



MEMORANDUM

Prepared for: Oregon State Senate
Date: April 27, 2021
By: Leslie Porter, LPRO Analyst
Re: Legislative Review of Executive Appointments

BOARD OF MEDICAL IMAGING

The Governor has appointed the following individual to the Board of Medical Imaging subject to Senate confirmation.¹

Appointees

Vanessa Bennett of Klamath Falls; Reappointment

Term

May 25, 2021 – May 24, 2024

Appointment/Confirmation Authority

[ORS 688.545 \(2019\)](#)

Statement of Economic Interest²

Not required.

Statutory Requirements³

The board consists of 12 members appointed by the Governor and subject to confirmation by the Senate.⁴ Each member of the board must be a resident of this state. Members serve three-year terms and at the pleasure of the Governor.

One member must be a licensed physician who is in good standing and who is a radiologist (WHETSTONE).

Three members must be licensed physicians who are in good standing and who apply to serve on the board in a form and manner prescribed by the board (BIROUTI, HOPKINS, KHAROTI). If the board does not receive a sufficient number of applications to fill these positions, the Governor may appoint the remaining board members from applicants who have been retired for not more than six years and who are either registered with the board as retired emeritus physicians, or who provide the board with notice of retirement. If that fails to yield sufficient applications, the Governor may appoint the remaining board members among any combination of the following:

¹ [Or. Const. art. III sect. 4](#), [ORS 171.562 and 171.565 \(2019\)](#).

² [ORS 244.050 \(2019\)](#).

³ [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

⁴ [ORS 688.545 \(2019\)](#).

- a licensed chiropractic physician who is certified by the American Chiropractic Board of Radiology as a Diplomate of the American Chiropractic Board of Radiology;
- an actively engaged medical imaging licensee;
- a permitted limited X-ray machine operator; or
- a member of the public.

Five members must be actively engaged medical imaging licensees. Licensee members may be selected by the Governor from a list of three to five nominees for each vacancy, submitted by a professional organization representing medical imaging licensees. Licensee members must include one from each of the following medical imaging modalities:

- diagnostic medical sonography and all its subspecialties (COLE);
- magnetic resonance imaging and all its subspecialties (DOWNER-VALDEZ);
- nuclear medicine technology and all its subspecialties (**BENNETT**);
- radiation therapy and all its subspecialties (BETZ); and
- radiography and all its subspecialties (BREEDLOVE).

Three members must be members of the public (BOHLKE, KOPECKY, VOSS). Public members may not be otherwise eligible for appointment to the board or the spouse, domestic partner, child, parent, or sibling of a person issued a license or permit by the board.

The Oregon Health Authority Radiation Protection Services section manager, or a person appointed by that manager, is an advisory member of the board for the purpose of providing counsel and is not entitled to vote.

Duties and Authority

The board regulates the practice of medical imaging in this state. The board must:⁵

- annually elect a board chairperson and a vice chairperson from the voting members of the board;
- meet at least once every three months at times and places designated by resolution;
- issue licenses and permits to individuals who meet the standards administered by the board;
- adopt rules that are necessary to carry out the board's statutory mission;
- establish by rule and collect reasonable fees for specified services;
- approve programs of continuing education in medical imaging modalities and for limited X-ray machine operators;
- oversee examinations given each year for a limited X-ray machine operator permit; and
- require each licensee and permittee to submit evidence of continuing education pertinent to the license or permit.

⁵ [ORS 688.405 to 688.605 \(2019\)](#).

The board may:⁶

- appoint and fix the compensation of an executive director and include reimbursement for actual and necessary travel expenses incurred in the performance of the duties of the director;
- require fingerprints for the purpose of requesting a state or nationwide criminal records check of license applicants, individuals under investigation, and board staff or contractors;
- seek volunteers from the various medical imaging modalities to review and assist in the approval of continuing education credits for their respective medical imaging modalities;
- investigate any alleged violation of the board's statutory authority, including taking evidence and depositions, compelling the appearance of witnesses, requiring answers to interrogatories, compelling production of records and testimony, and requiring a person to undergo a mental, physical, chemical dependency, or competency evaluation at the person's expense when the board has reasonable grounds to believe that the person is or may be unable to practice a medical imaging modality with reasonable skill and safety or may constitute a risk to the public;
- form temporary peer review committees in the relevant modality or subspecialty to advise the board of appropriate disciplinary action;
- establish by rule a process for the imposition of a fine on a licensed or permitted individual for an administrative or clerical violation if the violation does not create a risk of harm to the public;
- waive license requirements for individuals with substantial experience, as determined by the board, practicing the medical imaging modality for which the waiver is sought or who performs that medical imaging modality as an employee of, or under a contract with, a rural hospital;
- issue specified licenses and permits to individuals who meet standards administered by the board; and
- refuse to issue a license or permit to any applicant, refuse to renew the license of any medical imaging licensee or permit holder, or suspend or revoke the license or permit if it makes certain findings after notice and hearings as required under the contested case procedures.

⁶ [ORS 688.405 to 688.605 \(2019\)](#).

Executive Appointments Board Roster

Medical Imaging, Board of

Agency: Oregon Health Authority
Authorization: ORS 688.405-688.605
Members: Min: 12 Max: 12
Term Length: 3 years Limit: 2
Senate confirmation required? Yes

Policy Area: Health

Board Contact:

Stacy Katler
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971-673-0216

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Current Appointments:

Member Name and Address (Alphabetical)

Vanessa R Bennett Nuclear Medicine Technology Term(s): 05-25-2021 - 05-24-2024 05-25-2018 - 05-24-2021	Position Number: 9
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Brad Betz Radiation Therapy Term(s): 04-01-2019 - 03-31-2022 04-01-2016 - 03-31-2019 04-01-2015 - 03-31-2016	Position Number: 7
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Nour Birouti, MD Radiology Term(s): 03-15-2020 - 03-14-2023	Position Number: 11
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Allison E Bohlke Public Member Term(s): 09-25-2020 - 09-24-2023 09-25-2017 - 09-24-2020	Position Number: 4
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Monica A Breedlove Radiography Term(s): 09-19-2020 - 09-18-2023 07-01-2020 - 09-18-2020	Position Number: 6
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Robyn L Cole Sonography Term(s): 10-01-2018 - 09-30-2021 10-01-2015 - 09-30-2018	Position Number: 2
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Melissa L Downer-Valdez MRI Term(s): 06-01-2020 - 05-31-2023 06-01-2017 - 05-31-2020	Position Number: 3
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Executive Appointments Board Roster

Medical Imaging, Board of

Member Name and Address (Alphabetical)

Policy Area: Health

Katharine L Hopkins Physician/Radiologist Term(s): 10-01-2018 - 09-30-2021 10-01-2015 - 09-30-2018	Position Number: 1
Yama K Kharoti, MD Radiology Term(s): 05-15-2019 - 05-14-2022	Position Number: 10
Jeff Kopecky Public Member Term(s): 06-01-2020 - 05-31-2023 06-01-2017 - 05-31-2020	Position Number: 8
Ellen M Voss, JD Public Member Term(s): 09-26-2019 - 09-25-2022 09-26-2016 - 09-25-2019	Position Number: 5
Joe Whetstone, MD Physician (Radiologist) Term(s): 04-01-2021 - 03-31-2024	Position Number: 12