

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

**May 10, 2012
Room 110**

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners (Board) was held on Thursday, May 10, 2012, in Room 110, 4201 Patterson Avenue. The meeting was called to order at 1:11 P.M., by Board President Dr. Tanya Sellers-Hannibal.

Additionally, Board members present included: Drs. Steve Chatlin, Jay LeBow, Craig Friedman, and Zachary Chatter. Public members of the Board present were Barbara Crosby, RN, BSN and Jay Boyar, EdS.

Staff present: Richard Bloom, AAG, Board Counsel, Eva Schwartz, Executive Director, Sheri Henderson, Administrative Officer and Elizabeth Amspacher, Licensing Coordinator.

Guests present: Lynda McGinnis, D.P.M., Maryland Podiatric Medical Association (MPMA), Kristen Neville, Boards and Commission, Paula Hollinger, DHMH, Sharon Bloom, DHMH, and Harold Glazer, D.P.M., visiting Maryland licensed podiatrist.

A. MINUTES:

1. Approval of minutes from April 12, 2012, Meeting.

The minutes of the April 12, 2012 meeting were approved as submitted.

B. OLD BUSINESS:

1. Dispensing Prescription Drugs by a Licensee Permit

The Board was given a copy of an example Dispensing Permit for informational purposes.

C. NEW BUSINESS:

1. Proposed regulation for Licensure fee for issuance of license in the renewal year

The Board was made aware that sometimes a podiatrist pays the licensure fee of 1050.00 but their state of Maryland license only is Active and valid for one year, whereas other podiatrists pay the 1050.00 licensure fee and have an Active and valid license for two years. New proposed regulations were presented to the Board to show a transfer of money towards the first renewal of a license that was

1050.00 and only Active and valid for one year. The Board approved the proposed regulation.

2. Proposal of CPR regulations requiring concurrent and valid certification throughout the duration of an Active license-NEW LANGUAGE

The Board was presented with new language in the regulations regarding the mandatory CPR. The new regulations state that there must be a didactic and practical component (hands-on) as part of the certification course. The CPR certification must be concurrent and valid at all times with a podiatrist's license. If a CPR card will expire within six months of a license renewal, the podiatrist must give a copy of a new card to the Board. **NO LAPSE** will be allowed without extenuating circumstances and request given to the Board. The proposed regulation passed with one opposition.

3. Deletion of the Blue CME Registration Card requirement from COMAR

The Board was made aware that reference to the Blue CME Registration Card will be taken out of the regulations as they are obsolete. The Board approved the proposed amendment to the regulation.

4. Corporate Name Request- Kevin Thomas, D.P.M.

The Board approved the corporate name Kevin Thomas, DPM PC. The name will be sent to Richard Bloch, Maryland Podiatric Medical Association, for approval.

5. Podologist employment requirements- Katherine Russell, BSc, C.Pod

“I am a graduate of the North American School of Podology. I have completed my BSc. C.Pod and wish to seek employment in the Baltimore, MD area. As a Canadian, I am registered under the Canadian Examining Board of Healthcare Practitioners as a Podologist (International). As a well-trained podiatric assistant, I can work synergistically to provide knowledge and quality palliative footcare to podiatrist's patients.”

After review of this matter the Board stated that in order to be eligible for a Maryland podiatric license, a licensee must have been awarded a DPM degree by a US school that is approved by the Board of Higher Education, and the Council on Podiatric Medical Association. Additionally, at least one year of post DPM training in a Residency Program must have been completed and approved by the Council of Podiatric Medical Education. Thus Ms. Russell would not be a candidate for licensure as a podiatrist according to the Maryland Podiatry Act. Alternately, she can serve as a Podiatric Assistant for a licensed podiatrist. When working as a Podiatric Assistant (no license required for such) Ms Russell would

not be able to perform tasks that are specific to the scope of practice of podiatry. The employer or the supervising podiatrist must adhere to the policy of the insurance carriers for coverage for those services that the Podiatric Assistant performs while in his/her employment.

6. SB 253: Posting Proposed Regulations on Website

The Board was given a copy of SB 253: Posting Proposed Regulations on Website. It was made aware that prior to posting the regulations in the Maryland Register, they must be on the Board's website for three days for a comment period.

7. Inquiry about notification of patients when a podiatric Physician retires or sells the practice.

“Want to know if the board has regulations for notification of patients should a podiatric physician retire or sell his practice. Are there specific timetables for these notifications and is there specific wording to use.”

After review of this matter the Board stated that the Maryland Code Annotated Health General Article 4-403 and the APMA Code of Ethics ME 4.4 and BE 5.21 explains what is the required record keeping practice for a podiatrist who either retires or sells their practice.

It is required for a podiatrist to notify their patients within a reasonable amount of time. The podiatrists must either retain the records themselves, or appoint a custodian to maintain the records for a minimum of 6 years because of HIPAA laws, and additional years for minors. Additionally, they must give notice when the records are going to be destroyed. There is no specific wording required within the notice, just that notifying the patients is required.

An article about “Retention of Medical Records” that was published in the Maryland Podiatric Medical Examiners Fall 2008 Newsletter was referenced.

8. Appropriate acknowledgement of Board membership-Ethics

The Board discussed how it would be appropriate for a former Board member to identify oneself to the public while corresponding with different entities, as well as when serving actively as a Board member. Richard Bloom, AAG, Board Counsel, has presented the State Ethics Committee with the question and will follow up with the Board at the June 14, 2012 meeting.

9. INFORMATIONAL-On June 26, 2012 the Maryland Department of Information Technology (DoIT) will lead the Department of Health and Mental Hygiene's transition from GroupWise to Google Apps for Government.

The Board was made aware of the transition.

10. Review for eligibility for FULL License:

a. Reman Dhaliwal, D.P.M.

The Board reviewed and approved the issuance of a Full license for the above applicant.

With no further business, the meeting was adjourned at 2:00 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 2:00 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,

Jay H. Boyar, Secretary/Treasurer

