

New Mexico Environment Department
Medical Imaging and Radiation Therapy
Advisory Council (MIRTAC) Meeting

Amended and Approved Meeting Minutes of the MIRTAC meeting held on
December 18, 2015 at
New Mexico Dona Ana Community College
Central Campus "Main" Building
Academic Conference Room
3400 S. Espina Street
Las Cruces, NM 88003

The meeting of the Medical Imaging and Radiation Therapy Advisory Council (MIRTAC) was called to order on December 18, 2015 at 9:07 a.m. and the meeting was adjourned at 1:27 p.m.

Council members present were:

Darla J. Matthew
Dr. Felipe Lim
Evelyn Vasquez
Daniel Gonzales
Melissa Ham
Amanda Eshom
James Mayer

Council members not present were:

Faye Niesen
Greg Ortega
(Vacant Physician's seat)
(Vacant Physician's seat)

Also present were:

Benn Bonfantini
Tom Brown
Mike Stewart
Jonas Skardis
Salmen Loksen
Annja Cox
Faith Hutson
Christine Lung (Telephonically)
Elizabeth Greer (Telephonically)
Gloria Doherty (Telephonically)
Rebecca Apodaca (Telephonically)
Cynthia Graystone (Telephonically)
Rosewinter Kodzwa (Telephonically)
Tamara Barrett (Telephonically)
Cynthia Gonzalez, Registered Professional Reporter (RPR)
Stephen Sanchez

Item 1: Amanda Eshom motioned to approve the proposed agenda. Dr. Felipe Lim seconded the motion. The motion was passed unanimously.

Item 2: Daniel Gonzales motioned to approve the November 7, 2014 MIRTAC meeting minutes as submitted. Dr. Felipe Lim seconded the motion. The motion was passed unanimously.

Item 3: Election of MIRTAC officer positions was conducted.

Election of MIRTAC Chairperson:

Dr. Felipe Lim nominated Darla Matthew for the position of MIRTAC chairperson.

Danny Gonzales nominated himself for the position of MIRTAC chairperson.

There were two votes for Darla Matthew and there were four votes for Daniel Gonzales.

Daniel Gonzales was elected to serve as the MIRTAC chairperson.

Election of MIRTAC Vice Chairperson:

Darla Matthew nominated Evelyn Vasquez for the position of MIRTAC vice chairperson.

There were no other nominations for the position of MIRTAC vice chairperson.

Evelyn Vasquez was elected unanimously to serve as the MIRTAC vice chairperson.

Election of MIRTAC Secretary:

Melissa Ham nominated Amanda Eshom for the position of MIRTAC secretary.

There were no other nominations for the position of MIRTAC secretary.

Amanda Eshom was elected unanimously to serve as the MIRTAC secretary.

Item 4: The draft version of 20.3.20 NMAC that will be used and referenced during today's December 18, 2016, MIRTAC meeting was posted in the New Mexico Environment Department (NMED), Radiation Control Bureau (RCB), Medical Imaging and Radiation Therapy Program (MIRTP) web page for public viewing. The link's reference name that appeared on that web page was "Discussion DRAFT of the proposed replacement rules to 20.3.20 NMAC that will be used during the December 18, 2015, MIRTAC meeting click here to view the discussion DRAFT". The PDF of that draft contained a total of 19 pages and contained lines numbered from line 1 to line 984. The draft titled "DRAFT – INTENDED TO RESCIND AND REPLACE THE CURRENT PART 20" hereafter referred to as "discussion draft" will be used for any additions, deletions, edits and all other modifications to produce the final proposed draft to repeal and replace 20.3.20 NMAC.

Item 5: Darla Matthew motioned that in accordance with 61-14E-7 NMSA 1978, I move that we approve the ultrasound related Administrative Rules 16.2.18.17 NMAC and 16.2.19.19 NMAC of the Board of Acupuncture and Oriental Medicine, and send them along to the Environment Improvement Board (EIB) for their approval. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 6: Darla Matthew motioned to remove "Accrediting bureau of Health Education Schools (ABHES)" that appeared on page 8, in line 415 in the discussion draft. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 7: Melissa Ham motioned to replace page 4, line 216 through line 220, in the discussion draft with the Joint Review Committee on Education in Radiologic Technology (JRCERT) Standard for an Accredited Educational Program in Radiography, Standard 4.4 Direct Supervision and Standard 4.5 Indirect Supervision. There was no second to the motion. The motion fails.

Item 8: Melissa Ham motioned to restore the word "and" by removing the strikethrough that appears on page 10, in line 522, in the discussion draft. Darla Matthew seconded the motion. The motion passed unanimously.

Unapproved MIRTAC meeting minutes held on December 18, 2016

Item 9: Melissa Ham motioned to remove or strike the recommendation by the Department that appears in red letters, and that states the following: “The department wishes to continue to offer state certification examinations.” that appears on page 9, in line 497 and line 498 in the discussion draft. Darla Matthew seconded the motion. The motion passed unanimously.

Item 10: Melissa Ham motioned to remove “(b) is currently licensed as a medical imaging or radiation therapy professional in another state, provided the license from that state was issued based on qualifications at least as stringent as the standards established by the Act and this part.” that appears on page 10, in line 545 through line 547 in the discussion draft; and, to remove “(b) is currently licensed as a limited practice radiographic technologist or its equivalent in another state, provided the license from that state was issued based on qualifications at least as stringent as the standards established by the Act and this part; and” that appears on page 10, in line 553 through 555 in the discussion draft. Darla Matthew seconded the motion. The motion passed unanimously.

Item 11: Melissa Ham motioned to remove “(3) must physically destroy each temporary certificate of licensure within seven (7) days of the expiration of the temporary certificate of licensure or receipt of a non-temporary certificate of licensure.” that appears on page 12, in line 650 and line 651 in the discussion draft. There was no second to the motion. The motion fails.

Item 12: Melissa Ham motioned to add “The department may require a licensee to submit documentation from the credentialing organization if online verification is not available at the time the licensee’s renewal request is being reviewed.” to part A of section 20.3.20.330 NMAC, to the next line that follows the last period that appears on page 13, in line 725, in the discussion draft. Darla Matthew seconded the motion. The motion passed unanimously.

Item 13: Melissa Ham motioned to add “Legal Name Change” fee in the amount of \$15 per request to section 20.3.20.501 under “Fee.” in the discussion draft. Evelyn Vasquez seconded the motion. The motion passed unanimously.

Item 14: Melissa Ham motioned that 20.3.20.340 “Scope of Practice” that appears on page 13, in line 729 through line 745, be removed and replaced with:

“20.3.20.340 SCOPE OF PRACTICE

A. General Provisions.

~~(1) A medical imaging and radiation therapy licensee functions as a delegated agent of a supervising physician~~

(2) A licensee’s scope of practice is determined based upon the licensee’s education, certification, state and federal law, and facility policy.

(3) Scopes of practice shall follow:

(a) Radiography – the current version of the American Society of Radiologic Technologists Radiography Practice Standards.

(b) Radiation therapy – the current version of the American Society of Radiologic Technologists Radiation Therapy Practice Standards.

(c) Nuclear medicine technology – the current versions of the American Society of Radiologic Technologists Nuclear Medicine Practice Standards or Society of Nuclear Medicine and Molecular Imaging Scope of Practice for Nuclear Medicine Technologists.

(d) Magnetic resonance technology – the current version of the American Society of Radiologic Technologists Magnetic Resonance Practice Standards.

(e) Radiologist assistant – the current version of the American Society of Radiologic Technologists Radiologist Assistant Practice Standards.

(f) Sonography – the current versions of the American Society of Radiologic Technologists Sonography Practice Standards or the Society of Diagnostic Medical Sonography Scope of Practice and Clinical Standards for the Diagnostic Medical Sonographer.

(g) Certificate of limited practice - the current version of the American Society of Radiologic Technologists Limited X-ray Machine Operator Practice Standards.

B. Limited Practice in Radiography. A limited practice in radiography licensee may not:

- (1) perform procedures outside the areas of specialization authorized under the individual's license;
- (2) perform procedures outside their scope of practice including, but not limited to: procedures involving the use of contrast media, fluoroscopic equipment, mammography, computed tomography, mobile or bedside radiography, diagnostic medical sonography, magnetic resonance imaging, nuclear medicine, or radiation therapy.

C. Radiologist Assistant. A radiologist assistant shall practice under the supervision of a radiologist and shall not interpret images, render diagnoses, or prescribe medications or therapies.

D. Sonographer. A sonographer may provide limited non-diagnostic preliminary findings, such as fetal gender, directly to a patient in accordance with written facility policy." in the discussion draft. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 15: Darla Matthew motioned to add "Fusion Imaging (FUS)" to the list of licenses that appears on page 11, in line 582 through line 623 on page 12, under Part 20.3.20.321 section C. "Types of License." in the discussion draft. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 16: Amanda Eshom motioned to replace "computed tomography:" with "fusion imaging:" that appears on page 9, in line 488, in the discussion draft. Evelyn Vasquez seconded the motion. Motion passes. Darla Matthew abstained from voting on the motion.

Item 17: Melissa Ham motioned to replace "(a) registered technologist – computed tomography (ARRT)(CT)." and "(b) certified nuclear medicine technologist (NMTCB)(CT) Restricted to PET CT only:" with "(a) registered technologist – radiography (ARRT)(R) and, (b) registered technologist – nuclear medicine (ARRT)(N); or (c) certified nuclear medicine technologist (NMTCB) and, (d) certified nuclear medicine technologist – computed tomography (NMTCB)(CT) and, (e) restricted to PET CT only." that appears on page 9, in line 489 through line 491, in the discussion draft. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 18: Evelyn Vasquez motioned to approve the discussion draft presented today, December 18, 2015, that has been discussed and edited, with the exception being any additional editing or formatting requirements of this draft that is required by the New Mexico State Commission of Public Records, State Records Center, and Administrative Law Division. These edits shall no way change the content of this final draft of the repeal and replacement of 20.3.20 NMAC, and is hereby recommended by the MIRTAC for consideration and approval by the EIB. Darla Matthew seconded the motion. The motion passed unanimously.

Item 19: Darla Matthew motioned to adjourn. Melissa Ham seconded the motion. The motion passed unanimously.

Item 20: Darla Matthew motioned not to adjourn the meeting. Amanda Eshom seconded the motion. The motion passed unanimously. The meeting was back in session.

Item 21: Darla Matthew motioned to replace "January 1, 2019" with "January 1, 2020" that appears on page 9, line 507 in the discussion draft; and, that appears on page 10, line 562 in the discussion draft. Amanda Eshom seconded the motion. The motion passed unanimously.

Item 22: Amanda Eshom motioned to adjourn the meeting. Darla Matthew seconded the motion. The motion passed unanimously.