

**BOARD OF PODIATRIC MEDICAL EXAMINERS**

**OPEN SESSION MEETING**

**MINUTES**

**May 10, 2018**

**Room 106**

**The Public Session Meeting commenced at 1:04 PM, opened by Board President, Dr. Zachary Chattler.**

**Board members attending were Drs. Cohen, Friedman, Gottlieb and Umezurike. Consumer members present were Frona Kroopnick and Sharon Bunch.**

**Board staff present: Eva Schwartz, Executive Director, Rhonda Edwards, AAG, Board Counsel, Elizabeth Kohlhepp, Licensing Coordinator, and Danielle Vallone, Board Investigator.**

**Representing MDH: Lillian Reese, Legislation, and Sharon Bloom, DOH.**

**Representing MPMA: Stacia Jones, DPM.**

**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 the April 12, 2018 meeting**

The minutes from the April 12, 2018 meeting were approved unanimously, as submitted.

**B. OLD BUSINESS:**

**1. Proposed Regulations defining what is required to prove 5 years of Practice for a Full License  
COMAR 10.40.01.01**

The Board previously voted to propose a new regulation requiring an affidavit during the licensing process to prove five years of active practice immediately preceding the application for licensure. This personal affidavit would be acceptable in lieu of the residency program affidavit, if the applicant chooses to apply via this route. The proposed regulation was printed on March 30, 2018 in the Maryland Register with a comment period that ended on April 30, 2018 with no comments. The regulation is projected to be implemented by July.

**2. Proposed Regulation addressing Active podiatric practice- COMAR 10.40.08.02**

The Board previously voted to propose a regulation to define active practice to be interpreted as requirement of an average 400 working hours of practicing podiatry per year, for five consecutive years. During the AELR Legislative Analyst's review, it was pointed out that the term "practiced podiatry actively" is not used in the Maryland Podiatry Act. The term used is "practiced actively", since this

chapter (COMAR 10.40.08) interprets the terms used in the Maryland Podiatry Act, the Board agreed to make this change to keep the regulations consistent with the Maryland Podiatry Act in the Notice of Final Action. The comment period regarding this proposal ended April 30, 2018 and no comments were received. The proposed regulation will move forward with a projected implementation by July.

### **3. Proposed Amendment to COMAR 10.40.06.03- Advertising Regulation**

The Board previously voted on a proposed amendment to COMAR 10.40.06- Advertising concerning the identification of a podiatrist as such, or as a foot and ankle specialist, or foot and ankle surgeon in advertisements or any media platforms. The proposed regulation has been removed from moratorium, moved through the Governor's Regulatory Review Office for approval, and was submitted to AELR. The proposed regulation will be printed on April 13, 2018 in the Maryland Register for a comment period ending on May 14, 2018.

### **4. SB 1223-Promulgating regulations regarding mandatory CME's required for prescribing and dispensing opioids**

The Board received a copy of HB 1452/SB 1223- Controlled Dangerous Substances Registration- Authorized Providers- Continuing Education. The Bill requires that all CDS permit holders or those applying for a new/initial permit, will be mandated to complete 2 CME credits before initial issuance of permit and at permit renewal, specific to prescribing and or dispensing scheduled drugs. The bill also indicates that failure to do so can lead to ineligibility for renewal of the CDS permit/registration by the Office of Controlled Substance Administration. The Bill will go into effect on October 1, 2018. The Board discussed promulgating regulations for the implementation of the Bill and decided to defer to the Board of Physician's regulations on the topic.

### **5. HB- 1597-Occupational Licenses or Certificates- Application Determinations-**

#### **Use of Criminal History- Reports**

The Board was given a copy of HB-1597-Occupational Licenses or Certificates- Application Determinations- Use of Criminal History. The Governor requested that all Boards report on how many applications were received, how many background checks were positive, and how many times a license has been denied in the past five years based on the applicant's criminal record. Once the information is reviewed, a new Bill will be proposed next legislative session.

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

#### **1. Scope of Practice under a Limited License for Podiatric Residents in an Approved Program**

The Board received an inquiry regarding the scope of practice of podiatric residents holding a Limited License in Maryland.

The Board referred the inquirer to § 16-317. Limited license (c) Scope and COMAR 10.32.12 for regulations governing scope of practice for a podiatric student.

#### **2. Registration with CRISP necessary for Podiatric Residents**

The Board received an inquiry as to whether or not podiatric residents needed to register with CRISP. After discussion the Board concluded that the CRISP registration would fall on the supervising practitioner not the resident.

### **3. Rotating Residents into Maryland, locations while in training**

The Board reviewed its current regulations and policies regarding the disclosure of locations for individual residents while rotating into the State. The Board decided to keep all current regulations and policies in place.

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

**a. Brandy Grahn, DPM**

**b. Brian Tuminski, DPM**

**c. Peter Bellezza, DPM**

**d. Olga Gonzalez, DPM**

**e. Evan Yoo, DPM**

**f. Robert Nwosu, DPM**

**g. Ali Rahnama Vaghef, DPM**

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

**With no further business, the Board meeting concluded at 2:07 PM.**

**Respectfully submitted,**

**Yvonne Umezurike, Secretary/Treasurer**