

OREGON BOARD OF MEDICAL IMAGING

INVESTIGATIVE COMMITTEE – January 7, 2022
Phone-In/Zoom only

COMMITTEE SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Brad Betz; Ellen Voss; Robyn Cole; Chelsea Pyle, M.D.

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor; Vincent Mandina, Compliance Specialist.

Guest in attendance: Haylee MorseMiller from the Legislative Fiscal Office

Melissa Downer-Valdez called the committee into public session at 9:05 a.m. She then called the committee into executive session at 9:09 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 12:19 p.m. Melissa Downer-Valdez adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Committee motions for disciplinary recommendations:

2021-09-07: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$32,500 with \$24,375 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

The Investigative Committee recommended that the Board offer a settlement agreement for or a violation of OAR 337-030-0002(12) and impose the \$7,000 stayed in the settlement agreement dated September 3, 2020. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-06: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-08-09: The Investigative Committee recommended that the Board withdraw the previously offered settlement agreement and offer a new settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500 Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-09: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-21: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-03: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-01: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-02: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-04: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-05: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$2,000 with \$1,000 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-06: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-07: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$3,500 with \$2,500 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-01: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-02: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$5000 with \$3750 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-06-06: The Investigative Committee recommended that the Board continue with a settlement offer but upon rejection of settlement issue a Notice of Intent to Discipline. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-08: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$237,500 with \$178,125 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-08: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-09: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-10: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-11: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-12: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-13: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-14: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-15: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-16: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-17: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-18: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-19: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-20: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-04: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-05: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$15,000 with \$11,250 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-06: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-07: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$13,500 with \$10,125 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-08: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$3000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-09: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$30,500 with \$22,875 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-01: The Investigative Committee recommended that the Board close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-02: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500 with \$500 stayed for 2 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-03: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$2000 with \$1000 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-06: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

Other business:

No decisions were made or voted upon.

There was no public comment.

Adjournment: Melissa Downer-Valdez adjourned public session at 12:50 pm

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

Quarterly Board Meeting – January 21, 2022
Phone-In/Zoom only

Quarterly Board Meeting SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Brad Betz, Ellen Voss; Jeff Kopecky; Vanessa Bennett; Robyn Cole; Dr. Nour Birouti; Dr. Joe Whetstone; Chelsea Pyle, M.D; Michelle Injety. Also: Hillary Haskins (RPS; Advisory Member), and Brent Herring (RPS).

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor; Vincent Mandina, Compliance Specialist.

Guest in attendance: Haylee MorseMiller from the Legislative Fiscal Office

Melissa Downer-Valdez called the Board into public session at 9:06 a.m. Roll call was taken. She then called the Board into executive session at 9:09 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 10:01 a.m. Melissa Downer-Valdez adjourned executive session and began public session at 10:25 am.

All persons present understood the meeting was being recorded.

Approval of Quarterly Meeting Agenda

A motion was made, Betz moved, and Voss seconded to approve the January 21, 2022 agenda. Voice vote was unanimous.

Approval of meeting summaries from prior Board meetings

Public and Executive Quarterly Board Meeting summaries from October 22, 2021, and Public and Executive Committee Meeting summaries from October 5, 2021. A motion was made, Betz moved, and Voss seconded to approve the draft summaries. Voice Vote was unanimous.

Ratification of licenses issued since previous Board meeting:

Motion to ratify new licenses and permits issued since the last Board meeting. A motion was made, Betz moved, and Voss seconded to approve the draft summaries. Voice Vote was unanimous.

Board votes on disciplinary cases:

2021-09-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$32,500 with \$24,375 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

The Board voted to offer a settlement agreement for or a violation of OAR 337-030-0002(12) and impose the \$7,000 stayed in the settlement agreement dated September 3, 2020. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-08-09: The Board voted to withdraw the previously offered settlement agreement and offer a new settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500 Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-09: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-21: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-03: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-01: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-02: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$2,000 with \$1,000 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$3,500 with \$2,500 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$5000 with \$3750 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-06-06: The Board voted to continue with a settlement offer but upon rejection of settlement issue a Notice of Intent to Discipline. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-09-08: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$237,500 with \$178,125 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

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2021-10-11: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-12: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-13: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-14: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-15: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-16: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-17: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-18: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000 with \$1,000 stayed for 2 years . Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-19: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-10-20: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$15,000 with \$11,250 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$13,500 with \$10,125 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-08: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$3000. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-11-09: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$30,500 with \$22,875 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous

2021-12-01: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500 with \$500 stayed for 2 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2000 with \$1000 stayed for 5 years. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-12-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500 . Betz moved, and Voss seconded the motion, Voice vote was unanimous

2021-12-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous

2021-12-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

2021-03-09: The Board voted to close the case without further action. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

Waiver Requests:

Motion to approve a 3rd Temporary MRI license for Rachel Larkin. Betz moved, and Voss seconded the motion, Voice vote was unanimous.

CEAC:

1. Discussion of the CEAC committee to look at the feasibility of limited permits for MRI tech-aids. Motion to allow the CEAC committee to continue to look at the feasibility of limited permits for Imaging tech-aids. Injety moved, and Voss seconded the motion, Voice vote was unanimous.

Update from Executive Director:

1. Stacy updated regarding the Budget
2. Betz volunteered to be interim Co-Chair
3. Pyle will join the Investigatory Committee
4. PSR new instructor: A motion was made, Betz moved, and Voss seconded to approve and ratify Justin Gaddini as a new instructor for PSR.

Rulemaking:

1. There were no comments or material additions from the Rules Hearing that ended 9 am this am.
2. Discussion of Proposed rulemaking to make permanent rules to amend 337-010-0033 and 0026 for clarity and a scrivener's error. Betz moved to adopt permanent rules, Voss seconded the motion, Voice vote was unanimous.
3. Discussion of Proposed rulemaking to make permanent rules that replaces the temporary rule that allows for an expedited permanent initial licensure process. Betz moved to adopt permanent rules, Voss seconded the motion, Voice vote was unanimous.
4. Discussion of Proposed rulemaking to make permanent rules that remove the educational plan from 337-010-0045. Betz moved to adopt permanent rules, Voss seconded the motion, Voice vote was unanimous.
5. Discussion regarding initiating rulemaking for a permanent rule to comply with the OHA COVID-19 Requirements. Betz moved to initiate rulemaking, Voss seconded the motion, Voice vote was unanimous

New Business:

1. Ratification of Reactivation concerning Kerri Winters-Stone DEXA program. A motion was made Betz moved, Voss seconded. Voice vote was unanimous.
2. Discussion regarding fluoroscopy in radiation therapy: Consensus was that rules are already in place.
3. Approval of AFC Urgent care LXMO Employee only program- A motion was made Betz moved, Voss seconded. Voice vote was unanimous.

Public Comment: Barb Smith wanted to express her concern for Physical therapy and scope of practice with regards to ultrasound.

Adjournment: Downer-Valdez adjourned public session at 11:42 a.m.

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

INVESTIGATIVE COMMITTEE – April 8, 2022
Phone-In/Zoom only

COMMITTEE SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Robyn Cole; Chelsea Pyle, M.D.;
Vanessa Bennett

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney
General; Thomas King, Health Care Investigator/Advisor

Melissa Downer-Valdez called the committee into public session at 9:04 a.m. She then called the committee into executive session at 9:05 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 10:27 a.m. Melissa Downer-Valdez adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Committee motions for disciplinary recommendations:

2021-12-07: The Investigative Committee recommended that the Board close the case with no further action. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-01-01: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1500. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-01-02: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$14,500 with \$10,875 stayed for 5 years. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2021-11-03: The Investigative Committee recommended that the Board close the case with no further action. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-01-03: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-11-01: The Investigative Committee recommended that the Board withdraw the previously offered settlement agreement and offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-02-01: The Investigative Committee recommended that the Board close the case with no further action. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-01-04: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$5,000. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-01-05: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$66,500 with \$49,875 stayed for 5 years. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-02-02: The Investigative Committee recommended that the Board close the case with no further action. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-02-04: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2,000 and a violation of OAR 337-010-0008(2) with a civil penalty of \$500. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-02-05: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$18,500 with \$13,875 stayed for 5 years. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

2022-03-03: The Investigative Committee recommended that the Board offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000. Bennett moved, and Cole seconded the motion, Voice vote was unanimous.

Other business:

No decisions were made or voted upon.

There was no public comment.

Adjournment: Melissa Downer-Valdez adjourned public session at 10:47 am

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

QUARTERLY BOARD MEETING – April 22, 2022
Phone-In/Zoom only

Quarterly Board Meeting SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Brad Betz, Ellen Voss; Vanessa Bennett; Robyn Cole; Dr. Yama Kharoti; Dr. Nour Birouti; Dr. Joe Whetstone; Chelsea Pyle, M.D; Michelle Injety. Also: Hillary Haskins (RPS; Advisory Member), and Michelle Martin (RPS).

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor

Melissa Downer-Valdez called the committee into public session at 9:02 a.m. She then called the committee into executive session at 9:05 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 10:27 a.m. Melissa Downer-Valdez adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Approval of Quarterly Meeting Agenda

A motion was made, Betz moved, and Voss seconded to approve the April 22, 2022 agenda. Voice vote was unanimous.

Approval of meeting summaries from prior Board meetings

Public and Executive Quarterly Board Meeting summaries from January 21, 2021, and Public and Executive Committee Meeting summaries from January 7, 2021. A motion was made, Betz moved, and Voss seconded to approve the draft summaries. Voice Vote was unanimous.

Ratification of licenses issued since previous Board meeting:

Motion to ratify new licenses and permits issued since the last Board meeting. A motion was made, Betz moved, and Voss seconded to approve the draft summaries. Voice Vote was unanimous.

VOTES for disciplinary Action:

2021-12-04: The Board voted to offer to withdraw the previously offered settlement agreement and issue a notice of intent to impose discipline for a violation of ORS 688.415(1)(a) with a civil penalty in the amount of \$500 and delegate authority to the ED to offer the previously offered settlement agreement as necessary. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-04-03: The Board voted to accept the settlement agreement as presented. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-08-05: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-12-07: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-10-21: The Board voted to withdraw the previously offered settlement agreement and issue a notice of intent to impose discipline for a violation of ORS 688.415(1)(f) with a civil penalty in the amount of \$500 and delegate authority to the ED to offer the previously offered settlement agreement as necessary. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-01-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1500. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-01-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$14,500 with \$10,875 stayed for 5 years. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-10-04: The Board voted to withdraw the previously offered settlement agreement and issue a notice of intent to impose discipline for a violation of ORS 688.415(1)(a) with a civil penalty in the amount of \$500 and delegate authority to the ED to offer the previously offered settlement agreement as necessary. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2021-11-03: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous. VOSS recused

2022-01-03: The Board voted to offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-11-01: The Board voted to withdraw the previously offered settlement agreement and offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-02-01: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-01-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$5,000. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-01-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$66,500 with \$49,875 stayed for 5 years. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-02-02: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-02-03: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-02-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2,000 and a violation of OAR 337-010-0008(2) with a civil penalty of \$500. Betz moved, and Injety seconded the motion, Voice vote was unanimous. VOSS and WHETSTONE recused

2022-02-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$18,500 with \$13,875 stayed for 5 years. Betz moved, and Injety seconded the motion, Voice vote was unanimous. VOSS and WHETSTONE recused

2022-03-03: The Board voted to offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000 and enroll and provide proof of completion for two PBI Education courses, improving civility and communications AND ethics and professionalism as outlined by the Board. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

2022-03-05: The Board voted to close the case with no further action. Betz moved, and Injety seconded the motion, Voice vote was unanimous.

Other business:

Waiver Requests:

1. Motion to approve: Ratification of 3rd temp post primary CT license for JACOB DIXON; Ratification of 3rd temp radiographer license for Laura Fraser; Ratification of 3rd temp post primary CT license for KaLeah Parmenter, APPROVE 3RD temporary Radiographer license for Bayley Seaton- Wade.

Betz moved, and Injety seconded the motion, Voice vote was unanimous.

CEAC:

1. Discussion concerning LXMO anatomical areas, Physical Therapists performing ultrasound and tech-aids.

Update from Executive Director:

1. Stacy updated regarding the Budget
2. Pacific Healthcare Training new instructor: A motion was made, Betz moved, and Injety seconded Voice vote was unanimous.to approve and ratify Glenn Skinner as a new instructor for Pacific Healthcare Training.
3. AFC LXMO Training new instructor: A motion was made, Voss moved, and Bennett seconded Voice vote 7 AYE/3 abstain.to approve and ratify Megan Gibbard as a new instructor for AFC LXMO Training.
4. Addition to the Delegated Authority: Adds language to provide for the Executive director to extend the time for reporting and Investigatory report to the Board for Investigations

that exceed 120 days from when a complaint was received by the Board. A motion was made, Betz moved, and Injety seconded Voice vote was unanimous.

5. A motion was made by Voss and seconded by Betz to nominate and elect Bennett as Co-Chair. Voice vote was unanimous
6. A motion was made by Betz and seconded by Voss to re-elect Downer-Valdez as Chair. Voice vote was unanimous

Rulemaking:

1. There were no comments or material additions from the Rules Hearing that ended 9 am this am.
2. Discussion of Proposed rulemaking to make permanent rules to comply with the OHA COVID-19 Requirements. Betz moved to make permanent rules, Voss seconded the motion, Voice vote was unanimous

New Business:

Adjournment: Downer-Valdez adjourned public session at 11:55 a.m.

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

QUARTERLY BOARD MEETING – July 22, 2022
Phone-In/Zoom only

Quarterly Board Meeting SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Vanessa Bennett, Vice-Chair; Jeff Kopecky; Michelle Injety; Alison Bohlke; Kelli Gilliland; Katrina Wogu; Dr. Yama Kharoti; Michelle Injety.
Also: Brent Herring (RPS) and Alicia Michelson (CFO Analyst).

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor; Sarah Anderson, Compliance Specialist; Josh Dieringer, Administrative Specialist

Melissa Downer-Valdez called the committee into public session at 9:07 a.m. She then called the committee into executive session at 9:22 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 11:53 a.m. Melissa Downer-Valdez adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Approval of Quarterly Meeting Agenda

A motion was made, Bennett moved, and Downer-Valdez seconded to approve the July 22, 2022 agenda. Voice vote was unanimous.

Approval of meeting summaries from prior Board meetings

Public and Executive Committee and Quarterly Board Meeting summaries from April 8 and 22, 2022. A motion was made, Kopecky moved, and Bennett seconded to approve the draft summaries. Voice Vote was unanimous.

Ratification of licenses issued since previous Board meeting:

Motion to ratify new licenses and permits issued since the last Board meeting. A motion was made, Kopecky moved, and Bennett seconded. Voice Vote was unanimous.

VOTES for disciplinary Action:

2022-03-01: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-03-02: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-03-06: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-03-04: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$4500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$55,000 with \$41,250 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-04: The Board voted to issue a notice for a violation of ORS 688.525(2)(c) and/or 688.525 (2)(f) with a civil penalty in the amount of \$5,000 and a 6-month license suspension.

The Board voted to provide delegated authority to the Executive Director to settle the case as necessary.

Downer-Valdez Recused for Financial Interest

Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$3000. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$38,500 with \$28,875 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(g) and/or ORS 688.252(2)(c) with a civil penalty of \$1,000. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-08: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-04-09: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$4000 with \$3000 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$2000 with \$1000 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-03: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-04: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-05: The Board voted to close the case with no further action. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$4000 with \$3000 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-01-02: The Board voted to withdraw the previously offered settlement agreement and issue a notice of intent for a violation of ORS 688.415(1)(d) with a civil penalty of \$14,500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$1500 with \$500 stayed for 5 years. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$3000 with \$2000 stayed for 5 years. Downer-Valdez Recused for Financial Interest
Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$4000 with \$2000 stayed for 5 years. Injety Recused for Financial Interest
Kopecky moved, and Bennett seconded the motion, Voice vote was unanimous.

Other business:

CEAC:

Discussion concerning LXMO anatomical areas, Physical Therapists performing ultrasound and tech-aids and other subjects outlined in the agenda.

Update from Executive Director:

Stacy updated regarding the Budget,, Staff changes and KPM.

Rulemaking:

1. Discussion to initiate rulemaking:

Consider adopting new rules for Applicants with reinstated credentials 337-010-0052
Consider adopting rule amendment for fixing scrivener's error in 337-010-0051
Consider adopting rule amendment for updating Unprofessional Conduct rules 337-030-0002
Consider adopting rule amendment for updating Civil Penalty Rule 337-030-0010
Consider adopting rule amendment for updating Radiographer Qualifications in rule 337-010-0010

Motions were made and seconded. Voice vote was unanimous.

Strategic Plan:

Injety moved to adopt the presented 2022 Strategic Plan, Bennett seconded. Voice vote was unanimous.

Adjournment: Downer-Valdez adjourned public session at 1:03 p.m.

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

INVESTIGATIVE COMMITTEE – October 7, 2022
Phone-In/Zoom only

COMMITTEE SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Vanessa Bennett, Vice-Chair; Chelsea Pyle, M.D.; Kelli Gilliland

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor; Josh Dieringer, Administrative Specialist

Also in attendance: Alicia Michelson (CFO Analyst)

Vanessa Bennett called the committee into public session at 9.02 a.m. She then called the committee into executive session at 9:08 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 11:11 a.m. Vanessa Bennett adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Committee motions for disciplinary recommendations:

2022-04-07: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000 and take a PBI Medical Ethics & Professionalism course, subject to approval by the Executive Director. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-05-08: The Investigative Committee recommended the Board close the case with no further action. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-10: The Investigative Committee recommended the Board close the case with no further action. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-01: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$21,500 with \$16,125 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-02: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2,000. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-03: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-04: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$5,000 with \$3750 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-06: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$8,500 with \$6375 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-05: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1,000. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-08: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$16,500 with \$12,375 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-07: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1,000. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-10: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$6,500 with \$4875 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-09: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-07-11: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-08: The Investigative Committee recommended the Board close the case with no further action. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-06-09: The Investigative Committee recommended the Board close the case with no further action. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-01: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-02: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-03: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-04: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$3000 with \$2000 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$21,000 with \$15,750 stayed for 5 years. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-05: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$1000. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

The Investigative Committee recommended the Board, in case 2020-12-03 impose the civil penalty amount of \$2,500 for violation of the settlement agreement. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-06: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-08-07: The Investigative Committee recommended the Board close the case with no further action. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-09-01: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-09-02: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-09-03: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

2022-09-05: The Investigative Committee recommended the Board offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Downer-Valdez moved, and Bennett seconded the motion, Voice vote was unanimous.

Other business:

No decisions were made or voted upon.

Public comment from Tracy Cantrell and Sara Davis will present From Providence regarding Sonography training

Adjournment: Vanessa Bennett adjourned public session at 11:40 am

Summary submitted by Stacy Katler

OREGON BOARD OF MEDICAL IMAGING

QUARTERLY BOARD MEETING – October 21, 2022
Phone-In/Zoom only

Quarterly Board Meeting SUMMARY PUBLIC SESSION

Board members in attendance: Melissa Downer-Valdez, Chair; Vanessa Bennett, Vice-Chair; Michelle Injety; Kelli Gilliland; Katrina Wogu; Dr, Nour Birouti; Chelsea Pyle, M.D; Brian Parrott.

Also: Brent Herring (RPS)

Staff in attendance: Stacy Katler, OBMI Executive Director; Angela Hunt, Senior Assistant Attorney General; Thomas King, Health Care Investigator/Advisor; Sarah Anderson, Compliance Specialist; Josh Dieringer, Administrative Specialist

Melissa Downer-Valdez called the committee into public session at 9:08 a.m. She then called the committee into executive session at 9:09 a.m. in accordance with ORS 192.660(2)(L) and ORS 196.660(2)(f). Stacy Katler noted there were no members of the media present. At 11:01 a.m. Melissa Downer-Valdez adjourned executive session and reconvened public session.

All persons present understood the meeting was being recorded.

Approval of Quarterly Meeting Agenda

A motion was made, Bennett moved, and Downer-Valdez seconded to approve the October 21, 2022 agenda. Voice vote was unanimous.

Approval of meeting summaries from prior Board meetings

Public and Executive Committee and Quarterly Board Meeting summaries from July 8 and 22, 2022. A motion was made, Bennett moved, and Downer-Valdez seconded to approve the draft summaries. Voice Vote was unanimous.

Ratification of licenses issued since previous Board meeting:

Motion to ratify new licenses and permits issued since the last Board meeting. A motion was made, Bennett moved, and Downer-Valdez seconded. Voice Vote was unanimous.

Ratification of Licensure Extensions:

Bennett moved, and Downer-Valdez seconded to approve/ratify the extension for Rachel Anderson

VOTES for disciplinary Action:

2022-04-07: The Board voted to offer a settlement agreement for a violation of ORS 688.525(2)(c) with a civil penalty of \$1,000 and take a PBI Medical Ethics & Professionalism course, subject to approval by the Executive Director. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-05-08: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-04-04: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-06-10: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$21,500 with \$16,125 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$2,000. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$5,000 with \$3750 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous. Parrott recused.

2022-07-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$8,500 with \$6375 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1,000. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-08: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$16,500 with \$12,375 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1,000. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-10: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$6,500 with \$4875 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-09: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-07-11: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-06-08: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-06-09: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-04: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$3000 with \$2000 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$21,000 with \$15,750 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$1000. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

The Board voted to, in case 2020-12-03 impose the civil penalty amount of \$2,500 for violation of the settlement agreement. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-08-07: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-01: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-02: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-03: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-04: The Board voted to close the case with no further action. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-05: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(f) with a civil penalty of \$500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-06: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(a) with a civil penalty of \$1500. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

2022-09-07: The Board voted to offer a settlement agreement for a violation of ORS 688.415(1)(d) with a civil penalty of \$16,500 with \$12,375 stayed for 5 years. Bennett moved, and Downer-Valdez seconded the motion, Voice vote was unanimous.

Other business:

Update from Executive Director:

1. Stacy updated regarding the Budget.
2. Discussion regarding forming a Rules Advisory Committee (RAC)

Bennett moved, and Downer-Valdez seconded the motion to form a RAC, Voice vote was unanimous.

3. Consider the Delegated Authority Process

Bennett moved, and Downer-Valdez seconded the motion to continue established process for approving LXMO school instructors. Voice vote was unanimous.

4. Consider Approval of Affirmative Action Statement 2023-2025

Bennett moved, and Downer-Valdez seconded the motion to Approval of Affirmative Action Statement 2023-2025. Voice vote was unanimous.

Rulemaking:

Rules Hearing was completed at 9 am and all materials were provided to the Board.

1. Consider adopting new rules for Applicants with reinstated credentials 337-010-0052
Bennett moved, and Downer-Valdez seconded the motion to adopt new rules for Applicants with reinstated credentials 337-010-0052. Voice vote was unanimous.

2. Consider adopting rule amendment for fixing scrivener's error in 337-010-0051
Bennett moved, and Downer-Valdez seconded the motion to adopt rule amendment for fixing scrivener's error in 337-010-0051. Voice vote was unanimous.

3. Consider adopting rule amendment for updating Unprofessional Conduct rules 337-030-0002
Bennett moved, and Downer-Valdez seconded the motion to adopt rule amendment for updating Unprofessional Conduct rules 337-030-0002. Voice vote was unanimous.

4. Consider adopting rule amendment for updating Civil Penalty Rule 337-030-0010
Bennett moved, and Downer-Valdez seconded the motion to adopt rule amendment for updating Civil Penalty Rule 337-030-0010. Voice vote was unanimous.

5. Consider adopting rule amendment for updating Radiographer Qualifications in rule 337-010-0010.

Discussion resulted in the Board referring this topic to RAC. Injety moved, and Bennett seconded the motion to refer this topic to RAC. Voice vote was unanimous.

6. Consider initiating rulemaking for HB 2359 Health Care Interpreter Rules
Bennett moved, and Downer-Valdez seconded the motion to initiating rulemaking for HB 2359 Health Care Interpreter Rules. Voice vote was unanimous.

7. Consider Rule change proposal from Slocum Orthopedics OAR 337-010-0006(10)
Discussion resulted in the Board referring this topic to RAC. Bennett moved, and Downer-Valdez seconded the motion to refer this topic to RAC. Voice vote was unanimous.

8. In consideration of Providence Request for CE and other rules relating to Sonography: Discussion resulted in the Board referring this topic to RAC. Bennett moved, and Downer-Valdez seconded the motion to refer this topic to RAC. Voice vote was unanimous.

Bennett was excused from meeting at 11:58 am.

Adjournment: Downer-Valdez adjourned public session at 12:00 p.m.

Summary submitted by Stacy Katler