

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

AGENDA

March 9, 2017

Room 106

The Public Session Meeting commenced at 1:09 PM, opened by Board President, Dr. Philip Cohen.

Board members attending were: Drs. Chatter, Friedman, Gottlieb, and Umezurike. Consumer members present were Ms. Frona Kroopnick and Mr. Jay Boyar.

Board staff present: Eva Schwartz, Executive Director, Tony DeFranco, AAG, Board Counsel, Sheri Henderson, Deputy Executive Director, Elizabeth Amspacher, Licensing Coordinator, Danielle Vallone, Board Investigator.

Representing MPMA: Richard Bloch, Executive Director.

Guests present: Drs. LeBow, and Glazer.

Board President, Dr. Philip Cohen, started the meeting by reading the following policy:

COMAR 10.01.14.02.B:

Except in instances when a public body expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not participate in the session.

A. MINUTES:

1. Approval of minutes from February 9, 2017 Meeting

The minutes from the February 9, 2017 meeting were approved unanimously, as submitted.

B. OLD BUSINESS:

1. Review of the Proposed Regulations for COMAR 10.40.01.05 Post-Graduate Clinical

Training

The Board is moving forward with changing the language of COMAR 10.40.01.05 Post- Graduate Clinical Training to state "satisfactory completion of two years in a podiatric post graduate medical education program in medicine and surgery". The change has been submitted and should be open for comments soon.

2. Amendments to the NC Dental Bill

The Board reviewed the amendments that were made to the NC Dental Bill. Specifically, the amendments were as follows:

- 1) Specify that the Office of Administrative Hearings ("OAH") shall conduct the requisite review of a final board action in the State before the action is carried out or implemented by any Board;
- 2) Set forth a process for OAH to conduct its review to include checks for, and identification and management of potential conflicts when the review occurs after a contested case hearing at OAH;
- 3) Clarify that boards may not carry out any final action until after the OAH review has occurred;
- 4) Specify that both the Secretary of DHMH *and* OAH shall adopt implementing regulations, which will include addressing the types of final actions subject to review and the referral process.

Both the Senate and House Bills will have these amendments. The Board supported all the amendments to the Bill and once passed will work on creating new regulations to implement the new NC Dental Bill.

C. NEW BUSINESS:

1. Proposed Regulations regarding Five Year Practice Requirement in lieu of Residency Affidavit

Current regulation states that the Board may waive the requirement of a residency affidavit when applying for a full license at the request of an applicant who has practiced podiatry in another state for at least 5 years immediately before applying for the Maryland license (COMAR 10.40.01.05c). The Board reviewed this regulation and decided there will be no changes made.

The Board created a sub-committee with Drs. Gottlieb and Umezurike to research and present the possibility of creating requirements of what needs to be submitted to prove the five years of experience in lieu of the residency affidavit. The sub-committee will present its ideas and the next Board meeting.

2. HB 1471- Business Occupations and Profession and Health Occupations- Regulation of

Occupational Boards

The Board reviewed HB 1471- Business Occupations and Profession and Health Occupations- Regulation of Occupational Boards and opposed the Bill.

3. HB- 1474- Office of Health Occupations

The Board reviewed HB 1474- Office of Health Occupations and opposed the Bill.

4. SB 745 - Disclosure of Medical Records - Compulsory Process – Timeline

The Board reviewed SB 745- Disclosure of Medical Records- Compulsory Process- Timeline and took no position on the Bill.

5. Advertising Inquiry

The Board received an inquiry regarding approval for a radio advertisement for FX-635 laser treatment that a podiatrist would like to run. In the inquiry it states that the FX-635 laser is the only FDA approved laser for plantar fasciitis. The inquiry was postponed to the next Board meeting pending more research on laser treatments available today.

6. Discussion on relevance of Board Retreat

The Board is discussing a possible option of a Board retreat at Mt. Washington Center in Baltimore.

7. Proposed regulation addressing Active podiatric practice

The Board deferred writing a regulation that will define active practice for a podiatrist pending research of other States regulations on the topic.

8. PDMP Registration with CRISP due July 1, 2017, Mandatory for CDS Permit Holders

The Board was made aware that a licensee that needs to renew their CDS license will NOT be able to unless they are registered with CRISP. The registration for CRISP is due by July 1, 2017.

9. Review for eligibility for FULL License:

a. Daniel Short, D.P.M.

b. Kathleen Bauer, D.P.M.

The above identified licensure candidates were approved unanimously for the issuance of a full Maryland License.

D.OTHER:

1. Dr Gottlieb presented the idea of adding podiatrists to HB-1536-State Board of Physicians- Athletic Trainers- Scope of Practice Bill. Board Counsel informed him that can not be done at this time.

With no further business, the Board meeting concluded at 1:58 PM.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer



