

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

**October 13, 2011
Room 110**

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners (Board) was held on Thursday, October 13, 2011, in Room 110, 4201 Patterson Avenue. The meeting was called to order at 1:12 p.m. by President Dr. Tanya Sellers-Hannibal.

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

Staff present: Richard Bloom, AAG, Eva Schwartz, Executive Director, Sheri Henderson, Administrative Officer and Elizabeth Amspacher, Licensing Coordinator. Guests present: Kristen Neville, Boards and Commission, Paula Hollinger, DHMH and Lynda McGinnis, D.P.M., representing the Maryland Podiatric Medical Association (MPMA).

A. MINUTES:

The minutes of the September 8, 2011 meeting were approved as submitted.

B. OLD BUSINESS:

1. Board's sanctioning guidelines – Review sample of Physical Therapy "Chart" format

Kristen Neville informed the Board of Secretary Sharfstein's approval of the chart format for sanctioning guidelines. Board President, Tanya Sellers-Hannibal, has given the Board's legislative liaison, Kristen Neville, the task to transfer the Board's sanctioning guidelines to a chart format. It will then be given to the Board for final approval and submission at the November 10, 2011 Board meeting.

C. NEW BUSINESS:

**1. Proposed Action on Regulations-Freestanding
Ambulatory Care Facilities-COMAR 10.05.01, 10.07.01**

The Board was given for review the amended Proposed Action on Regulations regarding Freestanding Ambulatory Care Facilities-performance evaluation of practitioners. The Board had no comment. Additionally, these proposed regulations have gone forward through the next Departmental process.

2. Scope of Practice Inquiry-Law Firm

Can a Podiatric Medical Assistant use the laser to treat fungal nails, under the supervision of a podiatrist? Definition of supervision needed; and what is the training required for a PMA to perform this procedure? Can the podiatrist bill insurance for the PMA services for such?

After discussion, the Board's response is that there is no definition for a Podiatric Medical Assistant; therefore the Podiatric Medical Assistant may operate the laser machine under the direct supervision of a Podiatrist. The training obtained by the Podiatric Medical Assistant must be the same training as the Podiatrist to operate the machine. The Podiatrist is still responsible for maintaining a medical record as with any patient in the practice. This Board can not comment on the billing issues of this procedure. Proof of proper training by the Podiatric Medical Assistant may be requested by the Board. Five members of the Board agreed to this response, with two members abstaining.

3. HB 114 Progress Report Questions

The Board assigned this task to Eva Schwartz, Executive Director.

4. Scope of Practice Inquiry-Spencer Bolander.

What is the scope of practice, supervision requirements, and duties of a Podiatric Assistant?

- The Board's response: There is no statutory scope of practice for Podiatric Assistants; therefore the appropriate training and delegation of duties and functions is the responsibility of the Podiatrist, and under the license of the podiatrist.

5. CPR Certification Inquiry- Mark Spier, D.P.M.

Why do I need to re-new my CPR card if it is current at the time of my online renewal application?

The Board stated that the CPR certification must be valid as of January 1, 2012, when a Podiatrist's renewed License comes into effect. The date of submission for the application has no bearing on the validation of the CPR certification for licensure.

6. Other

The Board approved its 2012 monthly meeting dates.

With no further business, the meeting was adjourned at 3:05 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 3:05 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

