

Arkansas Department of Health Radiation Control
Medical Ionizing Radiation Licensure Committee
Minutes -Tuesday, April 18, 2023; 3:00 p.m. – 5:00 p.m.

Committee members present via Teams were Lisa Rhoden (Board Chair), Bernard Bevill, Tracy McKnight, Rogerich Paylor, M.D., Richard Nelson, M.D., Allan Kirkland, M.D., and Paul Bruce, MS. Members not in attendance were Adriane Travis, Sheila Randolph, and Jacovis Davis. Also, in attendance were Chuck Thompson, Brian Nichols, Reginald Rogers, S. Craig Smith, Summer Khairi, Tiffany Young, Dee Oldenbroek, Van Johnson, and Steve Pennington. This meeting was held virtually via Teams.

Welcome and Introduction

Ms. Lisa called the meeting to order at 3:01 pm. Bernie Bevill took role and determined that there was a quorum and the meeting could proceed.

Minutes Review

The Minutes from the January 24, 2023, meeting were presented and reviewed. Dr. Richard Nelson made a motion to accept the minutes as presented, Tracy McKnight seconded the motion. There were no objections and the motion passed.

Current Complaints/Violation's

- **Limited License Techs**

Mr. Bevill discussed the receipt of multiple complaints about the Limited License Techs not being supervised at clinics and/or performing x-rays they are not permitted to perform. Most of these complaints are directed toward the Urgent Team brand of urgent care clinics around the state of Arkansas which include Baptist Health Urgent Care and Sherwood Urgent Care. Mr. Bevill has asked the lawyers to investigate and review the nature of "supervision" and how that is interpreted. Mr. Bevill has drafted a Briefing Paper that gathers all the definitions and rules regarding this issue in one place. Dr. Rogerich Paylor mentioned that this had come up before a couple of years ago and that there are still questions about who constitutes as a licensed practitioner and whether APRNs and PAs are included. Lisa Rhoden suggested looking at the Scope of Practice for the APRN and PAs and if they refer to radiation. Dr. Paylor and Ms. Rhoden asked if a question could be brought before the Board of Health as they have authority over practitioners and their Scope of Practice. Reggie Rogers stated that was possible and requested Mr. Bevill to help frame the question.

- **Shelly Kern RTL01 0828180 (expires 05/30/2023)**

Mr. Bevill let the committee know that on 02/06/2023, Ms. Dodson received a letter from ARRT stating that Ms. Kern's certification and registration was summarily suspended due to unprofessional conduct while at work. A certified letter was sent out to Ms. Kern regarding her ARRT suspension and informing her of the suspension of her Arkansas License as a result. No response was received from Ms. Kern.

- **Roberta Skelton RTLLP/2B-5554 (expires 07/30/2024)**

Mr. Bevill informed the committee that he had received a letter from Ms. Skelton requesting the restrictions of the limited license be removed and for her to be allowed to perform hips, pelvis, ribs, sternum and abdomen radiological examinations. She previously (January 11, 2022) met with MIRLC about this matter and the decision

then was that MIRLC did not have the credentialing authority to upgrade her license. Mr. Bevill sent a letter to Ms. Skelton notifying her that the MIRLC nor the Arkansas Department of Health still could not remove the restrictions as they are requirements in Arkansas law.

- **Jasmin Bass RTLTL/AT 0849571** (expired 03/30/2023)

Mr. Bevill told the committee that Mrs. Dodson received a call from Ms. Bass wanting to renew her temporary license. She had already had her two allowable temporary licenses and Mrs. Dodson informed Ms. Bass of this via e-mail and Ms. Bass asked if there was any way she could renew one more time because she wouldn't be able to work. Mrs. Dodson informed her she could request an extension from the committee and instructed her to send a formal request stating her reasons for the extension and the anticipated date she would take the exam. Mrs. Dodson received the request for extension from Ms. Bass. She stated in her request that the reason for the extension is that she has not had the book to study and just got it in. She plans on taking the test by July 12, 2023. It is mentioned that every temporary limited licensee is given an eBook code for an online book to study when they first apply for a license. Ms. Bass was sent hers via email on 3/1/2022. In June of 2022 Ms. Bass inquired as to what book she could order on Amazon as she wanted a hard copy to take notes in. There was a small discussion about what reasons the committee could grant an extension. Mr. McKnight suggested that there were not extenuating circumstances that kept Ms. Bass from taking her exam. The committee agreed and no extension was granted. Mr. Bevill will send out a letter to Ms. Bass informing her of the committee's decision.

Follow up

- **Van A. Johnson RTL01 8388** (expires 08/30/2023)

Chuck Thompson addressed the committee and let them know that he was going to reopen the record on Mr. Johnson only for presentation of additional documents provided by Mr. Johnson since the last meeting. He wanted to make clear that no additional testimony would be heard. The documents presented were letters from coworkers and a certificate for his required Domestic Violence class. Mr. Thompson wanted the committee to review the documents and ask any questions they had. Mr. Thompson asked the committee if they thought the documents would change their decision the not grant a waiver for Mr. Johnson. The committee agreed to no change in the vote. For the record, Mr. Thompson had Mr. Johnson and Mr. Pennington, who was in attendance in place of Mike Mitchell, introduced themselves. Mr. Johnson asked if he could present an additional certificate that he had just received showing his completed 100 hours of community service. Mr. Thompson said it would be added to the documents that would be presented at the Board of Health meeting on April 27, 2023, where Mr. Johnson is appealing MIRLC's decision.

- **Dennis McClain RTLLP/2B 4357** (expired 03/30/2023)

Mr. Bevill wanted to update the committee on Mr. McClain. After the discussion and decision of the committee at the last meeting in January, a letter was sent to Mr. McClain requestion a response to the allegations that he was practicing x-rays outside of his Scope of Practice as a Limited License Tech. To date there has been no response. Ms. Rhoden brought up the fact that even though he is no longer employed at the facility, how can we be sure he is not working as an RTLLP in a different facility. Mr. Bevill brought up the fact that although we cannot find out where he is working, his license expired at the end of March. If he tries to renew or if a facility reaches out to verify his status, we have his record marked as suspended. Glynis Elmore will make a note in Common Customer database.

- **RTL Program Supervisor Status**

Mr. Bevill updated the committee that the position for the RTL Program Supervisor has been advertised three separate times. This resulted in twelve applicants with 3 interviews. He has not hired anybody as of the meeting. Mr. Bevill pointed out that the workload of this position was being split and handled for now by Dee Oldenbroek, Lori Dodson, and himself.

New Business:

- **Gonad Shielding Requirement Removal**

Mr. Bevill brought up that Radiation Control Section is requesting authorization to issue an exemption to the Rules for Control of Sources of Ionizing Radiation RH-1602.a.6 which requires gonadal shielding. Registrants have requested an exemption to this Rule. Some discussion was had with Ms. Rhoden being concerned about the wording for the exemption in that some make take it to mean no shielding at all instead of no shielding during abdominal and pelvic exams. Mr. Bevill pointed out that there would not be a rule to replace RH-1602.a.6, the rule would just be removed.

Next Meeting Scheduled

The next Quarterly Medical Ionizing Radiation Licensure Committee meeting is set for July 11, 2023, 3:00 p.m.

Additional Information

- Tiffany Young wanted to update the committee on her status as an applicant to fill Sheila Randolph's position. Ms. Young applied under the old administration and then again under the new administration and has not heard anything from them. When asked, Summer Khairi, applicant for Jacovis Davis' position, stated that her situation is the same. Mr. Bevill asked them to just be patient, that sometimes these things take time.

Meeting Termination

The meeting ended at 4:03 p.m. with a motion from Mr. McKnight and seconded by Dr. Kirkland.