



TEXAS BOARD OF MEDICAL RADIOLOGIC TECHNOLOGY
BOARD MEETING MINUTES
June 25, 2021

The meeting was called to order at 9:00 a.m. by Faraz A. Khan, Presiding Officer. Board members present were Jennifer C. Flanagan, MRT, Secretary/Treasurer; Nicholas M. Beckmann, M.D.; Linda Brown; Regan R. Landreth; Scott A. Morren, MRT; Shaila D. Parker; and Carol Waddell, MRT. Melanie “Shannon” Lutz, MRT did not attend. Staff members present were Stephen “Brint” Carlton, J.D., Executive Director; Scott Freshour, J.D., General Counsel; Taurie Randermann, Governmental Affairs and Communication Manager; and various board staff.

Agenda item #2, Board Member Report. Nothing to report.

Agenda item #3, Executive Director Report.

Budget Update. Mr. Carlton reported that the budget is on track.

Internal Audit Update. Mr. Carlton gave an update on the Internal Audit findings and recommendations.

Covid-19. Mr. Carlton reported that majority of staff continue to work from home and

Personnel Update. Mr. Carlton introduced new CFO Zach Chardonnet.

Legislative Update. Mr. Carlton gave an update on the legislative session.

Agenda Item #4 Medical Director Report. Dr. Bredt reported that there is not a need for MRT panelists. TMB is looking into a third-party company that assists in finding experts.

Agenda item #5, Consideration and possible action regarding pending litigation. Mr. Freshour gave a report on pending litigation.

Agenda item #6, Discussion, recommendation and possible action regarding applicants appearing regarding eligibility.

Applicant #2466 appeared on referral by the Executive Director due to the applicant’s disciplinary history. The applicant presented a brief summary and the Committee members asked questions.

Dr. Khan moved, and Ms. Landreth seconded that the Committee close the meeting to the public and continue in Executive Session for deliberations concerning applicant #2466. The motion passed. Dr. Khan stated that the meeting would be closed for deliberations at 9:31 a.m. under the authority of Texas Government Code Chapter 551.071, and that while in executive session, the Board would not take any action, make any decision, or vote with regard to any matter that may be considered or discussed. A certified agenda of any executive session will be made. The executive session ended at 10:03 a.m.

Following discussion **Dr. Beckmann moved that the applicant be granted a Medical Radiologic Technologist Certificate subject to a public, non-disciplinary Remedial Plan with the following terms and conditions:**

- **Within one year from the entry of the remedial plan, completion of at least 2 hours of continuing medical education in the topic of ethics.**
- **Within 180 days of the entry of the remedial plan, payment of the \$500 administrative fee.**

This recommendation is due actions taken by a health care entity against the applicant. **Ms. Waddell seconded the motion.**

Applicant #2471 appeared on referral by the Executive Director due to the applicant's criminal history. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Ms. Parker moved that the applicant be placed on the Non-Certified Radiologic Technician Registry subject to a public Agreed Order subject to the following terms and conditions:**

- **Applicant shall comply with all requirements of the probationary program with Ellis County, Texas.**
- **The order shall auto terminate upon demonstration of successful completion of all the terms of the order.**

This recommendation is based on the applicant's criminal history involving alcohol. Ms. Waddell seconded the motion. All voted in favor. The motion passed.

Applicant #2473 appeared before the Committee to appeal the Executive Director's determination that they be required to practice under a 12-month supervised temporary license due not actively practicing full time since 2006. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Ms. Waddell moved that applicant's appeal be granted and the applicant be granted a Medical Radiologic Technologist Certificate. Ms. Brown seconded the motion. All voted in favor. The motion passed.**

Applicant #2472 appeared before the Committee to appeal the Executive Director's determination that they be required to practice under a 6-month supervised temporary license due not actively practicing full time since 2015. The applicant presented a brief summary and the Committee members asked questions. Following discussion, **Ms. Waddell moved that applicant's appeal be granted and the applicant be granted a Medical Radiologic Technologist Certificate. Dr. Beckmann seconded the motion. All voted in favor. The motion passed.**

Applicant #2469 appeared on referral by the Executive Director due to the applicant's criminal history. The applicant presented a brief summary and the Committee members asked questions.

Following discussion, **Ms. Landreth moved that be granted a Medical Radiologic Technologist Certificate. Ms. Brown seconded the motion. All voted in favor applicant. The motion passed.**

Agenda Item 7, Discussion, recommendation, and possible action regarding proposed orders offered by the Executive Director.
Ms. Unterborn reported on 1 Remedial Plan offered by the Executive Director and accepted by the applicant. Dr. Beckmann moved to recommend that the 1 Remedial Plan be approved. Ms. Waddell seconded the motion. All voted in favor and the motion passed.

Agenda Item #8, Discussion, recommendation and possible action regarding approval, rescinding or denial of program or instructor. There were none.

Agenda item, #9, Report on Program Renewals. Ms. Unterborn reported that since February 5, 2021, 1 program has met all requirements and was approved by the Executive Director.

Agenda item #10, Texas Physician Health Program (TXPHP):

A. Discussion, recommendation and possible action regarding referrals.

19-0212 After discussion, **Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to accept the TXPHP recommendation and to keep the participant with PHP.**

20-0712 After discussion, **Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to accept the referral from TXPHP.**

B. Report on Emergent Referrals. There was 1 emergent referral.

C. Other discussion items.

Agenda item #11, Review, discussion, and possible action regarding selected files and cases.

A. Pre-Investigations

a. Warning Letter (none)

b. Pre-Investigation JNF

After discussion, **Dr. Khan moved, Dr. Beckmann seconded, and the motion passed to approve the selected files and cases as presented.**

B. Files for Review assigned to Committee members

After discussion, **Mr. Morren moved, Dr. Beckmann seconded, and the motion passed to dismiss the files as presented.**

Agenda item #12, Consideration and approval of Determination of Default.

a. Kevin Wayne Anderson, MRT, SOAH #503-21-1037.MRT

b. John W. Dawson, MRT, SOAH #503-21-1040.MRT

c. Kevin Garcia, NCT, SOAH #503-21-1824.NCT

d. Gregory Alan Hampton, MRT, SOAH #503-21-1123.MRT

After discussion, **Ms. Waddell moved, Ms. Landreth seconded, and the motion passed to approve the Determinations of Default.**

There were no items for Agenda items #13.

Agenda item #14, Consideration and approval of Modification Request/Termination Request Orders. After discussion, **Mr. Beckmann moved, Ms. Waddell seconded and the motion passed to approve the Modification Request/Termination Request Orders for Gustavo Garcia, MRT; Jonathan Sanchez, MRT; and Jeffrey W. Edwards, MRT.**

Agenda item #15, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Beckmann moved, Ms. Waddell seconded and the motion passed to approve the Agreed Orders for David Daleth Briones, NCT and Joseph Wesley, MRT.**

Agenda item #16. Discussion, recommendation, and possible action regarding Remedial Plans. After discussion, **Mr. Morren moved, Ms. Waddell seconded, and the motion passed to approve the Remedial plans for Joel J. Olickal, MRT.**

There were no items for Agenda items #17-24.

Agenda item #19, Report on Temporary Suspensions. A report on Temporary Suspensions was presented.

There were no items for Agenda items #26-27.

Agenda item #28, Open forum for public comments. No one signed in for public comments.

Agenda item #29, Nomination and election of officers. Ms. Waddell nominated Dr. Beckmann as Assistant Presiding Officer.

Agenda item #30, Consideration and approval of the February 5, 2021 Board Meeting minutes. After consideration, **Ms. Landreth moved, Ms. Waddell seconded, and the motion passed to approve the February 5, 2021 Board Meeting Minutes and action items.**

Agenda item #31, Adjourn. There being no further agenda items Ms. Landreth moved, Ms. Brown seconded, and the motion passed to end the meeting at 11:55 A.M.