



TEXAS BOARD OF MEDICAL RADIOLOGIC TECHNOLOGY
BOARD MEETING MINUTES
June 28, 2024

The meeting was called to order at 9:04 a.m. by Faraz A. Khan, M.D., Presiding Officer. Board members present were Nicholas M. Beckmann, M.D.; Jennifer Brandt, MRT; Regan R. Landreth; Scott A. Morren, MRT; Shaila D. Parker; Lucy Sisniega; and Carol Waddell, MRT. Melanie “Shannon” Lutz, MRT did not attend. Staff members present were Brint Carlton, J.D., Executive Director; Chris Palazola, J.D., Deputy Executive Director of Operations; Scott Freshour, J.D., General Counsel; and Assistant General Counsels, Yvette Yarbrough, J.D.; Sarah Tuthill, J.D.; and Kemisha Nordstrom, J.D.; and various board staff.

Agenda item #2, Board Member Report. There was nothing to report.

Agenda item #3, Executive Director Report.

Budget Update. Mr. Joey Estrada, CFO, gave an update on the budget.

Internal Audit Update. Mr. Carlton reported that the agency’s Internal Audit on Licensure will take place in July.

Legislative Update. Mr. Carlton reported that the agency is currently working on the LAR.

Rules Update. Mr. Carlton gave an update on the Rules Update.

Agenda item #4, Medical Director Report. Dr. Bredt gave an update on the current needs for expert panelists.

Agenda item #5, Consideration and possible action regarding pending litigation. Mr. Freshour gave an update on pending litigation. No action was taken.

Agenda item #6, Texas Physician Health Program (TXPHP):

A. Discussion, recommendation, and possible action regarding referrals.

After discussion, **Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to accept the recommendation and return case TXPHP 23-0807 MRT back to TXPHP.**

After discussion, **Dr. Beckmann moved, Ms. Parker seconded, and the motion passed to accept the recommendation and accept case TXPHP 22-0904-A MRT.**

After discussion, **Dr. Beckmann moved, Ms. Landreth seconded, and the motion passed to accept the recommendation and accept case TXPHP 23-0711 NCR.**

After discussion, **Dr. Beckmann moved, Ms. Landreth seconded, and the motion passed to accept the recommendation and return case TXPHP 23-0715 MRT back to TXPHP.**

After discussion, **Dr. Beckmann moved, Ms. Sisniega seconded, and the motion passed to accept the recommendation and return case TXPHP 23-0808 MRT back to TXPHP.**

- B. Report on Emergent Referrals.** There were none.
- C. Program Activity Report.** A Program Activity report was presented.
- D. Drug Screening Quarterly Report.** A Drug Screening Quarterly Report was presented.

Agenda item #7, Discussion, recommendation, and possible action regarding applicants appearing concerning eligibility.

Applicant #2608 - appeared to appeal the Executive Director's determination related to active practice. The applicant presented a brief summary, and the Board members asked questions. Following discussion, **Ms. Waddell moved to grant the appeal and grant full MRT licensure contingent on the applicant submitting proof of 24.5 CE hours within 30 days; if proof is not received, the appeal will be denied. Mr. Morren seconded, and the motion passed.**

Agenda item #8, Discussion, recommendation and possible action regarding proposed orders offered by the Executive Director. Ms. Grace Unterborn reported on one Remedial Plan offered by the Executive Director and accepted by the applicant. After discussion, **Dr. Beckmann moved that the Remedial Plan be approved. Mr. Morren seconded the motion. All voted in favor and the motion passed.**

Agenda item #9, Discussion, recommendation, and possible action regarding approval, rescinding or denial of program or instructor. There were none.

Agenda item #10, Report on Program Approvals/Renewals.

Ms. Unterborn reported on three NCT initial program renewals and two NCT renewal program applications approved by the Executive Director.

Agenda item #11, Reports and discussion regarding the Investigation, Litigation and Compliance Departments.

- A. Enforcement Activity Report.** Mr. Palazola presented the Enforcement Activity Report.
- B. Warning Letters Report** Mr. Palazola presented the Warning Letters Report.
- C. Criminal Case Review Report** Mr. Palazola presented the Enforcement Activity Report.
- D. Reports Regarding Cases Over One Year Old** Mr. Palazola presented the Reports Regarding Cases Over One Year Old.
- E. Report on Temporary Suspensions** There were none.
- F. Report on Rehearing Requests** There were none.

Agenda item #12, Consideration and Approval of Membership of the Expert Physician Panel. There were none.

Agenda item #13, Discussion and possible action regarding review of Probationers' Appearances. There were none.

Agenda item #14, Follow up files. There were none.

Agenda item #15 Cases for Dismissal.

After consideration, **Ms. Landreth moved, Ms. Parker seconded, and the motion passed to dismiss the Non-Standard of Care cases assigned to Ms. Landreth.**

After consideration, **Dr. Beckmann moved, Ms. Waddell seconded, and the motion passed to dismiss the Standard of Care cases assigned to Dr. Beckmann.**

After consideration, **Dr. Khan moved, Ms. Parker seconded, and the motion passed to dismiss the Standard of Care cases assigned to Dr. Khan.**

After consideration, **Mr. Morren moved, Ms. Sisniega seconded, and the motion passed to dismiss the Standard of Care cases assigned to Mr. Morren.**

Agenda item #16, Appeals.

After discussion, **Dr. Beckmann moved, Ms. Waddell seconded, and the motion passed to deny the appeal for case 24-3567.**

Agenda item #17, Consideration and approval of Determination or Default. There were none.

Agenda item #18, Consideration and approval of Proposal for Decision. There were none.

Agenda item #19, Consideration and approval of Modification Request/Termination Request Orders. After discussion, **Mr. Morren moved, Ms. Sisniega seconded, and the motion passed to accept the Modification Request/Termination Request Order for Derek Gomez, MRT.**

Agenda item #20, Discussion, recommendation, and possible action regarding Agreed Orders. After discussion, **Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to accept the Agreed Orders for Joshua Briles MRT and Kye Kammel, MRT.**

Agenda item #21, Discussion, recommendation, and possible action regarding Remedial Plans. After discussion, **Dr. Beckmann moved, Ms. Brandt seconded, and the motion passed to accept the Remedial Plan for Edwin Espinosa, MRT.**

There were no Agenda Items for #22-23.

Agenda item #24, Consideration and approval of Cease-and-Desist Orders. After discussion, **Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to accept the Cease-and-Desist Order for Katy Sawyer, MRT.**

There were no Agenda items for #25.

Agenda item #26, Consideration and approval of Consent Orders. After consideration, Ms. Waddell moved, Mr. Morren seconded, and the motion passed to approve the Consent Order for Samantha Zapata, MRT.

Agenda item #27, Report on Cease and Desist Orders approved by Executive Director. A report on Cease and Desist Orders approved by Executive Director was provided.

Agenda item #28, Report on Automatic Orders/Actions. A report on Automatic Orders/Actions was provided.

Agenda item #29, Discussion, recommendation, and possible action regarding the proposed amendments to 22 T.A.C. Chapter 194. Medical Radiologic Technology. Mr. Freshour gave an overview of the proposed amendments to 22 T.A.C. Chapter 194. The board directed staff to take the amendments to the Texas Medical Board for approval of publication.

There were no Agenda Items for #30.

Item #24 was recalled. Dr. Beckman moved to rescind his previous motion, Ms. Parker seconded, and the motion passed. After discussion, Dr. Beckmann moved, Ms. Parker seconded, and the motion passed to deny the Cease-and-Desist Order for Katy Sawyer, MRT and dismiss the case with a warning letter.

Agenda item #31, Open forum for public comments. No one was present to make public comments.

Agenda item #32, Consideration and approval of the February 2, 2024, Board Meeting minutes and action items. After discussion, Dr. Beckmann moved, Mr. Morren seconded, and the motion passed to approve the February 2, 2024 Board Meeting minutes and action items.

Agenda item #33, Adjourn. There being no further agenda items, Dr. Beckmann moved, Ms. Waddell seconded, and the motion passed to adjourn the meeting at 11:00 A.M.