

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

MINUTES

February 13, 2020

Room 110

The Public Session Meeting commenced at 1:07 PM, opened by Board President, Dr. Yvonne Umezurike.

Board members attending were Drs. Cohen, Silverman, and Gottlieb. Consumer members present were Frona Kroopnick and Sharon Bunch. Board Member Bruce Fox, DPM was absent.

Board staff present: Rhonda Edwards, AAG, Board Counsel, Eva Schwartz, Executive Director, and Elizabeth Kohlhepp, Deputy Executive Director

Representing MPMA: Richard Bloch, Esq., Executive Director, and Dr. Jay LeBow

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 January 9, 2020 meeting

The minutes from the January 9, 2020 meeting were approved unanimously, as submitted.

B. OLD BUSINESS:

1. Proposed Amendment to COMAR 10.40.02.07 – Reinstatement

The Board was informed that the proposal was printed in the January 17, 2020 Maryland Register with the comment period ending February 17, 2020. Ms. Schwartz discussed the expressed concern from the department regarding the word *ethics* being removed from the regulation and reiterated how the exam will still incorporate ethics questions. The Board decided to create a committee to review the exam and verify if it was up to date with current ethics, code of conduct, and scope of practice questions. The committee includes Drs. Umezurike, Cohen, and Gottlieb.

2. SB 103- Health Occupations- Diagnostic Evaluation and Treatment of Patients- Disciplinary Actions (The Patients Access to Integrative Healthcare Act of 2020)

The Board was given SB- 103- Health Occupations- Diagnostic Evaluation and Treatment of Patients- Disciplinary Actions (The Patients Access to Integrative Healthcare Act of 2020) for review. The Bill prevents a Board from taking action against a practitioner for diagnosing a

patient with nonconventional methods as long as the method was completely disclosed to the patient prior to treatment. The Board decided to take no position on the proposed Bill.

3. SB 43- Licensing - Fingerprint Requirement

The Board received SB- 43- Licensing- Fingerprint Requirement for review. The proposed Bill allows an applicant who has previously been fingerprinted as part of a license application within Maryland to be exempt from the requirement in future applications. The Board was made aware that this Bill does not apply to the podiatry profession.

4. HB 428- Health Occupations - Podiatric Physicians

Mr. Bloch updated the Board on the preparation for the hearing for proposed HB 428- Health Occupations- Podiatric Physicians. To date, there are five podiatrists who will be testifying including Board President, Dr. Umezurike, however, the MPMA is expecting some kick back from MedChi. The hearing is scheduled for February 18, 2020 from 1-8 PM.

C. NEW BUSINESS:

1. SB 166- Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances

The Board received a copy of SB 166- Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances for review. In the proposed Bill, podiatrists are not listed as stakeholders. The MPMA will contact the Bills sponsor with the request for an amendment to have podiatrists added. The Board supports the Bill with the amendment.

2. HB 316- Public Health - Schedule II Controlled Dangerous Substances - Partial Filling of Prescriptions

The Board received a copy of HB 316- Public Health - Schedule II Controlled Dangerous Substances - Partial Filling of Prescriptions for review. This Bill gives pharmacy's the control to fill a prescription only partially, then notifying the prescriber of such. The Board has no position on the Bill.

3. HB 317- Mental Health - Involuntary Admissions – Procedures

The Board received a copy of HB 317- Mental Health - Involuntary Admissions – Procedures for review. This Bill allows a physician to refer a patient to a mental health facility. The Board has no position on the Bill.

4. PDMP Proposed Regulations

The Board reviewed the proposed regulations by the PDMP. There are some concerns the Board would like to address, therefore they will be creating a comment to be posted on the proposed regulations once the comment period starts on February 18, 2020. Dr. Umezurike will also be speaking at the next PDMP meeting.

5. HB 483- Administrative Procedure Act – Dispositions and Summary Suspensions – Time Periods

The Board received a copy of HB 483- Administrative Procedure Act – Dispositions and Summary Suspensions – Time Periods for review. The Board decided to join in with the other Health Occupations Boards and oppose the Bill.

6. HB 639- Public Health – Health Care Professionals – Cultural Competency Coursework or Training

The Board received a copy of HB 639- Public Health – Health Care Professionals – Cultural Competency Coursework or Training for review. The Bill requires coursework in cultural competency to be able to obtain privileges at a hospital. The Bill does allow the Board to approve the courses, but they need to be renewed every two years. The Board took no position on the Bill.

7. HB 820- Child Abuse and Neglect – Training of Health Care Professionals

The Board received a copy of HB 820- Child Abuse and Neglect – Training of Health Care Professionals for review. With this Bill, the Board would post training courses and resources on their website for providers on how to report child abuse. The Board voted to support the Bill with two members abstaining.

8. HB 42- Public Information Act – Applications for Inspection – Responses and Time

The Board received a copy of HB 42- Public Information Act – Applications for Inspection – Responses and Time for review. The Bill reduces the time for a “timely response” from 30 days to 7 days. The Board voted to oppose the Bill.

9. Health Occupations, Section 1-607: Mandatory posting in its entirety of a Public Order on the Board's website

The Board was made aware that current statute states:

§1-607. Each health occupations board shall post on the board’s Web site each final, public order for a disciplinary sanction issued to a licensee or certificate holder.

10. SB 871- Mail Order and Specialty Drugs – Physician Dispensing

The Board received a copy of SB 871- Mail Order and Specialty Drugs – Physician Dispensing for review. The Bill regulates how providers proceed with mailing prescription drugs to the patient. The Board took no position on the Bill.

11. Inquiry about Residency Program Completion

The Board reviewed an inquiry regarding whether or not an applicant whose residency program closed prior to completing three full years at the program were still acceptable to apply for a full Maryland State license. The Board stated according to Maryland podiatry regulations as long as an applicant has completed two full years of residency they are able to apply in Maryland.

12. FYI - MPMA day of science March 7th

The annual Day of Science hosted by the MPMA will be on March 7, 2020 and is worth eight (8) in person CME credits for all podiatrists toward the next 2022-2023 license renewal cycle.

13. Review eligibility for FULL License:

a. Asma Khan, DPM

b. Jonathan Dillard, DPM

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

D. OTHER:

1. Ms. Schwartz informed the Board that an audit was currently being conducted on the Board and that all licenses and finances have been accounted for.

2. Ms. Schwartz informed the Board that there will be a proposed Bill to introduce a new licensure system for all Board's but there is not a lot of details about the system to date. She expressed concern about where the financial burden will come from for the new system.

3. The Board received a copy of HB 1586- State Board of Podiatric Medical Examiners – Appointments for review. The Bill requires that four names be nominated for each vacancy slot on the Board. The Board and MPMA opposed the bill.

With no further business, the Public Session of the Board meeting concluded at 2:26 PM.

Respectfully submitted,

Sharon Bunch, Secretary/Treasurer