



TEXAS BOARD OF MEDICAL RADIOLOGIC TECHNOLOGY
BOARD MEETING MINUTES
September 25, 2020
Video Conference

The meeting was called to order at 9:06 a.m. by Faraz Adil Khan, M.D., Assistant Presiding Officer. Board members present were Jennifer C. Flanagan, MRT, Secretary/Treasurer; Nicholas M. Beckmann, M.D.; Linda Brown; Regan R. Landreth; Melanie “Shannon” Lutz, MRT; Scott A. Morren, MRT; and Carol Waddell, MRT. Anthony “Tony” Jaso 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 Assistant General Counsels, Sarah Tuthill, J.D.; Wendy Pajak, J.D.; Amy Swanholm, J.D.; and various board staff.

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

Agenda item #3, Executive Director Report.

Budget Update. Mr. Carlton gave a report on the agency’s budget. No action was taken on this agenda item

Internal Audit Update. Mr. Carlton gave a report on the agency’s internal audit. No action was taken on this agenda item.

COVID-19. Mr. Carlton gave a report on the agency’s COVID-19 response. No action was taken on this agenda item.

Radiology Assistant Education. Mrs. Pajak and Mrs. Tuthill presented information regarding Texas law concerning education requirements for Radiology Assistants. No action was taken on this agenda item.

Ms. Flanagan left the meeting at approximately 9:25 a.m.

There were no items for Agenda Item #4.

Agenda Item #5, Consideration and possible action regarding pending litigation. Mr. Freshour gave a report on pending litigation. No action was taken on this agenda item.

There were no items for Agenda Item #6.

Agenda Item #7, Discussion, recommendation and possible action regarding Withdraw and Reapply (WAR) offered by the Licensure Manager. Ms. Unterborn discussed the circumstances under which a WAR might be recommended by the Licensure Chair for applicants in order to remediate falsification of certain categories of information submitted by applicants and proposed that such WARs may be offered by the licensure manager in the specifically delineated circumstances in order to improve efficiencies. After discussion, Mrs.

Waddell moved, Mr. Morren seconded, and the motion passed to approve the process as presented.

Agenda Item #8, Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director. After discussion, **Dr. Beckmann moved, Ms. Lutz seconded, and the motion passed to accept proposed order offered by the Executive Director as presented.**

There were no items for Agenda Item #9.

Agenda Item #10, Texas Physician Health Program (TXPHP).

A. Discussion, recommendation, and possible action regarding referrals Report on Emergent Referrals. Mr. Bernardo gave a brief summary of Case 1. After discussion, **Ms. Waddell moved, Ms. Landreth seconded, and the motion passed to accept the recommendation to return respondent with TXPHP under zero tolerance.**

Mr. Bernardo gave a brief summary of Case 2. After discussion, **Mr. Morren moved, Ms. Lutz seconded, and the motion passed to accept the recommendation to return respondent with TXPHP.**

B. Other discussion items. There were no other discussion items. No action was taken on this agenda item.

Agenda Item #11, Review, discussion, and possible action regarding selected files and cases. After discussion, **Dr. Beckmann moved, Ms. Waddell seconded, and the motion passed to accept selected files and cases for Investigations - Pre-Investigation Process and Legal – Attorney Dismissals, TXPHP Dismissals and Legal Pre-Investigation Dismissal files and cases as recommended. File 20-2878 MRT extracted by Mr. Morren.** After discussion, **Mr. Morren moved, Ms. Lutz seconded, and the motion passed to refer the case to ISC.**

Agenda Item #12, Consideration and approval of Determination of Default. 9:43 a.m.

a. Matthew Davidson, MRT, SOAH #503-20-3139.MRT

b. Tasha Byler, MRT, SOAH #503-20-3958.MRT

c. Alva Moreno, NCT, SOAH #503-20-4407.NCT

d. Dawn Poppleton, MRT, SOAH #503-20-4405.MRT

Susan Rodriguez, Litigation Manager, gave a brief summary of SOAH #503-20-3139.MRT. After consideration, **Ms. Waddell moved, Ms. Landreth seconded, and the motion passed to enter the Determination of Default for Revocation for Matthew Davidson, MRT as presented;**

Susan Rodriguez, Litigation Manager, gave a brief summary of SOAH #503-20-3958.MRT. After consideration, **Ms. Brown moved, Ms. Lutz seconded, and the motion passed to enter the Determination of Default for Revocation for Tasha Byler, MRT;**

Susan Rodriguez, Litigation Manager, gave a brief summary of SOAH #503-20-4407.NCT. After consideration, **Ms. Waddell moved, Ms. Morren seconded, and the motion passed to enter the Determination of Default for Revocation for Alva Moreno, NCT; and**

Susan Rodriguez, Litigation Manager, gave a brief summary of SOAH #503-20-4405.MRT. After consideration, **Ms. Brown moved, Ms. Waddell seconded, and the motion passed to enter the Determination of Default for Revocation for Dawn Poppleton, MRT.**

There were no items for Agenda Item #13.

Agenda Item #14, Consideration and approval of Modification Request/Termination Request Orders. After consideration, **Dr. Beckmann/Ms. Brown moved, Ms. Waddell seconded, and the motion passed to approve the Termination Request Order for Freddie N. Tarver, III, MRT.**

Agenda item #15, Discussion, recommendation, and possible action regarding Agreed Orders. After consideration, **Ms. Waddell moved, Mr. Morren seconded, and the motion passed to accept the Agreed Orders for Lange E. Janise, MRT; Ruben A. Cordova, MRT; Yvonne Demerson, MRT; and Sara A. Madrigal, MRT.**

There were no Agenda Items for #16-24.

Agenda Item #25, Report on Temporary Suspensions. A report on Temporary Suspensions was provided. No action was taken on this agenda item.

There were no items for Agenda Items #26-#28.

Agenda item #29, Open forum for public comments. No one was present for public comments.

Agenda item #30, Consideration and approval of the June 26, 2020 and July 23, 2020 Board Meeting minutes and action items. After consideration, **Ms. Brown moved, Ms. Lutz seconded, and the motion passed to approve the June 26, 2020, and July 23, 2020, Board Meeting minutes and action items.**

There were no items for Agenda Item #31.

Agenda item #32, Adjourn. There being no further agenda items, **Ms. Brown moved, Ms. Waddell seconded, and the motion passed to adjourn the meeting at 9:59 A.M.**