21 chapters, because we did not take the time to make sure
22 everybody had their insight. And I think that's the
23 problem.

1 I think the pay increase -- the fee increase
2 -- it might be there, but in different increments, not
3 one big wham. Because we don't know the information
4 that you have. We only know what we have, and
5 everywhere everybody's turning, people's trying to get
6 more money for this and more money for that.

7 So now, all of a sudden, you're a political
8 advocate agency out there that we may not even want to
9 be a part of anymore, just for the reason that we don't
10 know what you're doing with this money.

11 You know, I understand a little bit more than
12 a lot of these people, just because of my position and
13 what I've tried to learn. But there's people out there
14 at the hospital today, you know, saying, "Are you going
15 tonight? Are you gonna stand up for us?" They don't
16 understand the concept out there. Your rad techs, and
17 kids out of school, the ones that basically are first,
18 second year techs, that don't even go programs like
19 CSRT.

20 I think they did a wonderful job in their
21 education and text, but you have different people in
22 different parts of the state, and we can't even get some
23 areas covered in WVSRT for counselors and stuff.

1 So we can bet your bottom dollar, these people
2 do not even know this is happening. So what's gonna
3 happen when they send in their licensure? They are
4 gonna be mad and real upset. That's my biggest fear,
5 right there; that we've worked so hard to progress
6 technology in the state and make it professional. Now,
7 this is really gonna put a dark cloud on us; how we're
8 looked at and how the profession is looked at in this
9 state.

10 I wish the Board would reconsider and look at
11 it at incremental levels over a different year span.
12 Because we definitely need to update the technology, and
13 the expenses are gonna keep on growing more and more
14 every year. Thank you.

15 **MS. SMITH:** Thank you, Gary. Denise Smith.
16 Gary, who do you represent?

17 **MR. DUFF:** Staff at St. Joseph.

18 **MS. SMITH:** Do you have a signed petition
19 saying that?

20 **MR. DUFF:** No.

21 **MS. A.D. SMITH:** My name is Alta Denise
22 Smith. I am currently President of the Capital Area
23 Society for Radiologic Technology, but I am here

1 representing myself.

2 Of the people I see here and am familiar with,
3 I believe I am the only one present that is a practicing
4 radiographer. I am currently practicing mammography and
5 diagnostic radiology. I am licensed in the State of
6 West Virginia, the State of Ohio and the State of
7 Virginia; and I am in favor of the increase.

8 I feel that we must have a strong board to
9 keep x-ray technologists governing x-ray technologists.
10 I have set in on the licensing boards of West Virginia
11 for the last two years, and I, personally, would not
12 like to have an optometrist, an architect, a social
13 worker, telling me, as an x-ray technologist, how
14 someone should be licensed to do my job. Because I feel
15 that I am the only one qualified to say and a jury of my
16 peers are the only ones qualified to say whether or not
17 an x-ray technologist is performing his or her job
18 professionally.

19 I want to increase the professional status of
20 radiologic technology. I've been an x-ray technologist
21 for twenty-two years. Although my salary has increased,
22 I am happy to say, I'm paying the same licensing fee now
23 that I paid back in 1977, when I first licensed. I have

1 received a lot of benefits from being an x-ray
2 technologist and I think sometimes it may be a cliché,
3 but I think sometimes we get what we pay for, and I
4 think now it's time to pay something.

5 The State of Virginia, I know for a fact the
6 licensing fee is \$100. per year. No questions.

7 Respiratory Therapy was licensed within the
8 last five years and Senator Kiss set this fee at a
9 minimum that they could even start their board was at
10 \$200. per member. He stated that that was the only way
11 that they could operate a board efficiently.

12 To have an investment -- I think this is not
13 only an investment in myself, but an investment in job
14 security and professional career that I've chosen.

15 I too have student loans. I have two boys
16 ready for college. I'm currently in graduate school
17 myself. I know what it is to have expenses, but I
18 think, when you look at this over the long term, over
19 the next thirty years that I have to work, this is not
20 that much.

21 The board members, I know, are not paid. I
22 have just been appointed from the WVSRT as a
23 representative to the Board of Examiners. I've been

1 attending meetings. That's all on my own time. I have
2 to take time away from my job, from my children, from my
3 family to attend these meetings, and I don't get paid
4 for it. It is hard to find people to serve on boards.
5 It's hard to find people to come out. As Gary mentioned
6 we have counselors that -- areas we can't get filled.
7 It's because people don't have enough money. And the
8 only way that we can get the professionalism, I feel, is
9 to become stronger. And I would like to see this pass.
10 Thank you.

11 **MS. SMITH:** Is there anyone else that would
12 like to comment?

13 **MR. WILCOX:** I'd just like to make one
14 thing clear. These increases in fees do affect those of
15 us on the Board who are technologists. And I want you
16 to realize we have a special interest in the fees
17 themselves, and you can be assured that we don't want to
18 make them any higher than we have to to operate the
19 Board. Our job as a Board is to operate the business of
20 the Board and do it in a financially feasible manner,
21 and we're certainly not taking excess fees and
22 distributing them among ourselves in any way.

23 Like it was mentioned before, I've been on the

1 Board for several years and we have half as much money
2 in our balance right now as we had when we started. And
3 you know, it's just a matter of that's what it takes to
4 do business and these fees -- or the revenues have to
5 come from somewhere. That's all I have.

6 MS. SMITH: Any other comments? What's
7 your name?

8 MS. ADKINS: Glora Adkins. I'm Glora
9 Adkins. I'm a registered radiologic technologist. I
10 work for the Bureau for Public Health and I'm here
11 representing myself.

12 I do agree that there is an increase that is
13 needed for the committee to run properly. Unfortunately,
14 I feel that it should not be as much of an increment
15 that fast, all at once. Unfortunately, with the job
16 that I hold I do not make what most starting x-ray
17 technologists make. I never will, probably, but I have
18 a wonderful job.

19 When it comes to any of the meetings for
20 continuing education credits, we don't get any money
21 from our job in order to go to these courses. Any
22 registration fees that are to be paid, we pay out of our
23 own pocket. And putting that on top of another

1 registration fee with the \$50. per year, it's gonna be a
2 lot more than most of what people that work at a
3 hospital setting are going to pay. Some of their
4 registration fees are already paid. Maybe not always,
5 but ours are never paid, unless it comes out of our
6 pocket.

7 And I just feel that the increment is a lot,
8 considering my job, but a lot of other people don't have
9 that problem. It still is a lot all at once.

10 MS. SMITH: Okay, if there are no other
11 comments, I assure you that everything will be typed and
12 sent to the Legislative Rule-Making Committee, and they
13 will make the decision and get back with us. If we can
14 help you in any way, please feel free to give us a call.

15 Thank you.

16 (Whereupon the hearing was
17 concluded at 6:45 p.m.)

18

REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA

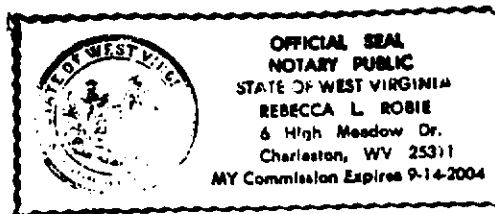
COUNTY OF KANAWHA, to-wit:

I, Rebecca L. Robie, a Certified Court Reporter and Notary Public for the State of West Virginia, duly Commissioned and Qualified, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of proceedings had and evidence adduced at the hearing held on the 10th day of June, 1997.

My commission expires September 14, 2004.

Rebecca L. Robie CCR

Court Reporter - Notary Public



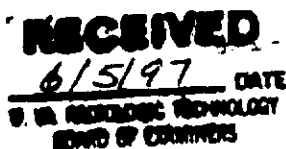
**WEST VIRGINIA RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS
COMMENTS PRIOR TO PUBLIC HEARING
Held June 10, 1997 at 6:00 P.M.**

Telephone calls received by Deborah Smith, Chairman of the Board as per Public Hearing Notice.

DATE	NAME	PHONE #	COMMENTS
5/3/97	Kenneth Hatfield	304-647-5166	West Virginia Chiropractic Society and the American Chiropractic Association is the things that he would like to see added to the list for continuing education so that credit would be accepted. Mr. Hatfield has been a technologist for several years and had only gotten a temporary license, he did not realize that his ARRT was sufficient. He did call the office and get his license renewed.
5/13/97	Sharon Bell	1-800-676-4795	She is employed by Dr. Larry Perry, Chiropractor. She is a grand fathered technologist, she feels that the fees are fine. She would like to know if what she tracks on her ARRT form would be sufficient and she to would like to see the Chiropractic Society added under continuing education.
5/13/97	Dr. Luke Eye	304-358-2530	Called inquiring about if he would have to pay this fee. I explained that he was exempt from the law and it would not be necessary for him to pay a fee.

5/13/97	Dr. Al Deardorff	No phone #.	Dr. Deardorff reviewed the typo's and changes that needed to be made in the Law.
5/14/97	Ruth Seargant		Employed by Dr. Sibley. She would like to see us put into the law that we would renew on our birth month rather than at a random date when we apply. She said it would be much easier to do it one time a year at a time that would be rememberable.
5/14/97	Jim Crance	344-9744	Jim stressed some changes that needed to be made in Series II which his copy had titled LPN's and had no strike throughs. I explained that he had an older copy, the first version, that was redone.
5/15/97	Alice Belmont		Alice discussed issues that needed to be brought before the board if she were asked at the WV State Society of Radiologic Technology.
5/16/97	Patty Hamrick Barbie	623-6533	Both agreed that Series I and Series II was OK. They just wanted more explanation as to how this would jointly work with the ARRT.
5/19/97	Becky/Dr. Wyman	304-485-3831	She works for a Podiatrist and wanted to know if LPN's would now be able to do X-ray. I explained that LPN's were not licensed by the State to do X-rays it still would take a Radiologic Technologist to do that.
5/19/97	Brenda H.	301-790-2800 ext. 205	She wanted to get an application to the new office and needed an address change and she too did not have any problems with the law.

5/19/97	Mary Holder		- She was going to speak at the CASRT meeting and requested additional information on the licensure.
6/3/97	Delano/Casto Clinic	304-523-3222	Wanted to know if the continuing education section would include home study programs? I explained in accordance with the ARRT guidelines, home studies that have been approved for credit can be accepted by the State Licensure Board.
6/10/97	Rose Trupo	624-2250	I referred the call to Mark Wilcox and asked him to follow-up. In my conversation with Mark, Rose wanted better explanation so she could as to discuss the issue with the technologist at United Hospital.
6/10/97	Michelle Hudacheck	304-723-5589	Requesting additional explanation of the bill. I referred this to Mark Wilcox also.



JUNE 5 1997

TO:

WV RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS
3049 ROBERT C BYRD DRIVE
ROOM 303
BECKLEY, WV 25801

TO: THE BOARD

I fail to see where the state needs proof of continuing education for x ray technologist since The American Registry of Radiologic Technologists (ARRT) already take care of this for all Registered technologists.

I also fail to see why such a large increase in the fee's are needed when the ARRT did not raise there fees when they implemented their program on continuing education.

BUT MOST OF ALL, I LIKE MOST OTHER TECHNOLOGISTS IN WEST VIRGINIA, WONDER WHY THE BOARD OF EXAMINERS CARE ABOUT CONTINUING EDUCATION FOR WHEN THEY LET X RAYS BE TAKEN BY NON TECHNOLOGISTS. AS IN THE LAW ALLOWING PHYSICIANS TO TAKE X RAYS , WHICH IF YOU ASK PATIENT'S WHO HAVE HAD X RAYS AT THERE OFFICE WILL TELL YOU THAT A NURSE TOOK THEM INSTEAD. WHY NOT INSTEAD OF THE ABOVE CHANGES TO THE LAW MAKE IT SO THAT ONLY TECHNOLOGISTS MAY TAKE X RAYS OR THAT THIS PHYSICIANS PATIENTS WHO HAVE THE XRAYS MAY BE ASKED WHO POSITIONED THEM AND WHO TOOK THEM, SO THAT YOU CAN HAVE PROOF OF WHO IS REALLY TAKING THE X RAYS.

Thank you,

Diane Farmer (R)

DIANE Farmer RT R



Wedgewood Imaging Center

A service of Man General

200 Wedgewood Drive
Morgantown, West Virginia 26506
(304) 580 7444

RECEIVED

6/5/97 DATE
W. VA. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

JUNE 1, 1997

DEAR BOARD MEMBERS,

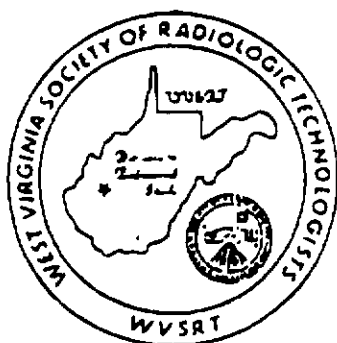
WE ARE WRITING IN REWARDS TO THE PROPOSED CHANGES FOR OUR WV LICENSES. WE FEEL THAT YOUR MAKING US SEND YOU ALL OF OUR CONTINUING EDUCATION HOURS WOULD BE VERY REDUNDANT AND UNNECESSARY. WE ALREADY HAVE TO KEEP TRACK OF ALL THAT TO BE ABLE LICENSED. IN ORDER FOR US TO KEEP OUR WV LICENSE, WE MUST BE ABLE REGISTERED. WHAT WOULD BE THE PURPOSE OF YOU INCREASING OUR FEES FOR WV LICENSE SO THAT YOU CAN HIRE MORE PEOPLE TO KEEP TRACK OF CONTINUING EDUCATION HOURS THAT ARE ALREADY CONTROLLED BY THE ARRT?

PLEASE RECONSIDER THIS PROPOSAL SO THAT WE TECHNOLOGISTS DO NOT HAVE MORE PAPERWORK TO DEAL WITH THAN WE ALREADY HAVE. WE WORKED HARD TO BE BOARD ELIGIBLE, TO PASS OUR BOARDS, TO OBTAIN EMPLOYMENT, AND NOW TO REMAIN ABLE LICENSED. WE FEEL THAT YOUR PROPOSAL IS INAPPROPRIATE SINCE WE ALREADY WORK HARD TO REMAIN LICENSED.

YOUR PROPOSED FEE INCREASE IS VERY LARGE IN FEES. WE ALREADY HAVE TO PAY FOR ABLE REGISTRATION IN ADDITION TO WV LICENSES. MOST OF US CANNOT AFFORD TO EVEN BE MEMBERS OF THE ARRT DUE TO THE AMOUNT OF MONEY IT TAKES TO JOIN. IT WOULD BE A REAL SHAME TO MAKE YOUR TECHNOLOGISTS THAT ALREADY WORK VERY HARD FOR THEIR MONEY, TO HAVE TO FACE MORE COSTS. THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

Paula Szloger RT (RM)
Patricia Diney RT (R.M)
Deborah Glad RT (RM)
Randy A. Proff - RT (RM)
Ann Radaburg RT (R.M., N.H.)
John A. Echenood RT (R.M)



The West Virginia Society of
Radiologic Technologists
**MOUNTAINEER
TECH-NEEK**

Editor, Richard C. Parker, RTF

June 1997, Vol. 3, Section 2

Dear Concerned Persons:

Enclosed are two (2) proposed changes to the existing 30-23-1 Rules and Regulations for Radiologic Technology.

1. A new Series (2) which adds continuing education as a prerequisite for renewal of licensure in the State of West Virginia for all Radiologic Technologists/Radiation Therapists.
2. Proposed fee increase is based on the added costs of implementing continuing education requirements and providing better service to the licensee. The Board has not proposed a fee increase since 1984.

A public hearing will be June 10, 1997, 6:00 p.m., State Capitol Complex, Conference Room C, Building 7. Please submit any written comments to the board office by June 6, 1997.

Sincerely,

Deborah Smith, Ph.D., RT (R)

3.8 Schedule of fees for services rendered by the West Virginia Radiologic Technology Board of Examiners.

(a) Application Fee	\$30.00	\$75.00
(b) Annual License Renewal Fee	\$20.00	\$50.00
(c) Temporary Permit Fee	\$15.00	\$25.00
(d) Reinstatement Fee (delinquent)		\$15.00
(e) Reciprocity Fee		\$25.00
(f) Duplicate License	\$2.00	\$10.00
(g) Change of Name	\$2.00	\$10.00
(h) Rules and Regulations	\$2.00	\$10.00
Add		
(i) <u>Roster of Active Licenses</u>		<u>\$25.00</u>
(j) <u>Mailing Labels (Name and Address/per 1000)</u>		<u>\$50.00</u>

IN RESPONSE TO BOARD OF EXAMINERS...

In the last issue of the Mountaineer Tech-Neek, March 1997, an article was delivered to me to have placed in the *Tech-Neek* concerning the WV Radiologic Technology-Board of Examiners.

In the portion entitled, Legislative Update #4 states a proposed fee schedule change that board shall notify its membership of the proposed rule by mailing a copy of the proposed rule to the membership at the time the proposed rule is filed with the Secretary of State for publication in the state register in accordance with Section 5, Article 3, Chapter 29A of this code."

Hardly anyone on the WVSRT Board of Directors received notification. It would be a safe bet very few techs had any knowledge of the fee proposal until now.

The WV Radiologic Technology Examiners Board mailed to department heads and expected these department heads to do the job of disseminating needed to know information prescribed by law.

The Examiners Board failed to do their duty as prescribed by law, notification of the membership.

Make your opinion known to the WV Radiologic Technology Board of Examiners:

3049 Robert C. Byrd Drive, Room 303 Beckley, WV 25801

You can try phoning but a secretary is there, not someone that can really hear your voice. 1-304-256-6985

You can address your statements to: Deborah Smith, Chairman, RT 304-348-2418

Mark Wilcox, RT 304-348-9574 Alva Deardorff, M.D. Radiologist 304-776-7121 Patrick Oliverio, M.D. Radiologist 304-366-2600 Alice Belmont, Sec., President WVSRT 304-293-1849 Grady Boyer, Env. Health, RT 304-558-3526 Gary Marano, M.D. Radiologist 304-366-2600

Eva Hallis is also listed as a member in the WVSRT Presidential—1996—1997 Committee list but not on the Examiners Board listing, 304-347-6480

Richard C. Parker

*More Responses
on Page 3*

Surprise, surprise, surprise! On May 17, at the board of directors meeting in Flatwoods over half the members felt like Gomers.

It appears that the WV Board of Examiners Radiologic Technologists are planning on raising the fee for your license \$80.00. That's right 500%, \$100.00 every two years, currently your license fee \$20.00 every two years. Quoting the past Vice-President (Gary Duff) and the current Vice-President (K Powell). "There can be no justification for such dramatic increase in licensing fees."

The part that disturbs many board members is everything about this fee increase was silently be pushed on a fast track. Of the technologists questioned, absolutely none knew about the fee increase. Former Vice-President Gary Duff brought the question up and the fee increase was confirmed by WV President Alice Belmont. The information turned out to be worse than anticipated. We first thought it going up to \$50.00 but we were then told \$50.00 a year instead of \$20.00 every two years.

I personally have a family, bills and a personal life that requires financing. I also have a technician pay. I am not in management or education money to burn.

For years you have been led down the primrose lane, well the lane just ended. You are being taken advantage of because they know you will allow any organization that is supposed to represent the license to drain you like a money hungry vampire living off of your hard and dangerous labor.

We were told that department Administrators received the fee increase notice and it was their responsibility to see that their techs learned of the price fee increase. Did yours? Ours didn't!

As its name implies it is a license board not FBI or the Justice Department it is not their responsibility to become super x-ray cop its their job that individuals meet the standards for licensure our state.

This type of abuse of power is just another form of limited licensure or abolition of licensure. Finally, we were able to find out the day and date that the fee increase was to be opened for discussion.

June 10, 1997 at 6:00 p.m. in Charleston State Capitol Complex Conference Room Building 7

Either stand up for yourself or lose more and dignity to another autocratic bureaucracy

Gary Duff

The Student Voice *by Amanda Drake, Student Rep. (Via Melissa Haye)*

Bluefield State College Program of Radiologic Technology

The Bluefield State College Radiologic Technology Program was begun in 1979 based on the needs of the health care facilities in southern West Virginia for Radiologic Technologists. The program was very unique because it offered courses in radiologic technology on the main campus in Bluefield and the satellite campus in Beckley. The program still offers courses in both Bluefield and Beckley although some courses are only offered on the Bluefield campus. The first program director was Steve Curry, who came from the Roanoke, Virginia area to start the program. The first accreditation visit by the JRCERT was completed during Mr. Curry's tenure as director. Mr. Curry was with Bluefield State College until 1982. Nathan Davis was interim director until 1983, when Donna Richardson Shehane was named director. Ms. Shehane was with the program until 1990 and went through two accreditation visits by the JRCERT. After Ms. Shehane left the program, Sonia O'Dell became director in 1990 and remained until early 1993. Mr. Mike Hess was named interim director until July 1993. In July 1993, Melissa Haye took over the position as director of the Bluefield State College. Since that time the program has completed another accreditation site visit by the JRCERT and as in the past visits has attained the maximum accreditation of five (5) years. The program is up for reaccreditation in the year 2000.

The major clinical education centers for the program include: Beckley Appalachian Regional Hospital, Beckley, Bluefield Regional Medical Center in Bluefield, Princeton Community Hospital in Princeton, and Coburn Raleigh General Hospital in Beckley. The program works with several minor affiliates in the Bluefield and Beckley areas. The faculty for the program includes: Melissa O. Haye, B.S., R.T. (R), director; Angela Lamb, B.S., R.T.(R), Clinical Coordinator/Instructor; Elizabeth Myers, B.S., R.T.(R), Instructor; Shelley Richards, R.T.(R)(M), Clinical Instructor Raleigh General Hospital; Vanessa Godfrey, A.S., R.T.(R), Clinical Instructor Bluefield Regional Medical Center; Anna Lambert, R.T.(R)(M), Clinical Instructor Beckley Appalachian Regional Hospital; and Robin Gibson, A.S., R.T.(R), Clinical Instructor Princeton Community Hospital.

Since its beginnings in 1979 the program has graduated a total of 285 radiologic technologists. Many graduates have went on to become registered in other imaging modalities of the radiologic sciences in addition to their certification in radiography. This year's 20 students with 12 of them being honor graduates, graduated on 9. 1997. The outstanding academic award went to Beth Daniels and the outstanding clinical award went to Betsy Honaker.

Responses ... (continued from page 2)

Kim Powell, RT(R)

Greetings my fellow trod upon friends. I had the fortunate opportunity to learn some vital information at the board of directors meeting in Flatwoods on May 17th.

The WV Board of Examiners of Radiologic Technologists have proposed and \$80.00 increase in our licensing fees, the current rate is \$20.00 biannually (every two years).

The new rate will be \$100.00 every two years.

I personally live on a budget. I have a mansion in southern Ohio, my child goes to Oxford England for her education, my husband is a man of leisure. I currently have a summer home in Virginia and I have donated most of my current salary to reducing the national debt. *Duh!*

It can only be assumed that the WV Board of Examiners feels that you have an unlimited supply of funds available to perpetuate the myth of their power. It is important that you say no or you can lose what little respect and money you have. We continue to lose our autonomy and spirit due to groups that should be supporting us not abusing the power we have bestowed them on our behalf.

Now allow me to tell you about a real technologists life. Every day is a day just to survive.

I have a small home with a mortgage, a child yet in preschool with all the associated cost, my band is laid off and I have plenty of legitimate to pay. Thanks to an acquaintance I was able to get the new fee schedule and the letter sent with it specifically states some of the increase will go for CE tracking for the members. Well get my knickers in a knot. That means paying twice for the same service, once to the board for less than \$100.00 a year plus all the other fees from ASRT and second to the licensing board. The board provides no other visible benefits.

I also heard a board member say that they will investigate and step in when wrongs to the public are occurring. Rick Parker (Editor of *Mountain Neek*) said that was the Health Dept's job to investigate and prevent the unauthorized use of x-rays. George, last year's Vice-President, said these are state national laws that are to be enforced by the enforcement agencies.

I have asked that the letter be reprinted in *Mountain Neek* as well as the new fee schedule.

There will be a public hearing June 10, 1997, 1 p.m., at the State Capitol Complex, Conference Room C, Building 7, Charleston, WV.

Reprinted from Previous Issue:

West Virginia Radiologic Technology - Board of Examiners

Room 303, 3049 Robert C. Byrd Drive, Beckley, West Virginia 25801, Phone: 9304) 256-6985

NEWSLETTER 1996

Members of the WV Radiologic Technology Board of Examiners have authorized publication of a newsletter to licensees so that they may be better informed of the operation of the Board. This is the first of such publication. We anticipate that the newsletter will be published annually during January of each year. We encourage you to submit recommendations you have about information you would like to see included in the newsletter. Submit your comments and recommendations to the address above.

in the judgment of the Board, constitute professional negligence, a willful departure from accepted standards of professional conduct or which may render an individual unqualified or unfit for licensure, or other authorization to practice.

HISTORY OF THE BOARD

Purpose: Chapter 30, Article 23, Section 1 of the West Virginia Code was passed by HB 483 on July 1, 1977. Our Rule and Regulations were promulgated July 1, 1978.

30-23-1 "The Legislature finds and declares that interest of public health the people of this state should be protected from excessive and improper exposure of ionizing radiation. It is the purpose of the article to establish minimum standards of education, training and experience for radiologic technologists and to prescribe means for assuring that the standards are met."

Title 18 - Legislative Rules for Radiologic Technologists:

18-1-1. Scope: Except as otherwise specifically provided, these regulations apply to all persons in West Virginia who apply x-rays or assist in the application of x-rays to human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner. These regulations establish the general rule for licensure of Radiologic Technologists in West Virginia.

LEGISLATIVE UPDATE

On March 9, 1996, Senate Bill 358 was passed. Several provisions of this bill will impact Radiologic Technologists practicing in the State of West Virginia.

Legislative Findings and Declarations:

- As a matter of public policy the practice of Radiologic Technology is a privilege and not a natural right of individuals. The fundamental purpose of licensure is to protect the public and any license issued to Radiologic Technologist is a revocable privilege.
- Any person licensed by this Board has a duty to report to the Board any observed violation of practice act of the Board's Rules and Regulations by any person licensed by the Board.
- This Board is authorized to suspend or revoke, enter into a consent agreement, to reprimand, enter in probation orders. Any person who violates any provision of this article, any Rules and Regulations shall be guilty of a misdemeanor upon conviction thereof shall be fined not more than \$1,000 or imprisoned in the county jail not more than six months or both fined and imprisoned.
- Boards may set by rule fees relating to the licensing of individuals which shall be sufficient to enable the Board to carry out effectively its responsibility of licensure and discipline of individuals subject to its authority. Provided that when any board proposes to promulgate a rule regarding fees for licensing, that board shall notify its membership of the proposed rule by mailing a copy of the proposed rule to the membership at the time that the proposed rule is filed with the Secretary of State for publication in the state register in accordance with Section 5, Article 3, chapter 29A of this code.
- Each Board referred to in this chapter shall establish continuing education requirements as a prerequisite to license renewal.
- Every Board referred to in this chapter is authorized to promulgate rules in accordance with the provisions of Chapter

FINANCIAL INFORMATION

Beginning Balance as of July 1, 1995	\$35,054.69
Income Received FY 1995-96	21,740.00
Total Revenue for FY 1995-96	566,794.69
Disbursement for FY 1995-96	30,181.29
Balance in account as of 6/30/96	526,613.40

BOARD MEETING HIGHLIGHTS

- Accepted annual financial report for FY 1995-96
- Accepted report of Deborah Smith on conference held by Council on Licensure & Enforcement (CLEAR) which gave the Board valuable guidelines on how to operate in a more efficient and effective manner.
- Accepted report by Deborah Smith on "Investigatory Procedures" which gave the Board guidelines on how to more effectively investigate complaints.
- Received complaints to be considered by our Disciplinary Review Committee. This committee was formed as a part of the Investigatory Procedure information.

SITE VISITS OF RADIOLOGIC TECHNOLOGY PROGRAMS

School	Approved Status
Bluefield State College	Five Years
University of Charleston	Five Years
Whceling Hospital	Five Years
WVU Hospitals, Inc.	Status Determined Spring 1996

Note: Maximum Approval Period: Five Years

LICENSES ISSUED

Permanent Licenses:	174
Reciprocity:	1
Renewal Licenses:	724
Temporary Permits:	100 - Average scores on AAR Examination ranged from 80% to 90%

SUMMARY OF COMPLAINTS/INVESTIGATIONS

- Hospital using unlicensed personnel to administer x-rays.
 - Investigated - Two licensed technologists administering x-rays.
 - Case dismissed.
- RN Positioning patients and doing exposure settings.
 - Investigated and resolved without disciplinary action.
- Medical Clinic using unlicensed personnel to administer x-rays.
 - Investigated by newly formed Disciplinary Review Committee.
 - Licensed personnel only administered x-rays.
 - Case dismissed.

OTHER INFORMATION

The Board had been operating with only four members for a period of time because of the resignations of two physicians and one radiologic technologist. This year the Governor's appointments and reappointments which gave us a full complement of seven (7) members. They are as follows:

- Deborah L. Smith, Chairman - Radiologic Technologist - (304) 348-3483
- Mark S. Wilcox - Radiologic Technologist - (304) 348-9574
- W. Alva Deardorff, M.D. - Radiologist - (304) 776-7121
- Patrick J. Oliverio, M.C. - Radiologist - (304) 366-2600
- Alice Stansberry Belmont, Sec. - Radiologic Technologist - (304) 366-2600
- Grady Bowyer - Env. Health - Radiologic Technologist - (304) 556-2600
- Gary Marano, M.D. - Radiologist - (304) 366-2600
- Marie Cain, Exec. Sec. - (304) 256-6985

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West Virginia Radiologic Technology - Board of Examiners

Room 303, 3049 Robert C. Byrd Drive, Beckley, West Virginia 25801, Phone: 9304) 256-6985
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- 5. Each Board referred to in this chapter shall establish continuing education requirements as a prerequisite to license renewal.
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in the judgment of the Board, constitute professional negligence, a willful departure from accepted standards of professional conduct or which may render an individual unqualified or unfit for licensure, or other authorization to practice

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- Patrick J. Oliverio, M.C. - Radiologist - (304) 366-2600
- Alice Siansberry Belmont, Sec. - Radiologic Technologist - (304) 293-1
- Grady Bowyer - Env. Health - Radiologic Technologist - (304) 358-352
- Gary Marano, M.D. - Radiologist - (304) 366-2600
- Mary Casto, Exec. Sec. - (304) 256-6985

6-9-97

To Whom It May Concern:

I am sure all technologists want to be recognized as professionals. As our profession grows and new requirements are added, we need to keep our State Boards at an optimum operating level. This needs to be done not only for our benefit but also for the patient we deal with each day.

The WV Board has to investigate all allegations of misuse by any technologist or other medical professional. It also needs to keep track of CEB for technologists to be competent and meet state legislation requirements. It also has to pay office rent, utilities and someone to keep up with all that is required by law.

I am in favor of increasing fees for our licenses, simply because the WV Board cannot operate on the amount it receives now. Our professionalism and all of the help we have fought for from our state

government are at stake. How can we have any credibility if we can't even follow the laws set forth to protect us, the patient and our profession? All complaints must be investigated by the Board, this must be paid for. All Continuing education credits must be verified and placed on record, this is also going to be a tremendous task that must be paid for. And last, but not least what is the public, our patients and our paycheck, going to think if we have no way to protect them from uneducated and illegally practicing Radiologic Technology? We must realize that as our profession evolves and more is required of us, the need to have a strong State Representation will become more and more an advantage to us all.

Leasa Harless, BSR

RECEIVED
6/13/97 DATE
U. S. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

JUNE 1, 1997

DEAR BOARD MEMBERS,

WE ARE WRITING IN REGARDS TO THE PROPOSED CHANGES FOR OUR WV LICENSURE. WE FEEL THAT YOUR MAKING US SEND YOU ALL OF OUR CONTINUING EDUCATION HOURS WOULD BE VERY REDUNDANT AND UNNECESSARY. WE ALREADY HAVE TO KEEP TRACK OF ALL THAT TO BE ARRT LICENSED. IN ORDER FOR US TO KEEP OUR WV LICENSE, WE MUST BE ARRT REGISTERED. WHAT WOULD BE THE PURPOSE OF YOU INCREASING OUR FEES FOR WV LICENSE SO THAT YOU CAN HIRE MORE PEOPLE TO KEEP TRACK OF CONTINUING EDUCATION HOURS THAT ARE ALREADY CONTROLLED BY THE ARRT?

PLEASE RECONSIDER THIS PROPOSAL SO THAT WE TECHNOLOGISTS DO NOT HAVE MORE PAPERWORK TO DEAL WITH THAN WE ALREADY HAVE. WE WORKED HARD TO BE BOARD ELIGIBLE, TO PASS OUR BOARDS, TO OBTAIN EMPLOYMENT, AND NOW TO REMAIN ARRT LICENSED. WE FEEL THAT YOUR PROPOSAL IS INAPPROPRIATE SINCE WE ALREADY WORK HARD TO REMAIN LICENSED.

YOUR PROPOSED FEE INCREASE IS VERY LARGE IN FEES. WE ALREADY HAVE TO PAY FOR ARRT REGISTRATION IN ADDITION TO WV LICENSURE. MOST OF US CANNOT AFFORD TO EVEN BE MEMBERS OF THE ASRT DUE TO THE AMOUNT OF MONEY IT TAKES TO JOIN. IT WOULD BE A REAL SHAME TO MAKE YOUR TECHNOLOGISTS THAT ALREADY WORK VERY HARD FOR THEIR MONEY, TO HAVE TO FACE MORE COSTS. THANK YOU FOR YOUR CONSIDERATION.

SINCERELY,

Stephanie H. Ford RTR
Dorothy Muller RTR, IV,
Mike Demaske RTR(CT)
Robin Perdue RTR
William [unclear] RTR

MONONGALIA GENERAL HOSPITAL EMPLOYEES

Brenda Sebastiani, RT(R)
Connie L. Moore, RT(R)(M)
Paul Gwynn, RT(R)
Chig McKnight RT(R)
Maria J. Frey, R.T.(R)
Marlene J. Gent RT(R)(M)
Kita Lynn Newell, RT(R) RDMS
[unclear] RT(R)
Stephanie R. Wooten RT(R)
Lydell Surgen-Dean RT(R) RDMS RVT
Debra Messer RT(R)(M)
Earl M. Bosley RT(R)

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of November 1995)**

	Application Fee	Renewal Fee	License Renewal Period
Arizona	\$60 Mammography \$20	\$60 Mammography \$20	2 years
California	\$45.23 each certificate	\$29	2 years
	\$45.23 Mammography \$45.23 Fluoroscopy \$75 (NMT)	\$50 (NMT)	5 years
Colorado	\$50 Mammography	None	Mammography - This is for a Provisional Certificate for six months while in a training program or waiting to take the ARRT Advanced Level Examination - May be extended for six months.
	\$80 Limited (Examination)	None	
Connecticut	\$100	\$50	1 year
Delaware	\$10	\$10	4 years
Florida	\$35 (By Endorsement)	\$40	2 years
	\$50 (By Examination)		
Hawaii	\$10	\$10	1 year
Illinois	\$40	\$40	2 years
Indiana	\$30	\$30	2 years
Iowa	\$45	\$35	1 year
Kentucky	\$60	\$35	2 years
Louisiana	\$50/Each Discipline	\$50/Each Discipline	2 years
Maine	\$50	\$40	2 years
Maryland	\$100 \$75 (NMT)	\$50	2 years
Massachusetts	\$50	\$50	2 years
Michigan	-0-	-0-	
Minnesota			
Mississippi			
Montana	\$90	\$25	1 year
Nebraska	\$55	\$55 Inc. Limited	2 years
	Limited - \$35 Temporary - 18 mos. Students w/1 yr. schooling \$40	No renewal	

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of November 1995)**

	Application Fee	Renewal Fee	License Renewal Period
Nevada	\$40 Mammographer	\$40 Mammographer	3 years
New Jersey	\$40 \$40 (NMT)	\$50 \$20	2 years 1 year
New Mexico	\$60 + \$35 Limited	\$50 \$30 Limited	2 years
New York	\$20	\$30	2 years
Ohio	\$30	\$20	2 years
Oregon	\$70	\$70	2 years
Rhode Island	\$50	\$50	8/1 Odd numbered years
Tennessee	\$40 Limited - \$10 plus \$25/each qualification	\$15 \$30 Limited	2 years
Texas	\$50	\$30	2 years
Utah	\$60	\$30	2 years
Vermont	\$25	\$70	2 years
Virginia	\$150 \$50 - Limited \$25 - Traineeship	\$100 \$25 - Limited	2 years - Birth Month/ Odd Years. Minimum of 320 hours of licensed radiologic practice required. Report of professional activities.
Washington	\$50	\$50	1 year/Subsequent renewals every two years on birthday
West Virginia	\$30	\$20	2 years
Wyoming	Application Fee \$25 + General \$60 Restricted \$35 + \$35 Exam Fee	\$60 \$35 - Restricted	2 years

In addition, some states require an examination fee.

THE AMERICAN REGISTRY OF RADIOLOGIC TECHNOLOGISTS

Certificates Registered as of April 2, 1997

State	Radiography	Nuclear Medicine Technology	Radiation Therapy Technology	Cardiovascular- Interventional Technology	Mammography	Computed Tomography	Magnetic Resonance Imaging	Total # of Certificates	Total # of Technologists
Alabama	3571	102	182	30	495	126	68	4574	3635
Alaska	360	28	15	3	87	20	10	523	372
Arizona	3125	174	160	45	668	130	99	4401	3260
Arkansas	2096	125	98	75	311	67	43	2815	2168
California	16109	898	999	179	3365	594	474	22618	17107
Colorado	3237	203	148	48	584	92	98	4410	3389
Connecticut	3447	176	182	47	763	141	97	4853	3672
Delaware	687	22	47	5	117	36	28	942	703
Dist of Columbia	178	10	21	2	27	2	4	244	201
Florida	11985	885	892	150	1885	568	408	16773	12967
Georgia	5765	278	285	78	787	189	138	7520	5966
Hawaii	688	31	62	13	140	20	15	969	724
Idaho	857	16	50	9	139	35	34	1140	870
Illinois	9766	613	563	85	1501	411	250	13189	10356
Indiana	5242	247	252	57	841	141	124	6904	5437
Iowa	2537	120	113	43	527	105	53	3498	2615
Kansas	2440	121	128	34	456	92	61	3332	2498
Kentucky	3581	123	160	56	631	142	77	4770	3658
Louisiana	3662	253	162	37	439	105	70	4728	3774
Maine	1257	46	63	31	217	71	39	1724	1299
Maryland	4370	325	236	111	841	178	124	6185	4740
Massachusetts	5424	333	303	90	1137	304	219	7810	5852
Michigan	7810	618	468	93	1551	274	182	10996	8458
Minnesota	3748	106	154	43	701	86	84	4922	3804
Mississippi	2029	122	106	33	305	61	32	2688	2062
Missouri	4535	256	223	82	743	177	100	6116	4654
Montana	773	28	48	6	185	34	15	1089	793
Nebraska	1413	63	85	22	296	40	29	1948	1452
Nevada	1188	91	48	13	255	66	41	1702	1254
New Hampshire	1100	49	43	19	215	57	39	1522	1150
New Jersey	6587	614	364	54	1321	209	218	9367	7115
New Mexico	1134	80	59	11	198	35	18	1535	1192
New York	10146	750	765	87	2173	388	299	14608	11473
North Carolina	6475	345	313	120	935	297	185	8670	6685
North Dakota	639	8	36	13	90	17	4	807	641
Ohio	11028	728	504	167	1619	346	324	14716	11532
Oklahoma	2384	124	135	35	368	75	63	3184	2510
Oregon	2117	47	129	22	488	89	76	2968	2175
Pennsylvania	13023	836	736	206	2148	518	450	17917	13744
Rhode Island	1026	65	49	11	217	57	37	1462	1066
South Carolina	3065	165	127	43	396	107	69	3972	3173
South Dakota	719	29	24	10	116	18	17	933	739
Tennessee	4727	199	248	55	654	175	150	6208	4823
Texas	12824	618	718	109	1712	422	328	16731	13441
Utah	1286	69	65	8	186	37	41	1692	1335
Vermont	494	31	36	2	83	21	10	677	541
Virginia	5231	248	308	111	781	158	128	6965	5396
Washington	3565	96	271	60	780	154	133	5059	3751
West Virginia	1885	85	65	20	294	56	43	2454	1926
Wisconsin	5193	198	262	41	885	151	105	6835	5335
Wyoming	435	19	9	3	97	18	8	589	444
Outside USA	1410	53	231	4	63	10	16	1787	1647
Totals	208373	11869	11750	2737	35813	7722	5777	284041	219574

RECEIVED
5/22/97 DATE
W. VA. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

May 15, 1997

WV Radiologic Technology
Board of Examiners
3049 Robert C. Byrd Drive
Room 303
Beckley, WV 25801

Lynda Daniel RT (R) (M) (ARRT)
312 Myers Avenue
Beckley, WV 25801

TO WHOM IT MAY CONCERN:

I received a copy of the proposed draft for changes in our rules and regulations and felt that I had to write you and give my thoughts and opinions.

I am disturbed that the \$ 50.00 annual increase is proposed for the reasons given in the memorandum.

I do not understand the need for the additional cost in "implementing continuing education requirements". Many of us belong to the ASRT (for an annual fee of \$ 80.00), and as one our benefits they keep trac of our continuing education credits. However, I have never known of th ARRT to aid in any way with collecting and maintaining this data. Do we need two societies performing the same job duties?

I would not mind this increase, as much, if the ARRT board members had managed, in the past years, to have our organization classified as professional rather than technical, so that registered technologists could "reap some of the benefits" of being able to use this classification to our advantages (wages, professionalism, attitude, etc). Yet, as far as I know, nothing has been done to help us change this about our status in the health care industry.

My feelings are indicative of my co-workers as you can see by their signatures given below. I am quite sure that you will be receiving many, many complaints from this specific proposal, and we would like your reconsideration in the matter.

We do not believe that the proposed increase is an idealistic amount for the reasons given on this report, even though there has been no fee increase since 1984. We feel that a smaller increase would be better justified for the work intended.

Cordially yours,
Technologists at Plateau Medical Center
430 Main St.
Oak Hill, WV 25901

Roxanne Robinson RT(R)(M)
Jennifer Withrow RT(R)(M)
Walter D. Smith RT(R)

Lynda Daniel RT(R)(M)
Charles A. Payne RT(R)
Mark C. Jones
John Daniels RT(R)

Ernest F. Baldwin III, M.D.
Internal Medicine
Endocrinology & Metabolism

Arnold J. Brody, M.D.
Internal Medicine

Thomas O. Dolson, M.D.
Internal Medicine

Douglas L. Jones, M.D.
Medical Director
Internal Medicine
Endocrinology & Metabolism

Thomas F. Mann, M.D.
Internal Medicine

The
Greenbrier
Clinic

320 WEST MAIN STREET
WHITE SULPHUR SPRINGS, WEST VIRGINIA 24986
www.greenbrierclinic.com
304-536-4870

Herbert L. Pope, M.D.
Radiology

Ronald R. Scobbo, M.D.
Internal Medicine

Lois M. Speiden, M.D.
Radiology

G. Robert Thompson, M.D.
Internal Medicine

Thomas W. von Dohlen, M.D.
Internal Medicine
Cardiology

RECEIVED
5/29/97 DATE
W. VA RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

May 22, 1997

SAME LETTER WRITTEN & SIGNED BY:

WV Radiologic Technology
Board of Examiners
3049 Robert C. Byrd Drive
Room 303
Beckley, WV 25801

Robert Hanna
Susan Henriquez
Rebecca Hall
Shirley Turner
Susan Poague
Elizabeth Harvey

Dear Ladies & Gentlemen:

In response to your communique' dated May 7, 1997, and in reference to the proposed license renewal fee increase, I would like to offer the following comments:

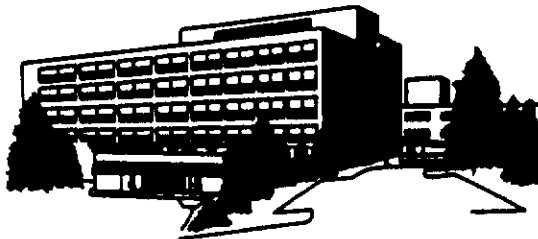
- 1) The increase of the fee from \$20 annually to \$50 annually is exorbitant.
- 2) The radiologic technologists themselves bear the brunt of the burden for continuing education requirements. This proposed increase amounts to a "double whammy." The continuing education is mandatory — we must find a course, attend a course, pay for a course, and then have our fee increased because we have to find a course, attend a course, pay for a course
- 3) I feel that any increase at all should be carefully considered, and if an increase is felt to be clearly justified, then an increase of somewhat less than 150% may be in order.

Thank you for your consideration of these comments.

Sincerely,

Kathy Humphries

Kathy Humphries, R.T. (M)



CAMDEN-CLARK
MEMORIAL HOSPITAL

800 Garfield Avenue
P.O. Box 718
Parkersburg, West Virginia 26102
(304) 424-2974

JEAN WOOLLARD, BS, RT (R) - PROGRAM DIRECTOR
KIM McCORMICK, BS, RT (R) - CLINICAL INSTRUCTOR

RECEIVED
6/2/97 DATE
W. VA. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

School of
Radiologic
Technology

May 29, 1997

Deborah Smith, PhD., RT(R)
WV Radiologic Technology
Board of Examiners
P.O. Box 638
Cool Ridge, W.Va. 25825

Dear Deborah;

Thank you for the memorandum concerning continuing education for license holders and the increase in license fees.

I am highly in favor of continuing education for Radiologic Technologists/Radiation Therapists to maintain their ARRT certification. Since this is mandatory to be Registered and you must be Registered to work in the state of W.Va., then I believe it to be a duplication of requirements, that are already met, for the state to require continuing education to hold a state license.

As for the increase in fees for license, I believe, this amount is way out of line, especially for the entry level technologist and for those who are trying to meet continuing education requirements at their own expense.

As we have fought to achieve the Professional status, the cost is becoming a burden for technologists, especially entry level, those who can only find part-time jobs, and those who work in small hospitals, offices, or clinics.

I think at this time and in my opinion, an operating cost increase is acceptable, but \$75.00, is out of line.

Thank you for allowing me to address these issues.

Jean Woollard, BS, RT(R)

Jean Woollard
Program Director

RECEIVED

6/6/97 DATE
U. S. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

June 4, 1997

WV Radiologic Technology
Board of Examiners
P.O. Box 638
Cool Ridge, WV 25825

To Whom It May Concern:

Regarding the fee increase in the WV licensure from \$12.00 for 2 years to \$50.00 for one year, we feel this is a drastic increase. We feel there is a need to increase the fee gradually, possibly to \$25.00 for one year or \$50.00 for two years. The proposed increase would be a jump of \$88.00 in two years. We feel this much of an increase is unrealistic, especially for those who pay an ASRT annual fee of \$70.00.

We protest such a large increase and would like this duly noted.

Patricia L. Hammon WV # 063

Barbara Jo Kaley R.T. (R)
WV # 290



UNIVERSITY OF CHARLESTON

2300 MacCorkle Ave., S.E., Charleston, WV 25304 · Phone (304) 357-4800 · FAX (304) 357-4715 · www.uchaswv.edu

6-1-1997 DATE
W. VA. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

Eva Hallis, MSRT(R)
Radiologic Technology
Clinical Instructor

(304) 357-4852

May 28, 1997

Board Members
WV Radiologic Technology Board of Examiners
1715 Flat Top Road
P.O. Box 638
Cool Ridge, WV 25825

Dear Chairman and Board Members,

Thank You for all your effort and time in changing the existing Rules and Regulations for Radiologic Technology. As an educator, I strongly agree with the addition of continuing education as a pre-requisite for renewal of the state RT license.

I am concerned about the fee increases in particular for students just completing a Radiologic Technology or Radiation Therapy program. A fee increase from \$50 to \$75 has been planned for 1998. This fee is for applying for the Registry exam. Most students are already in a financial dilemma, finalizing loan payments for their education. Then to be able to be employed as a temporary Radiologic Technologist, he must obtain a temporary WV RT license for \$25. About four months later, upon passing the ARRT Registry, the student applies for a WV RT license which will now cost \$75! In less than 6 months, the student has \$175 in exam and license fees. For a newly employed RT, this is difficult to manage.

I would like to see the first time license fee for students with a temporary license, in two payments.

Thank you for your consideration.

Sincerely,

Eva Hallis MSRT(R)
Eva Hallis, MSRT(R)

Ann Griffith Goas

◆◆◆
RECEIVED
6/5/97 DATE
WV RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

One Corlies Terrace
Wheeling, WV 26003
◆
Home Phone 304 233-8253
Email Ann Goas@wnpb.wvnet.edu

May 30, 1997

WV Radiologic Technology
Board of Examiners
3049 Robert C. Byrd Drive
Room 303
Beckley, WV 25801

To Whom It May Concern:

As I am unable to attend the public hearing 6/10/97, I would like to submit the following comments regarding the proposed changes to the existing 30-23-1 Rules and Regulation for Radiologic Technology.

I am against the first proposal that adds continuing education as a pre-requisite for renewal of licensure in the State of West Virginia for all Radiologic Technologists/Radiation Therapists. It seems to me that you already do this by requiring ARRT certification for WV licensure. You are, in essence, duplicating a current requirement. I strongly urge you to consider the hardship you would be placing on your fellow technologists. This proposal not only duplicates, it complicates the continuing education process due to the conflict in your proposed calendar year versus the ARRT's birthmonth system.

The proposed fee increase is entirely too high. My recommendation would be to drop the first proposal thus eliminating the added cost of implementing continuing education requirements and come up with a modest fee increase, since there has been no increase since 1984. I think an increase of not more than \$10.00 at each level would be reasonable.

Please do not overburden your fellow Radiologic Technologists as we are struggling enough already due to lack of employment, meeting ARRT requirements and the economy of our state. Many of us are women, head of household and we just don't have any more to give.

Sincerely,



Ann G. Goas, RT (R) (CT) (ARRT)

RECEIVED

6/5/97 DATE
W. VA. RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

May 31, 1997

WV Radiologic Technology
Board of Examiners
3049 Robert C Byrd Drive
Room 303
Beckley, WV 25801

Madam/Sir,

I am writing to voice my objections to the proposed changes to the Rules & Regulations for Radiologic Technology.

I am against the addition of continuing education requirements for West Virginia Radiologic Technologists. We already have to maintain continuing education as a requirement for the ARRT. To adopt this rule is simply a duplication of something that is already required.

I am also against the large increase in fees. If fees need to be increased, then increase the fees at a reasonable rate without the continuing education requirement.

Sincerely,

Marta J. Lay, R.T.

WV 1683

484H Fisher Lane

Benwood, WV

26031

4-11-2014

2-11-2014

1-11-2014

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1

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WEST VIRGINIA RADIOLOGIC TECHNOLOGY
BOARD OF EXAMINERS

P. O. BOX 638
1715 FLAT TOP ROAD
COOL RIDGE, WV 25825
Phone: (304)787-4398 - FAX: (304)787-4398

APPLICATION FOR RADIOLOGIC TECHNOLOGIST LICENSURE

(Please Print or Type)

PERSONAL INFORMATION

Name: _____ SSN# _____
(Last) (First) (M.I.)
Address: _____
(Street or PO Box) -

(County) (City) (State) (Zip Code)
Telephone #: () _____ Marital Status: Single _____ Married _____ Divorced _____ Widowed _____
Gender: Male _____ Female _____ Race/Ethnic Origin: Caucasian/White _____ Negro/Black _____ Asian _____ Hispanic _____ Other _____
Date of Birth: _____ Place of Birth _____
Mo/ Day/ Year (City) (State)

EMPLOYMENT INFORMATION

Employer: Primary _____ Other _____
Address: _____

(County) (City) (State) (Zip) (County) (City) (State) (Zip)
Working as an R.T. _____ Full Time _____ Part Time _____ No. of hours worked per week _____
Setting of Employment: Hospital _____ Private Practice _____ Clinic _____ Other _____
Specialty: Radiographer _____ Radiation Therapist _____ Other _____
Not working as an R.T. _____ (Please circle appropriate number) 3=Working in another field
4=Retired
5=Homemaker
6=Other _____
Have you ever been convicted of a felony in the past ten (10) years in this or any other state?
YES _____ NO _____ (If "yes", please give particulars and disposition on a separate sheet).

DECLARATION

I declare that the statements made herein and on accompanying papers have been examined by me and to the best of my knowledge and belief are true and correct. I further understand that a false statement knowingly made by me may be the cause for suspension or revocation of any license issued pursuant to this application and for criminal prosecution and punishment.

(DATE)

(SIGNATURE OF APPLICANT)

SECTION I: RENEWAL OF LICENSE (complete page 1 and this section) Fee: \$20.00
 -30 days after expiration date of present license: \$35.00

Present License No: _____ Expiration Date: _____

SECTION II: OBTAINING A LICENSE (complete page 1 and this section) Fee: \$30.00

A. Do you have a certificate from the American Registry of Radiologic Technologists?

yes _____ no _____
 (If "yes", please provide a copy with this application) *NOTE: A license will not be issued without this.

B. Name of High School _____ Year Graduated _____

Address _____ or

_____ Equivalency No _____

C. Have you successfully completed a 24 month course of study in Radiologic Technology approved by the West Virginia R.T. Board of Examiners, Section 18.1.4 of the Rules and Regulations?

yes _____ no _____

D. Name & Address of Program _____

E. Dates attended: From, month & year _____ to, month & year _____

F. Have you ever been issued a license by the Board? Yes _____ No _____

If yes, under what name _____

G. Have you ever been issued a temporary permit by the Board? Yes _____ No _____

If yes, under what name _____

SECTION III: OBTAINING A TEMPORARY PERMIT Fee: \$15.00

(complete page 1 and SECTION II Parts B-G)

To obtain a temporary permit, you must qualify and be scheduled for an examination; fill out SECTION II, parts "B" through "G". Please provide a copy of your diploma with this application. If a diploma is not available, provide a transcript of grades along with a letter from the program director verifying completion of the program.

DO YOU WANT A TEMPORARY PERMIT? Yes _____ No _____

Schedule of Fees for Services Rendered by the West Virginia Board of Examiners			
LICENSE FEE	\$30.00	LICENSE RENEWAL FEE	\$20.00
TEMPORARY PERMIT FEE	\$15.00	REINSTATEMENT FEE (DELINQUENTS)	\$15.00
RECIPROCITY FEE	\$25.00	DUPLICATE LICENSE	\$ 2.00
CHANGE OF NAME	\$ 2.00	RULES & REGULATIONS	\$ 3.00

**TITLE 18
LEGISLATIVE RULES
RADIOLOGIC TECHNOLOGISTS**

**SERIES 1
RULES AND REGULATIONS OF THE WEST VIRGINIA BOARD OF
EXAMINERS OF RADIOLOGIC TECHNOLOGISTS**

§18-1-1. General provisions.

1.1. Scope. -- Except as otherwise specifically provided, these regulations apply to all persons in West Virginia who apply X rays or assist in the application of X rays to human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner. These regulations establish the general rules for licensure of Radiologic Technologists in West Virginia.

1.2. Authority. -- W. Va. Code §30-23.

1.3. Filing Date. -- May 5, 1984.

1.4. Effective Date. -- May 23, 1984.

1.5. Definitions. -- As used in these regulations:

(a) "Board" means the West Virginia Radiologic Technology Board of Examiners;

(b) "License" means a license granted and issued by the Board for the practice of radiologic technology;

(c) "Licensed Practitioner" means a person licensed to practice medicine, chiropractic, podiatry, osteopathy or dentistry;

(d) "Radiologic Technologist" means a person, other than a licensed practitioner, who applies X rays or assists in the application of X rays to human beings for diagnostic or therapeutic purposes under the supervision of a licensed practitioner;

(e) "Reciprocity" means the granting of a license or temporary permit to persons who hold a license or certificate in another state;

(f) "Supervision" means responsibility for and control of quality, radiation safety and technical aspects in the application of x-radiation to human beings for diagnostic or therapeutic purposes;

(g) "Temporary Permit" means a permit granted and issued by the Board for the practice of radiologic technology which shall expire thirty (30) days after the Board gives written notice of results of the examination held following the issuance of such temporary permit; and

(h) "Unethical Conduct" means, but shall not be limited to:

(1) Engaging in the practice of radiologic technology while in an intoxicated condition or under the influence of narcotic or any other drugs which impair consciousness, judgment or behavior; or

(2) Immoral conduct while engaged in the practice of radiologic technology or behavior indicating an unfitness to practice radiologic technology; or

(3) Willful falsification, destruction or theft of property or records relating to the practice of radiologic technology; or

(4) Failure to exercise due regard for the safety of life or health of the patient; or

(5) Unauthorized disclosure of information relating to a patient or his records; or

(6) Discrimination in the practice of radiologic technology against any person for reason of race, religion, creed, color or national origin.

1.6. Communication. -- All communications concerning these regulations and applications filed thereunder shall be addressed to the West Virginia Radiologic Technology Board of Examiners, Room 303, 3049 Robert C. Byrd Drive, Beckley, West Virginia 25801.

§18-1-2. Board functions.

2.1. Duties and powers of the Board. -- The duties and powers of the Board are defined in the W. Va. Code §30-23-1 et seq. It shall be the duty of the Board to carry out the provisions of this article to the best of its ability.

2.2. Board meetings.

(a) The Board shall meet at least twice annually to conduct examinations.

(b) The Board shall hold at least one (1) annual meeting during June of each year at the place and time designated by the chairman for the purpose of electing a chairman and secretary. New officers shall take office on July 1 of that year.

(c) Meetings of the Board may be called by the chairman at any reasonable time. The chairman shall call a meeting at any time upon the request of three (3) or more Board members.

(d) Each Board member shall be notified by mail of the time and place of any meeting at least two (2) weeks prior to the date on which the meeting will be held. Notification of special or emergency meetings may be by the most expedient means. An agenda of the subjects to be discussed at each meeting will be sent to each member prior to the meeting date.

(e) All meetings of the Board shall be open to the public in compliance with the Open Meetings Statute, W. Va. Code §6-9a.

(f) All forms, revisions to licenses and other printed material necessary for the administration of this licensing agency shall be approved by the Board.

(g) No Board member shall act officially for the Board or convey the impression to others that he is acting officially for the Board without prior authorization from the Board.

2.3. Duties of the chairman.

(a) He shall designate the time and place of meetings on his own authority or at the direction of three (3) Board members.

(b) He shall preside at all meetings or, in the case of his inability to attend any meeting, the secretary shall serve for the meeting.

(c) He shall exercise general supervision of the affairs of the Board and shall have the usual powers of such office and such other powers and duties as the Board may direct.

2.4. Duties of the secretary.

(a) He shall assist the chairman in carrying out his duties when requested.

(b) He shall preside over meetings in the absence of the chairman.

(c) He shall act in behalf of the chairman in cases of extended incapacitation or long absences of the chairman.

(d) He shall keep the minutes of the proceedings at Board meetings and the records of the Board.

(e) He shall have custody of all fees received by the Board and shall be responsible for the transfer of such funds to the State Treasurer.

(f) He shall receive, accept responsibility for, issue (with Board approval) and account to the Auditor for the State of West Virginia for all licenses and temporary permits and keep duplicates of certificates handled by the Board.

(g) He shall be responsible, with the approval of the Board, for the preparation and submission of the annual budget to the Board.

(h) He shall maintain an accurate list of licenses with names and addresses.

(i) He shall maintain a list of approved schools and make this list available to interested persons.

§18-1-3. Licenses and temporary permits.

3.1. Application for licenses and temporary permits.

(a) Any person requesting an application for a license or temporary permit shall be furnished the necessary forms, and such other information or questionnaires as the Board may deem desirable.

(b) The application forms shall be designed to provide the information necessary to satisfy the Board that all requirements pertaining to the West Virginia Code are being fulfilled.

(c) All applications shall be signed by the applicant.

(d) The application shall be accompanied by a money order, certified check or personal check.

(e) Failure to complete all forms and to provide all information may be just cause for rejections of the application by the Board and cause the application to be returned to the applicant.

(f) Any person knowingly furnishing false information in such application shall be denied a license or if the applicant has already

been licensed before the falsification of such information has been made known to the Board, such license or temporary permit shall be subject to suspension or revocation. In addition, the Board may undertake prosecution of the applicant pursuant to W. Va. Code §30-23-13.

3.2. Issuance of licenses and temporary permits.

(a) The Board shall issue to each applicant a license or a temporary permit within thirty (30) days of receipt of a properly completed application and payment of the appropriate fee if the applicant:

(1) Is of good moral character;

(2) Has completed four (4) years of high school education or its equivalent;

(3) Has successfully completed a minimum twenty-four (24) month course in radiologic study in a school of radiologic technology approved by the Board;

(4) Has passed the examination prescribed by the Board, which examination shall cover the basic subject matter of radiologic technology, skills and techniques;

(5) Has not been convicted of a felony in any court in this State or any federal court in this or any other State within ten (10) years preceding the date of application for registration, which conviction remains unreversed; and not have been convicted of a felony in any court in this State or any federal court in this or any other State at any time if the offense which he was convicted related to the practice of radiologic technology, which conviction remains unreversed; and

(6) Holds a license or certificate, including the American Registry of Radiologic Technologists, to practice radiologic technology issued by any other state, the requirements for which license or certificate are found by the Board to be at least equal to those provided for a

license to practice radiologic technology in this State without examination.

(b) Whenever the Board finds that an applicant meets all the requirements for a license to engage in the practice of radiologic technology, it shall forthwith issue to him such license.

(c) The license shall be valid for a period of ~~two (2)~~ ^{one} years from the date of issuance.

(d) The license shall be renewed every two (2) years without examination upon application for renewal on a form prescribed by the Board. The applicant shall be responsible for obtaining, completing, signing and forwarding the renewal application to the Board with the required fee.

(e) The Board may deny an application for renewal for any reason which would justify the denial of an original application for a license. In addition, an application for renewal will be considered delinquent and subject to an additional fee if it is not received within thirty (30) days after the due date.

(f) The Board may issue a temporary permit to engage in the practice of radiologic technology to an applicant who meets the qualifications of Section 3.2 (a), (b), (c) and (e) of these regulations, pending examination of such applicant.

(g) The temporary permit shall expire thirty (30) days after the Board gives written notice of the results of the examination held following the issuance of such temporary permit.

(h) A temporary permit may not be renewed or another thereof issued to the same person.

(i) The failure of an applicant to seek renewal of his license within two (2) years from its date of expiration will result in the applicant's having to become relicensed.

3.3. Exemptions.

(a) The following persons are not required to obtain a license in accordance with the provisions of these regulations:

(1) A technology student enrolled in or attending an approved school of technology who as part of his course of study applies x-radiation to a human being under the supervision of a licensed practitioner;

(2) A person acting as a dental assistant who under the direct supervision of a licensed dentist operates only radiographic dental equipment for the sole purpose of dental radiography;

(3) Any person engaged in performing the duties of a technologist in his employment by an agency, bureau or division of the Government of the United States; and

(4) Any licensed practitioner, radiologist or radiology resident.

(b) Any person who is engaged in the practice of radiologic technology in this State for a period of three (3) years or more within the last five (5) years prior to July 7, 1977, is eligible for a license to engage in the practice of radiologic technology without examination and without meeting the requirements of the W. Va. Code §30-23-3(a), if application for such license is made within twelve (12) months after the effective date of July 7, 1977, and if such person meets the requirements of Section 3.2 (a), (b) and (e) of these regulations.

(c) Any person who has been engaged as a radiologic technologist for at least one (1) of the three (3) years immediately prior to July 7, 1977, and passes a proficiency examination prepared by the Board is eligible for a license to engage in the practice of radiologic technology without further examination and without meeting the requirements of the W. Va. Code §30-23-3(a), if application for such license is made within twelve (12) months after the effective date of July 7, 1977, and if such person meets the requirements of Section 3.2 (a), (b) and (e) of these regulations.

(d) A proficiency test will be conducted by the Board at a time and place designated by the Board for those individuals who have worked as a technologist one (1) of the past three (3) years immediately prior to July 7, 1977. Those individuals receiving a satisfactory score as determined by the Board will be issued a license to practice radiologic technology.

(e) A licensure examination will be conducted twice annually at a time and place designated by the Board. Those individuals receiving a satisfactory score as determined by the Board will be issued a license to practice radiologic technology.

3.4. Reciprocity.

(a) Reciprocity will be considered with other states on an individual basis.

(b) A license issued to an individual by another state will not be honored in lieu of a license issued by the West Virginia Radiologic Technology Board of Examiners.

(c) Violation of laws regulating radiologic technologists in any other state by an individual licensed by this Board while he is visiting or residing in another state shall be considered as unethical conduct by this Board.

3.5. Responsibilities of the licensee:

(a) It shall be the responsibility of each person engaged in radiologic technology to be familiar with the requirements of the law regulating such activities in West Virginia and with the regulations of this Board.

(b) It shall be the responsibility of each person engaged in radiologic technology to make timely application for licensure or renewal of license, to complete such forms properly and to pay the fees required, and to hold himself available for examination at the times and places designated by the Board. Any information or reminders which the Board may issue shall be regarded as courtesies and shall not diminish the

responsibilities of the person engaged in radiologic technology.

3.6. Display of license or temporary permit.

(a) Each person entitled to engage in the practice of radiologic technology in this State shall prominently display at his principal place of employment his license or temporary permit to practice radiologic technology and his current certificate of registration (a wallet-sized registration card issued biennially by the Board to every person to whom it issues a license) shall be carried while engaged in the practice of radiologic technology.

(b) The current licensure and/or renewal registration card shall be exhibited when requested by and of the following:

(1) A Board member; or

(2) An employee of the West Virginia State Department of Health's Radiological Health Program; or

(3) Any person upon whom the licensee applies X ray; or

(4) An employer in whose employ the licensee practices or intends to practice radiologic technology.

(c) An employer, Board member or employee of the Radiological Health Program shall not accept a photocopy or other facsimile of a license or wallet-sized registration card as adequate evidence that a person is licensed to practice radiologic technology. Where, for convenience or security, a photocopy or facsimile is displayed, the original document shall be readily available for review.

3.7. Duplicate license.

(a) In requesting a name or address change, the current license must be returned to the Board with the required fee prior to issuance of a corrected license.

(b) In requesting a duplicate license due to loss of license, a notarized statement substantiating the loss must be completed and submitted to the Board with the required fee prior to issuance of a duplicate license.

3.8. Schedule of fees for services rendered by the West Virginia Radiologic Technology Board of Examiners.

(a) Application License fee	\$ 75.00 \$30.00
(b) Annual License renewal fee	\$ 50.00 20.00
(c) Temporary permit fee	\$ 25.00 15.00
(d) Reinstatement fee (delinquents)	15.00
(e) Reciprocity fee	25.00
(f) Duplicate license	2.00
(g) Change of name	2.00
(h) Rules and regulations	3.00

§18-1-4. Educational requirements for candidates for licensure.

4.1. Standards for an approved school.

(a) The candidate for licensure shall have studied at a school approved by the Board of Examiners of Radiologic Technologists.

(b) Acceptable schools may be conducted by an approved university, college, hospital or post secondary vocational/technical schools and institutions.

(c) In order for a school to be deemed acceptable, at least two thousand (2,000) examinations per student of a variety to allow demonstrated competency in essential procedures during the two (2) year program.

(d) School administration shall assure proper financial support for the effective operation of the school and provide a classroom with

the required teaching aids, a library and study space.

(e) When didactic and clinical education are not provided in the same institution, accreditation shall be obtained by the sponsoring institution for the total program. There shall be a written affiliation agreement between the sponsoring institution and each clinical education center, clearly defining the uniform responsibilities and obligations of each.

(f) The medical director of the school must be a radiologist.

(g) There shall be a qualified program director who shall devote full-time to the sponsoring institution with primary responsibilities for the educational program to include: Organization, administration, periodic review, continued development and general effectiveness. The program director's responsibility shall not be adversely affected by educationally unrelated functions. The program director shall be a full-time employee of the sponsoring institution/education centers. Each program shall designate a clinical instructor. In multiple affiliate programs, a clinical instructor shall be designated for each clinical education center. In programs with a total of ten (10) or less students, the program director's responsibility may include clinical education. The clinical instructor shall be responsible for clinical instruction and clinical competency evaluation of students. Responsibilities for supervision and evaluation shall not be adversely affected by educationally unrelated functions.

(h) There should be a corps of well trained technologists who are capable of assisting in classroom instruction as well as in the practical teaching of students.

4.2. General facilities. -- The radiology department should be housed in suitable quarters and provided with modern equipment capable of performing all types of radiologic examinations and treatments which are usually performed in a general hospital. Installations should conform to the requirements of the Bureau of Standards.

4.3. Physical resources.

(a) Classrooms should contain seating and writing surfaces for each student in the class; have sufficient space to conduct demonstrations of procedures and to use audiovisual resources appropriate to teaching radiography; be equipped with proper lighting, temperature control and ventilation; meet safety requirements; be available for all scheduled classes on a basis that allows faculty to plan a semester in advance in order to post class schedules and to prepare the room; be reasonably accessible so that travel time does not disrupt or negatively affect the educational process. Provisions should be made for students' coats, books and personal items.

(b) Documentation demonstrating that energized laboratories meet prevailing radiation safety regulations should be posted or otherwise readily available for inspection.

(c) Offices for the administrative and instructional staff should be reasonably accessible, suitably private and secure for the planning, research, evaluation and counseling responsibilities. The security of instructional materials, files and examinations should be assured.

(d) A library shall be readily accessible, containing an adequate supply of up-to-date books, periodicals and other reference materials related to the curriculum and the profession.

(e) Instructional aids, equipment and facilities for demonstration shall be provided, such as an articulate skeleton, teaching file of radiographs, anatomical models and charts, slides, etc.

4.4. Instructional program.

(a) Classroom instruction should average a minimum of five (5) hours per week.

(b) Classes are to be held regularly regardless of the work load of the department.

(c) Examination grades must be made a permanent part of the student's record.

4.5. Basic curriculum. -- The basic curriculum to be offered by an approved school to a candidate for licensure shall include, but not be limited to: Introduction to radiography, medical ethics and law, medical terminology, methods of patient care, human structure and function, radiographic procedures, principles of radiographic exposure, imaging equipment, radiographic file processing, evaluation of radiographs, radiation physics, principles of radiation protection, principles of radiation biology, radiographic pathology, introduction to quality assurance, introduction to computer literacy and clinical education. The curriculum shall include a plan for well structured competency based clinical education.

§18-1-5. Administrative hearing procedures for the Board of Radiologic Technologists.

5.1. Hearing procedure.

(a) Hearings on any suspension, revocation or denial of an application for a license that is ordered by the Board and that is contested by the applicant shall be conducted according to the W. Va. Code §30-23-10.

(b) The applicant may be represented by counsel at the hearing; the Board shall be represented by the Attorney General or his assistants. Special counsel shall be appointed to aid the Board in its rulings on the admission of evidence.

(c) The technical rules of evidence shall not apply at hearings conducted by the Board. Provided, however, That each party shall have the right to cross-examine any or all witnesses.

(d) Any concurring or dissenting opinions of Board members shall be in writing and accompany the Board's final order as outlined in the W. Va. Code §30-23-10(g).

5.2. Procedures for judicial review. -- Any person adversely affected by a decision of the Board rendered after a hearing shall have the right to pursue an appeal pursuant to the W. Va. Code §30-23-10(g).

Call ... at Public Hearing

Secretary

Hearing - Bd. Member & Public

(Call Lanigan)

Make history who sent to

Law Office -
Hosp. Assn
Health Dept
Govern
Capital News Service
State Capitol Cong
Charleston

Medical Association
W. V. Radiological Association
Podiatric Association
Chiropractic Association

Associations - WVERT, CASRT, local groups

W.V. Hosp Association
W. V. Health Care Association
#8 Capitol St
Charleston, W. Va.

Important

Check about # of licenses

Underline new
Strike old

1. man
2. Public
3. Summary table
4. Ref. table

Budget goes with
F. ...

Smith, Deborah L.

From: shockd@rcbhsc.wvu.edu[SMTP:shockd@rcbhsc.wvu.edu]
Sent: Thursday, May 29, 1997 5:14 AM
To: Alice Belmont
Subject: Board of Examiners

Alice --

Reviewing the proposed changes in guidelines. I do not believe that the Board has provided a strong rational for a 5 fold increase in the license fee. The reasons are:

1) Except for the state licensed techs., all ARRT registered techs are required to have continuing education. A strong argument by any technologist would be why is the State setting up a redundant process that I have to pay for (based on the reasons Deborah cited for the increased fees). State licensed non-ARRT techs. will eventually fade away as most are grandfathered from the 1970's.

2) Any 5 fold increase without good explained rational is bad public policy making. Since the Board has had a surplus of funds ever since they have been in existence, it is not clear why a 5 fold increase is required. I understand the expenses associated with a private investigator but it is not clear that a 5 fold increase is justified by this alone. Also, the fact that they did not make it clear in the info they sent out that license renewal is changing from bi-annual to annual has the appearance of trying to "pull one over on the RTs of the State". I'm sure that is not the case but that is the appearance.

I'm writing because our employees are expressing concerns. I'm not particularly against the increase. I think the Board in being negligent in rushing this through without providing ample information and seeking the buy in of the people that they serve. I don't know what the required time frames are on this but it would seem that the Board would move a little slower to make sure that all RTs have questions answered. Ideally a open forum hearing at the State WVSRT meeting or a circuit information presenting session at each local society meeting would be the best practice. I don't think a 3 week notice of a public hearing is good practice. This is what makes people dislike the way State government operates.

Dan

Mary. Who did we mail to at each facility
Tengons Profit Cells
Bd. meeting out in Flatwoods before June 10th

Mary. get order
W.V. Bd. Fees.
Annual Renewal + # of

Operational Cost Today

Annual Increase for next ³ few years

Annual

Report of License - Labor, Printing, Mailing
License + Cards - Double Cost

Continuing Education Tracking System, Inspection

Increased Mailing, Stationary, Envelopes (Multiple Sizes)

1000⁰⁰ Home Page / Email Line #

1-800-Phone Number #

8000⁰⁰ Copier for Office - Duplicator Needed

100.00 to Members for Work average (2 hr. meeting 1 hr. prep
2 hrs. travel (40 hrs + into Sr

Investigator # 45.00/hr. + expenses

School Inspections + Travel Expenses

Facilities 200 Site Visits to facilities 500+ in W.V.

Increased Rental Fees for Office - Moved ADA

Salary Increase for Staff - Increased hours of coverage

40,000-60,000 Additional Staff RT(R) - States that have Full-time People

Travel JRCERT Training + Up Dates to Board Education

Travel CLEAR Conference

Travel FARB Conference

Dues for Information of Organization

Lobbyist (possible) # 2000.00 - 15,000.00/session

Travel Bd. Members ^{Travel 4 person} to attend meetings of Associations when req.

Travel Bd. Meeting cost per year (2 meetings) Travel etc.

10,000⁰⁰ Office Furniture (Needed) Desk, Chairs, Files, Conference table, etc.

200 Electric Hole Punch

135 Membership for Bd. Members in W.V. Association of Educators

35,000 per member x 7

at the Bd

**West Virginia Radiologic Technology
Board of Examiners**

1715 FLAT TOP ROAD

P. O. BOX 638

COOL RIDGE, WV 25825

Phone: (304)787-4398 - FAX: (304)787-4398

TO: DIRECTOR OF RADIOLOGY

FROM: MARY CASTO *MC*

DATE: 5/29/97

RE: Relocation of our office to: 1715 Flat Top Road, Cool Ridge, WV 25825. Our telephone number and FAX number is (304)787-4398.

Please make these changes on your records. I have enclosed an application form with our new address. Make as many copies as you need for your records and destroy those you have on file.

Thank you

West Virginia Radiologic Technology Board of Examiners

ROOM 303
3019 ROBERT C. BYRD DRIVE
BECKLEY, WEST VIRGINIA 25801
PHONE: (304)256-6985

MEMORANDUM

DATE: 7/3/96

TO: Debbie

FROM: Mary *Novel*

RE: Debbie, here is some material and information for you:

As of July 1, 1996 your signature appears on licenses as Chairman.

A letter to be signed and returned to me.

Information from ASRT on most current list of states with licensure laws.

Information from ASRT on fees charge by other licensur law states.

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of November 1995)**

	Application Fee	Renewal Fee	License Renewal Period
Arizona	\$60 Mammography \$20	\$60 Mammography \$20	2 years
California	\$45.23 each certificate	\$29	2 years
	\$45.23 Mammography \$45.23 Fluoroscopy \$75 (NMT)	\$50 (NMT)	5 years
Colorado	\$50 Mammography \$80 Limited (Examination)	None None	Mammography - This is for a Provisional Certificate for six months while in a training program or waiting to take the ARRT Advanced Level Examination - May be extended for six months.
Connecticut	\$100	\$50	1 year
Delaware	\$10	\$10	4 years
Florida	\$35 (By Endorsement) \$50 (By Examination)	\$40	2 years
Hawaii	\$10	\$10	1 year
Illinois	\$40	\$40	2 years
Indiana	\$30	\$30	2 years
Iowa	\$45	\$35	1 year
Kentucky	\$60	\$35	2 years
Louisiana	\$50/Each Discipline	\$50/Each Discipline	2 years
Maine	\$50	\$40	2 years
Maryland	\$100 \$75 (NMT)	\$50	2 years
Massachusetts	\$50	\$50	2 years
Michigan	-0-	-0-	
Minnesota			
Mississippi			
Montana	\$90	\$25	1 year
Nebraska	\$55 Limited - \$35 Temporary - 18 mos. Students w/1 yr. schooling \$40	\$55 Inc. Limited No renewal	2 years

**AMERICAN SOCIETY OF RADIOLOGIC TECHNOLOGISTS
ENACTED LICENSURE FEE AND LICENSURE RENEWAL INFORMATION
(As of November 1995)**

	Application Fee	Renewal Fee	License Renewal Period
Nevada	\$40 Mammographer	\$40 Mammographer	3 years
New Jersey	\$40 \$40 (NMT)	\$50 \$20	2 years 1 year
New Mexico	\$60 \$35 Limited	\$50 \$30 Limited	2 years
New York	\$20	\$30	2 years
Ohio	\$30	\$20	2 years
Oregon	\$70	\$70	2 years
Rhode Island	\$50	\$50	8/1 Odd numbered years
Tennessee	\$40 Limited - \$10 plus \$25/cach qualification	\$15 \$30 Limited	2 years
Texas	\$50	\$30	2 years
Utah	\$60	\$30	2 years
Vermont	\$25	\$70	2 years
Virginia	\$150 \$50 - Limited \$25 - Traineeship	\$100 \$25 - Limited	2 years - Birth Month/ Odd Years. Minimum of 320 hours of licensed radiologic practice required. Report of professional activities.
Washington	\$50	\$50	1 year/Subsequent renewals every two years on birthday
West Virginia	\$30	\$20	2 years
Wyoming	Application Fee \$25 + General \$60 Restricted \$35 + \$35 Exam Fee	\$60 \$35 - Restricted	2 years

In addition, some states require an examination fee.

STATES WITH ENACTED LICENSURE/CERTIFICATION LAWS
(As of November, 1995)

Arizona
California
Colorado (Mammography)(Limited-1/96)
Connecticut
Delaware
Florida
Hawaii
Illinois
Indiana
Iowa
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Michigan (Mammography)
Mississippi
Montana
Nebraska
Nevada (Mammography)
New Jersey
New Mexico
New York
Ohio
Oregon
Rhode Island
Tennessee
Texas
Utah
Vermont
Washington
West Virginia
Wyoming
Puerto Rico

STATES WITH ENABLING LICENSURE/CERTIFICATION LAWS

Minnesota (January 1997)
Virginia (1997)

STATES WITH LEGISLATIVE PROPOSALS BEING CONSIDERED

Arkansas
Missouri
North Carolina
Pennsylvania
South Carolina
Washington D.C.

**OFFICE OF THE GOVERNOR
STATE CAPITAL
CHARLESTON WV 25304**

**WV HOSPITAL ASSOCIATION
100 ASSOCIATION DRIVE
CHARLESTON WV 25311**

**WV HEALTH CARE ASSOCIATION
#8 CAPITOL STREET
SUITE 700
CHARLESTON WV 25301**

**WV STATE MEDICAL ASSOCIATION
P O BOX 4106
4307 MACCORKLE AVE
CHARLESTON WV 25364**

**WV CHIROPRACTIC SOCIETY
2210 WASHINGTON STREET E
CHARLESTON WV 25311**

**ALICE STANSBERRY BELMONT
SECRETARY
BETTY PUSKAR BREAST CARE CENTER
P O BOX 8064
MORGANTOWN, WV 26508-8064**

**GRADY M. BOWYER
ENVIRONMENTAL HEALTH SERVICES
RADIOLOGIC HEALTH PROGRAM
RADIATION, TOXICS, & INDOOR AIR DIVISION
815 QUARRIER STREET
SUITE 418
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CAPITAL COMPLEX
ROOM E-26
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CAPITAL NEWS SERVICE
STATE CAPITOL COMPLEX
CHARLESTON WV 25305

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CATHY SAVILLA
124 BRENTWOOD RD.
NITRO, W.V. 25143**

**OVSRT
MARTHA STEWART
504 MARKET ST
SPENCER, W.V. 25276**

**MDSRT
ARTHUR HOWELL
BOX 52 HOUSE 264 MAIN ST
OLIVER, PA. 15472**

**SWSDI
CHRIS REED
BOX 2033
LOGAN, W.V. 25601**

**SWSRT
SHERRI SNEAD
1060 HEMLOCK
PRINCETON, W.V. 24740**

West Virginia Radiologic Technology Board of Examiners

ROOM 303
3049 ROBERT C. BYRD DRIVE
BECKLEY, WEST VIRGINIA 25801
PHONE: (304) 256-6985

WV ACCREDITED SCHOOLS OF RADIOLOGIC TECHNOLOGY

Bluefield State College (304)325-7102
210 Rock Street
Bluefield, WV 24701
Program Director: Melissa O. Hays

Camden-Clark Memorial Hospital (304)424-2111
800 Garfield Avenue
Parkersburg, WV 26102
Program Director: Teresa J. Woollard

Ohio Valley Medical Center (304)234-8421
2000 Eoff Street
Wheeling, WV 26003
Program Director: Lisa K. Firestone

Southern WV Community College (304)792-4367
P. O. Box 2900
Logan, WV 25601
Program Director: Mary M. Holder

St. Mary's Hospital (304)526-1140
2900 1st Avenue
Huntington, WV 25701
Program Director: Mark E. Adkins

United Hospital Center, Inc. (304)624-2250
P. O. Box 1680
Clarksburg, WV 26301
Program Director: Rosemary Trupo

University of Charleston (304)357-4800
2300 MacCorkle Avenue, SE
Charleston, WV 25304
Program Director: David Goddin

Wheeling Hospital (304)243-3000
Medical Park
Wheeling, WV 26003
Program Director: Misty D. Kahl

WVU Hospitals, Inc. (304)293-2207
P. O. Box 6401
Morgantown, WV 26506
Program Director: Janice Shock

ELKINS REG. CONVALSC
4th STREET
ELKINS WV 26241

WHEELING HOSPITAL
MEDICAL PARK
WHEELING WV 26003

RICHWOOD AREA MEDICAL
RIVERSIDE ADDITION
RICHWOOD WV 26261

THE MAMMOGRAPHY CENTER
P.O. BOX 4081
BARBOURSVILLE WV 25504

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19th & MURDOCH AVE
PARKERSBURG WV 26101

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BLUEFIELD WV 24701

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CROSS LANES WV 25313

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BELLE WV 25015

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SQUIRE WV 24884

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701 JEFFERSON ROAD
SOUTH CHARLESTON WV 25309

MARMET MEDICAL CENTER
P.O. DRAWER H
MARMET WV 25315

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DRY RUN ROAD &
MARTINSBURG WV 25401

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1333 SOUTHVIEW
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1602 HARPER ROAD
BECKLEY WV 25801

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RT 60
ALLOY WV 25002

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124 BROOKSHIRE LANE
BECKLEY WV 25801

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PRIME CARE 12
702 STAFFORD DRIVE
PRINCETON WV 24740

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412 CARRIAGE DRIVE
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MASON WV 25260

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HARRISVILLE WV 26362

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645 KANA'WHA AVENUE
RAINELLE WV 25962

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800 WHEELING AVENUE
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601 20th STREET
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MEMORIAL DR. RT
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103 8TH STREET
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401 6th AVE
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PRINCETON WV 24740

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BECKLEY WV 25801

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FAIRMONT WV 26554

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AMALIA DRIVE
BUCKHANNON WV 26201

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WAR WV 24892

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FOOTWISE PODIATRY OF WV
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MORGANTOWN WV 26505

MONONGALIA GENERAL HOSPITAL
J.D. ANDERSON DRIVE
MORGANTOWN WV 26505

WEDGEWOOD IMAGING CENTER
200 WEDGEWOOD DRIVE
MORGANTOWN WV 26505

ASHTON C. CURTIS, DPM
1500 HARRISON AVENUE
ELKINS WV 26241

RICHARD F PULCRANO
HORIZON MOBILE HEALTH
105 S EISENHOWER
BECKLEY WV 25801

JULIAN A. CHIPLEY, DC
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BECKLEY WV 25801

TERA L. CHANNELL
DRS. BLACK, JACKFERT
150 BROOKSHIRE
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1320 7th AVENUE
HUNTINGTON WV 25701

McKINLEY TRENT, D.S.C.
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HUNTINGTON WV 25701

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MU PHYSICIANS & SURGEONS
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RONCEVERTE WV 24970

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LEWISBURG WV 24901

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SOUTH CHARLESTON WV 25309

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BLUEFIELD WV 24701

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KEYSER WV 26726

MARION HEALTH CARE
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