



# **Tennessee Board of Radiologic Imaging and Radiation Therapy**

**Tuesday, July 16, 2019**

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## **MINUTES**

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The meeting of the **Tennessee Board of Radiologic Imaging and Radiation Therapy** was called to order at 9:11 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243.

Board members present: Kae Fleming, RT(R)  
Karen Munyon, BSRT(T) (CT)  
Chester Ramsey, PhD, DABR  
Pamela Ward, RT(R) (M) (CT) (BD) (late arrival)  
Patrick Brazan, CNMT

Board member(s) absent: Gary Podgorski, MD  
Spencer Madell, MD  
Matthew Fakes, RT(R)

Staff present: Angela Lawrence, Executive Director  
Stacy Tarr, Administrative Director  
Candyce Waszmer, Administrative Director  
Peyton Smith, Office of General Counsel  
Rene Saunders, M.D., Medical Consultant  
Tammy Hulsey, Administrator

Karen Munyon called the meeting to order at 9:11 a.m.

A quorum was not present at the start of the meeting but was expected before adjournment. Approval of April 16, 2019 minutes was postponed until a quorum was present.

### **Discussion of Rules**

Kae Fleming had a small formatting error and pointed it out to administrative staff. Everyone voiced their approval with the rules that are in the internal review process.

### **Grandfathering**

Peyton Smith told the Board that there is discussion between the Office of General Counsel and the administrative staff regarding how current licensees will be transferred from the Board of Medical Examiners to this Board and how grandfathering will take place. Mr. Smith hopes to have something to share with you at next meeting. He wanted to make the Board aware of this discussion.

### **Legislative Update 2019: Board of Radiologic Imaging and Radiation Therapy**

The Board was given an opportunity to read over relevant legislation since the last meeting. The legislative liaison will attend the next meeting to go over this legislation.

#### **Public Chapter 610ybO**

This act states that an entity responsible for an AED program is immune from civil liability for personal injury caused by maintenance or use of an AED if such conduct does not rise to the level of willful or wanton misconduct or gross negligence.

This act took effect on March 28, 2019.

#### **Public Chapter 195**

The majority of this act pertains to boards governed by the Department of Commerce and Insurance. One small section applies to the health related boards. Currently, the health related boards have an expedited licensure process for military members and their spouses. Previously, a spouse of an active military member had to leave active employment to be eligible for this expedited process. This act removes that requirement. This section applies to all health related boards. The Commissioner of Health is permitted to promulgate rules, but rules are not needed to implement the act.

This act takes effect July 1, 2019.

#### **Public Chapter 229**

This act allows healthcare professionals to accept goods or services as payment in direct exchange of barter for healthcare services. Bartering is only permissible if the patient to whom services are provided is not covered by health insurance. All barter accepted by a healthcare professional must be submitted to the IRS annually. This act does not apply to healthcare services provided at a pain management clinic.

This act took effect April 30, 2019.

#### **Public Chapter 243**

This act mandates that an agency that requires a person applying for a license to engage in an occupation, trade, or profession in this state to take an examination must provide appropriate accommodations in accordance with the Americans with Disabilities Act (ADA). Any state agency that administers a required examination for licensure (except for examinations required by federal law) shall promulgate rules in regard to eligibility criteria. This legislation was introduced to assist individuals with dyslexia.

This act took effect May 2, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2020.

### **Public Chapter 255**

The act permits a medical professional who has a current license to practice from another state, commonwealth territory, or the District of Columbia is exempt from the licensure requirements of such boards if: (1) the medical professional is a member of the armed forces; and (2) the medical professional is engaged in the practice of the medical profession listed in 68-1-101 through a partnership with the federal Innovative Readiness Training. The respective health boards may promulgate rules for implementation.

This act took effect April 18, 2019 for the purpose of promulgating rules, and for all other purposes, takes effect July 1, 2019.

### **Public Chapter 305**

This act sunsets the Tennessee Radiologic Imaging and Radiation Therapy Board of examiners on June 30, 2020. The Board was inadvertently left out of the sunset cycle upon its creation.

This act was signed into law May 8, 2019.

### **Public Chapter 447**

This act permits law enforcement agencies to subpoena materials and documents pertaining to an investigation conducted by the Department of Health prior to formal disciplinary charges being filed against the provider. This bill was brought by the Tennessee Bureau of Investigation.

This act went into effect May 22, 2019.

### **Application Form**

A discussion began regarding the application form. The Board was presented with a very rough draft of the proposed application form. The current application was used as a template.

Various grammatical and formatting changes were discussed.

Peyton asked for the Board's input regarding notarized copies of documents as presently required. A discussion ensued. It was decided that a statement would be added to the signature page to include that accompanying documents are true and correct. Ms. Tarr added that once the application goes online, notarization of the application is no longer required.

### **Approval of Minutes**

Minutes from November 27, 2018 were presented for approval.

Ms. Kae Fleming made a motion to approve the November 27, 2018 minutes. Dr. Chester Ramsey seconded the motion. The motion passed.

There being no further discussion, the meeting adjourned at 12:40 pm.