

**BOARD OF PODIATRIC MEDICAL EXAMINERS**  
**OPEN SESSION MEETING**

**April 10, 2014**

**Room 110**

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners (Board) was held on Thursday, April 10, 2014, in Room 110, 4201 Patterson Avenue. The meeting was called to order at 1:10 P.M., by Board President Dr. Jay LeBow. Board members present included: Drs. Craig Friedman, Zachary Chatter, Todd Harrison, and Philip Cohen. Public member of the Board Jay Boyar, EdS was present. Public Board Member Barbara Crosby, RN, BSN was absent. Staff present: Richard Bloom, AAG, Board Counsel, Eva Schwartz, Executive Director, Sheri Henderson, Administrative Officer and Elizabeth Amspacher, Licensing Coordinator. Guests present: Kristen Neville, Boards and Commissions, Chanelle Carter, D.P.M., MPMA representative and Harold Glazer, visiting licensed podiatrist.

**A. MINUTES:**

**1. Approval of minutes from March 13, 2014, Meeting.**

The minutes of the March 13, 2014 meeting were approved as submitted.

**B. OLD BUSINESS:**

**1. Report on Status of SB162/HB 272-Acute Ankle Bills-Passed as amended both Houses**

The Board was informed that Senate Bill 162 and House Bill 272- Acute Ankle Bills have both passed.

**2. Report on Status of SB380/HB302 Cease and Desist-Passed as amended both Houses**

The Board was informed that Senate Bill 380 and House Bill 302- Cease and Desist Bills have both passed.

**3. Proposed Regulations by Board of Pharmacy- COMAR 10.13.01 Dispensing of**

**Prescription Drugs by a Licensee-Board of Pharmacy-On Hold with DHMH**

Eva Schwartz, Executive Director, has been communicating with the Division of Drug Control about the additional increase in Dispensing Permit Fees for a podiatrist because their projected budgeting was incorrectly based on annual collections for the fees not over a five year period, the duration of a dispensing permit.

**4. Inquiry about podiatric supervision during MRI contrast injection for lower leg imaging**

After Discussion, the Board stated that technologists can administer and be supervised by a podiatrist when injecting contrast for a lower leg MRI scan within the scope of podiatric practice. Dr. Friedman stated that there may be Maryland laws on the ownership of an MRI imaging machine. Richard Bloom, AAG, Board Counsel, and Kristen Neville, Boards and Commissions, will look into these laws and report back to the Board at the May meeting.

#### **5. Inquiry about ankle implant/scope of practice**

The topic of an ankle implant under a podiatrist's scope of practice is still under review and was tabled.

#### **6. Groupon-Board Letter by Dr. LeBow**

Board President Dr. Jay LeBow presented the Board with a letter to Groupon along with an article by Judy Wany Mayer title "United States: Health Care Providers' Use of Groupon Stirs up Controversy". After review of the items, the Board will revise the proposed letter and then, with a final approval by Richard Bloom, AAG, Board Counsel, mail the letter to Groupon for a response.

### **C. NEW BUSINESS:**

#### **1. Inquiry from Medicaid about supervision by Podiatrist during Whole Body**

##### **Hyperbaric Oxygen Therapy**

What is the current scope of practice for podiatrists relative to Whole Body Hyperbaric Oxygen Therapy?

The Board reviewed this inquiry and decided podiatric physicians may supervise hyperbaric oxygen therapy if such a service is within their State scope of practice. However, such supervision is only covered/reimbursed when the body area or condition being treated by the hyperbaric oxygen is also within the scope of practice (e.g., a diabetic wound of the leg distal to the mid calf).

Physicians supervising hyperbaric oxygen therapy should be certified in Undersea and Hyperbaric Medicine by the American Board of Emergency Medicine (ABEM) or the American Board of Preventive Medicine (APBM) or must have completed additional training in hyperbaric medicine, such as the 40-hour training required by the ABPM. Advanced Cardiac Life Support (ACLS) training and certification of supervising physicians (and NPPs) is required in physician offices and off-campus hospital sites; and in on-campus provider-based departments for which provider-response time to the chamber can be expected to exceed five minutes.

**Based on CMS LCD of 2011, the Board's determination is retroactive to 5/01/2011.**

#### **2. Supervision of Podiatric Residents and Fellows during Hospital rotations under Limited License**

Eva Schwartz, Executive Director, and Richard Bloom, AAG, Board Counsel, reviewed the law stating supervision requirements for podiatric residents and fellows in hospital rotations under a Limited License. It was determined that a podiatric resident or fellow does not need to be supervised by a licensed podiatrist while rotating in a hospital as a podiatric resident. Subsequently, the Limited Licenses were changed to accommodate this law. The Board approved the changes.

### **3. Review for eligibility for FULL License:**

- a. **Kristy Golden, D.P.M.**
- b. **Minhtam Thai, D.P.M.**
- c. **Taunna Jones, D.P.M.**
- d. **Jay Seidel, D.P.M.**
- e. **Brett Chicko, D.P.M.**
- f. **Jacob Wynes, D.P.M.**

Upon review of the completed and submitted applications for licensure, the Board voted to approve the above identified podiatrists for the issuance of a Maryland Podiatric License.

### **4. Inquiry about vein closures and phlebectomy**

Can a podiatrist, if appropriately trained by a vein specialist, perform vein closure in the foot and ankle and calf and phlebectomy of the foot, ankle, and calf?

The Board reviewed the inquiry and stated that a podiatrist may perform vein closure or phlebectomy as long as it is within the geographic scope of practice (i.e. below the mid calf).

### **D. OTHER:**

1. Eva Schwartz, Executive Director, brought to the attention of the Board that a PMLexis score is required for all new license applications. The Board policy was discussed in the event that a full license applicant can not locate the verification of taking and passing the exam. This topic was moved to the executive meeting.
2. The Board has created a committee to review and amend the Boards regulations as needed. The Board would like to invite Kristen Neville, Boards and Commissions, to the committee meeting.
3. The Board was made aware that any open session meetings may be video taped or live recordings.

**With no further business, the meeting was adjourned at 2:20 p.m.**

CLOSED SESSION: Pursuant to Maryland State Government Annotated "10-501 et seq." the Board unanimously approved a motion to close its meeting at 2:20 p.m., in room 110 for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay H. Boyar", with a large, stylized flourish extending to the right.

Jay H. Boyar, Secretary/Treasurer