

STATE OF MAINE
RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

Minutes of November 18, 2004

Members Present: Dawn Commune, Chair; Linda Woods, Complaint Officer
Carrie Steele, Terry Zipper, and William Curtis

Others Present: Penny Vaillancourt, Administrator; Dennis Smith, Assistant
Attorney General; Kevin Cookson, OLR Investigator and
Diane Bradstreet, Board Clerk

Members Absent: Brian Brock

CALL TO ORDER

Dawn Commune, Chair, called the meeting to order at 9:00 a.m.

APPROVAL OF MINUTES

In a motion by Terry Zipper, seconded by William Curtis, the Board voted to approve the minutes of the September 16, 2004 meeting as written.

Vote: 5 in Favor

**DISCUSSION/ACTION REGARDING COMPLAINT INVESTIGATION OF
UNLICENSED PRACTICE**

After a review and discussion of the investigative materials, the board concluded that there was sufficient evidence of unlicensed radiologic technology practice against Roger R. Bertin, Jr. at Portland Foot & Ankle, located in Portland, Maine.

Carrie Steele made a motion, seconded by Linda Woods, that the office issue a cease and desist letter to Mr. Bertin and send certified copies of the letter to the three licensed podiatrists at the Portland Foot & Ankle office, and refer the unlicensed practice investigation to the Attorney General's office for criminal prosecution.

Vote: 4 in Favor 1 Recused (Terry Zipper due to conflict of interest)

Carrie Steele made a motion, seconded by Linda Woods, that the board file a complaint against Dr. Danforth DeSena for unprofessional conduct with the Podiatric Medicine Board based upon his supervision of Mr. Bertin and aiding and abetting unlicensed practice.

Vote: 4 in Favor 1 Recused (Terry Zipper due to conflict of interest)

ELECTION OF VICE CHAIR

Terry Zipper made a motion, seconded by William Curtis, to elect Carrie Steele to serve as Vice Chair until the board's next election of officers later this winter.

Vote: 5 in Favor

MISCELLANEOUS

Terry Zipper recommended that the board request a dialogue with the Board of Medicine and the Board of Nursing regarding the scope of practice of radiologic technologists and the apparent conflicts in statute regarding the delegation authority of physicians to hospital staff to position patients, use equipment, and perform x-rays. The board is concerned that the practice in hospital settings and practices in physician offices do not comply with the licensure requirements to perform radiologic technology.

Penny Vaillancourt will follow up with the board regarding this matter.

REVIEW OF RENEWAL APPLICATION

The Board reviewed the application for the renewal of Deidre Ann Kenney's license as a radiologic technologist as well as the documentation of her continuing professional education. The board was able to recognize two (2) Category A credits and twelve (12) Category B credits from the information submitted by Ms. Kenney.

Linda Woods made a motion, seconded by Carrie Steele, that the board offer Ms. Kenney a Consent Agreement in order to re-license her and to ensure her compliance with the continuing education requirements.

Vote: 5 in Favor

CORRESPONDENCE

The board received correspondence from an individual working at The Aroostook Medical Center inquiring about the limitations of a radiology technology aid. A response will be sent informing this person that all activities involved in the utilization of radioactive material and ionizing radiation equipment or ancillary devices including but not limited to adjusting equipment settings, positioning the patient, positioning the equipment or positioning the image receptor must be performed by a licensed radiologic technologist and that a radiology technology aid cannot perform such procedures.

ADMINISTRATOR'S REPORT – PENNY VAILLANCOURT

Ms. Vaillancourt discussed the application review process, JRCERT certification requirements and the challenges with the application review process

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ADJOURN

There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Diane J. Bradstreet
Board Clerk