

Board of Radiologic Technology
Secretary of State, Office of Professional Regulation
National Life Building, North, Floor 2, Montpelier, VT 05620-3402
Minutes
Meeting of April 29, 2009

1. The meeting was called to order at 1:11 P.M.

Members present: David P. Gervais, BS, CNMT, NCT, Chairman; Carla White, CHP, RRPT, Vice-Chair; Donna Holbrook, R.T.; and Stephen Koller, M.D. Absent: Thomas Harty.

OPR Personnel present: Kevin F. Leahy, Board Counsel, Carla Preston, Unit Administrator, and Kristy Kemp, Administrative Assistant.

2. The Chair called for approval of the Minutes of the March 31st meeting. On page 3, item B re Ms. White's report from the Department of Health was stricken from the record. Chairman Gervais made a motion, seconded by Ms. White, to approve the Minutes of the March 31, 2009 meeting as corrected. Motion passed unanimously.
3. Hearings/Stipulations and Consent Orders
4. Reports
5. Legislative/Rules Update

The Board began reviewing changes needed to its statutes and Administrative Rules. Kevin Leahy explained the process for amending statutes through the legislature and for amending the rules through the Legislative Committee on Administrative Rules. He said the first step in amending rules is to ensure that the Board has the statutory authority to do so. He recommended working on proposed changes for both statutes and rules simultaneously with the idea that the effective dates would be close.

The proposed changes were discussed at length. The Board agreed that certain statutory amendments were needed to address new technology, equipment, procedures and practices. In the end, the Board concluded that it would be best to eliminate the current provision regarding Combined Positron Emission Tomography (PET) and Computerized Tomography (CT) (PET/CT) imaging (26 V.S.A. § 2821 (f)), and create the authority to add endorsements to existing specialties. The specific training requirements to qualify for an endorsement would be set forth by rule.

The Board voted to amend the definition of Nuclear Medicine (§ 2801 (4)) as follows: the practice of nuclear medicine means "the act of giving a radioactive substance to a human being for diagnostic purposes, or the act of performing associated imaging procedures that do not involve direct external application of ionizing radiation or both unless specifically permitted by an endorsement as defined by Board Rule." This would limit the nuclear medicine technologist from the external application of ionizing radiation unless he or she has met certain requirements and has been issued an endorsement.

The Board decided to title the endorsements "Fusion CT Endorsement" and "Diagnostic CT Endorsement." The issuance of a Fusion CT Endorsement would allow a licensee to perform attenuation correction (CT) or anatomical localization (CT) in conjunction with fusion imaging such as PET/CT and Single Photon Emission Computed Tomography (SPECT/CT). Qualifications or prerequisites to qualify for that endorsement would include: 1) must hold a current license in the specialty of nuclear medicine technology, 2) must meet training requirements as defined by the Board by rule, and 3) must comply with continuing education requirements to maintain this endorsement as defined by the Board by Rule.

5. Legislative/Rules Update - continued

The issuance of a Diagnostic CT Endorsement would allow a licensee to perform all diagnostic CT. Qualifications or prerequisites to qualify for a Diagnostic CT Endorsement would include: 1) must hold a current license in the specialty of nuclear medicine technology, 2) must pass an examination approved by the Board (i.e., ARRT CT Exam), and 3) must comply with continuing education requirements to maintain this endorsement as defined by the Board by Rule.

Section 2821 covering general radiography (b), nuclear medicine (d), and radiation therapy (e) would be amended to authorize the Board to issue endorsements to permit the expansion of the scope of practice to technologists who meet appropriate criteria as defined by Board Rule.

The Board discussed whether to expand the definition of limited scope radiography (§ 2821 (c)) to include Bone Densitometry. In addition, the Board discussed an endorsement for radiation therapists using CT for treatment planning which is currently permitted only if the unit is located within the radiology department. Chairman Gervais will follow-up on the latter issue with Jane Moore, a radiation therapist, and report back to the Board. The Board will revisit these issues at future meetings. Attorney Leahy will present the proposed statutory changes in proper format at the Board's next meeting. Once the Board has drafted any proposed legislative changes it will begin to review the rules for necessary changes. The Board will proceed with the hope that the statutory and rule changes are concurrent.

6. Complaints/Follow-up cases

7. Applications

The Board continued its discussion re the limited license application from Jayne Badano-Bidwell who has a California limited X-Ray license in Bone Densitometry (DXA technician). Vermont has no provision for issuing a license in that specialty. Based on the information provided, Ms. Badano-Bidwell does not meet the requisite training or education to sit for the limited scope examination. The Board voted to preliminarily deny Ms. Badano-Bidwell's request for a license in limited scope radiography.

8. Miscellaneous Correspondence

9. Other Business Introduced by the Board

10. Public Comment

11. The Board decided to meet within a month and agreed to check their calendars for possible dates. The next meeting date was later scheduled for **Wednesday, May 27, 2009** at 1:00 P.M.

12. There being no further business the meeting was adjourned at 3:36 P.M.

Respectfully submitted,

Carla Preston, Unit Administrator
Office of Professional Regulation