

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

**November 14, 2013  
Room 110**

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners (Board) was held on Thursday, November 14, 2013, in Room 110, 4201 Patterson Avenue. The meeting was called to order at 1:29 P.M., by Board President Dr. Jay LeBow.

Additionally, Board members present included: Drs. Craig Friedman, Zachary Chatter, Todd Harrison, and Philip Cohen. 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: Paula Hollinger, DHMH, Sharon Bloom, DHMH, Marian Ruth, Board Investigator, and Chanelle Carter, D.P.M., MPMA representative.

**A. MINUTES:**

**1. Approval of minutes from October 10, 2013, Meeting.**

The minutes of the October 10, 2013 meeting were approved as submitted.

**B. OLD BUSINESS:**

**1. Board Groupon Policy**

The topic is tabled until the Board receives Groupon's response with information on their upcoming policies regarding 'fee-splitting' and how they handle/prevent such circumstances.

**2 EMR issues**

The Board discussed how Electronic Medical Record (EMR) companies are holding patients' records hostage due to fees/fines imposed when a podiatrist switches medical records companies. Richard Bloom, AAG, Board Counsel, will research if other medical boards are having the same issues and what the Attorney's General Office can do to stop this from happening. In the meantime, Federal Law states that patients can request their medical records themselves from the Medical Records Companies.

**3. Proposed Legislation for Cease and Desist and Collection of Civil fines for disciplinary action to be assessed by the Board of Podiatry for Special Fund deposit**

The Board has agreed to move forward with proposing legislation for Cease and Desist authority and that the Collection of Civil fines for disciplinary action assessed by the Board of Podiatry, should be deposited in the Special Fund category.

#### **4. Posting about Proctorship on Board website**

The Board was given a copy of a statement about the law prohibiting proctorships in the State of Maryland. This statement was approved by the Board to be posted on the website.

#### **5. Scope of Practice Inquiry**

The Board received an inquiry regarding the process of a Sudo Scan Active Skin Conductance Test, which requires hands to be places on nickel plates, and whether it was within the scope of practice for a podiatrist to perform.

The Board determined that the process of the Sudo Scan Active Skin Conductance Test as described in the inquiry is within the scope of practice for a podiatrist.

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

#### **1. New Licensee Wall Certificates**

The Board discussed whether or not to automatically print wall certificates for new licensees being licensed in the State. It was decided that new licensees will continue to be given the option of obtaining a wall certificate in their welcome letter, but will not be automatically issued a wall certificate without a request.

#### **2. Propose regulations to fine licensees for failure to update the Board with email address**

The Board decided that all parts of the license application needs to include accurate email addresses as well as mailing address and phone number for Board correspondence or there will be fines imposed. The regulations will be changed accordingly.

#### **3. Collection of racial and ethnic data from Initial and Renewal applications for licensure**

The Board was informed that for new licensure applicants the data has been collected and henceforth for the renewal of licenses this data will be collected on an optional basis.

#### **4. Updates on the ongoing Renewal of License process**

Eva Schwartz, Executive Director, expressed her gratitude for all licensees that have already renewed for the 2014-2015 renewal period. The Board noted that all CPR courses listed on renewal applications that do not have a HANDS ON portion will not be accepted as stated in COMAR. The Board also ruled that next renewal period; the listing of Continuing Education Credits (CME) for CPR will have a separate posting area on the application.

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

##### **a. Katherine Raspovic, 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 2:07 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 2:07 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

