

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING VIA GOOGLE MEET

PUBLIC MEETING MINUTES

November 09, 2023

Location: Google Meet meet.google.com/nkt-jiww-tbz

Join by phone: (US) +1 513-816-0886 PIN: 270031357

The Public Meeting commenced at 1:02pm, opened by the Board President, Dr. Aparna Duggirala.

Roll call was initiated by the President.

Board members present: Drs. Yvonne Umezurike, H. David Gottlieb, Bruce Fox, and Adam Silverman.

Consumer Members Present: Ms. Frona Kroopnick. Ms. Lynne Brecker, R.N. was absent.

Board staff present: Elizabeth Kohlhepp, Deputy Executive Director; and Kiana Nicholson, Licensing Coordinator. Eva Schwartz, Executive Director was absent.

Office of the Attorney General: Kristen Fon Lim, AAG, Board Counsel.

Representing MPMA: Mr. Richard Bloch, Executive Director, and Dr. Jay Lebow, MPMA Member.

Guests: Richard Bloch, Esq., Executive Director and Chief Counsel, representing MPMA. Dr Jay LeBow, Director Emeritus, representing FPMB. Zakiyah Holmes- MDH.

Dr. Aparna Duggirala cited 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 October 12, 2023 meeting.

The meeting minutes from the October 12, 2023, public meeting, were approved unanimously, as submitted.

B. BOARD PRESIDENT'S REPORT

Dr. Duggirala thanked the Board for voting her in as President. Dr. Duggirala looks forward to serving.

C. EXECUTIVE DIRECTOR'S REPORT

Ms. Schwartz was absent so there was nothing to report at this time.

D. OLD BUSINESS:

- 1. FINAL AAP Printed: COMAR 10.40.02 Licensing and Continuing Education Requirements (BOARD OF PODIATRIC MEDICAL EXAMINERS)**
Update on final approval in Secretary's Office

Ms. Nicholson shared that FINAL AAP Printed: COMAR 10.40.02 Licensing and Continuing Education Requirements (BOARD OF PODIATRIC MEDICAL EXAMINERS) amendments were adopted as proposed to the Secretary's Office on October 25, 2023. The Regulation was adopted as proposed and will be made final on November 13, 2023. The amended Regulations will be updated in COMAR by the Division of State Documents on the Board's website within the next several weeks.

E. NEW BUSINESS:

- 1. Discussion on Amending the Language for the Civil Settlement Reporting Requirements Application Question**

Ms. Lim shared that medical negligence is different from malpractice in MD. As such, the current wording for the Civil Settlement Reporting Requirements application questions do not specifically ask for civil settlement information. Currently, the question is stated as follows: "Have you been named as a defendant in a filing or settlement of a malpractice action? If yes, submit a current copy of your National Practitioner Data Bank report. (You may call 1-800-767-6732 to obtain information.)". Ms. Lim proposed that the language of the question be amended to the following: "Have you been named as a defendant at any stage of a medical malpractice and/or medical negligence action? If yes, please provide a procedural summary of the matter as well as a current copy of your National Practitioner Data Bank report." The proposed language amendments clarify specific documentation and attestation requirements pertaining to civil settlement reporting. If the civil settlement was previously reported and closed, no new information is required. The information reported is to ensure that civil settlement reporting requirements are disclosed as necessary. Dr. Fox asked if the requirement pertains to a license in any State? Ms. Lim confirmed that any new civil settlements answered "YES" on the application must be disclosed. Dr. Duggirala asked if the question needs to specify if the civil lawsuit is in Maryland. Ms. Lim confirmed that the question does not have to specifically list Maryland; however, disciplinary action is enforced by any court. A motion was moved to implement the proposed amendment language for the civil settlements reporting question on the application as is. Amendments were approved with Drs.

Duggirala, Fox, H. David Gottlieb, Silverman, and Umezurike and Ms. Kroopnick in favor.

F. ADJOURNMENT

With no further business, the Public Session of the Board meeting concluded at 1:21 PM.

Respectfully submitted by Eva Schwartz, Executive Director, Signature and date__

and Elizabeth Kohlhepp, Deputy Executive Director, Signature and date__

Signature by Frona Kroopnick, Board Secretary/Treasurer:__