

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING VIA GOOGLE MEET

PUBLIC MEETING MINUTES

March 09, 2023

Location: Google Meet meet.google.com/hum-pajy-pxa

Join by phone: (US) +1 414-909-5567 PIN: 233566832

The Public Meeting commenced at 1:06pm, opened by the Board President, Dr. H. David Gottlieb.

Roll call was initiated by the Executive Director.

Board members present: Drs. Aparna Duggirala, Bruce Fox, Adam Silverman, and Yvonne Umezurike.

Consumer Members Present: Ms. Frona Kroopnick and Lynne Brecker, RN.

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

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

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

Guests: Zakiyyah Holmes, MDH and Kiana Trent, DPM.

Dr. Gottlieb 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 February 09, 2023, meeting.**

The meeting minutes from the February 09, 2023, public meeting, were approved unanimously, as submitted.

B. BOARD PRESIDENT'S REPORT

A Report by the Board President was not submitted.

C. EXECUTIVE DIRECTOR'S REPORT

1. American Podiatric Medical Association, Inc. Code of Ethics

Ms. Schwartz shared with the Board a copy of the American Podiatric Medical Association, Inc.'s Code of Ethics. The document was shared for informational purposes with intentions to refresh and reinforce what is and what is not acceptable with COMAR regulations.

Dr. Gottlieb posed the question if the APMA Code of Ethics is explicitly listed within the Maryland Code of Regulations. Mr. Bloch, MPMA Executive Director, stated that the regulations are through the Board and the Code of Ethics is only applicable to APMA members. Ms. Lim reiterated that the Board's statutes address Standards of Care which can be extrapolated to include the APMA Code of Ethics, however there are no explicit bonding comments.

Additionally, Ms. Schwartz shared her experience of attending the Podiatric Federation Meeting. Ms. Schwartz shared that the Federation is evaluating how to proceed with reinstating a location for the in-person portion of the Part II Board exam. The Federation is hopeful to reinstate the in-person portion of CPMLE Part II, by 2024.

D. OLD BUSINESS

1. Update on Proposed Regulation Compliance with ADA Laws

Ms. Lim discussed with the Board adding explicit anti-discriminatory and ADA language to the Boards regulations. The proposed regulation was as follows:

The licensee may not:

(5) Practice, condone, facilitate, or collaborate with discrimination on the basis of race, gender, sexual orientation, age, religion, national origin, socioeconomic status, disability, or any other basis proscribed by law;

Ms. Lim suggested that the proposed regulations could be placed within the Boards current COMAR - Code of Ethics as section 10.40.04.04 of the existing regulations. The Board voted to move forward with the proposed regulation.

E. NEW BUSINESS

1. HB 906- Occupational Licensing Certification Criminal History- Prohibited Disclosures and Predetermination Review Process

A copy of HB 906- Occupational Licensing Certification Criminal History- Prohibited Disclosures and Predetermination Review Process was shared with the Board. Ms. Schwartz shared that a committee hearing will be in session today, March 9, 2023, to address how the Boards will handle prospective licensees with criminal history offenses. The Board's drafted a unified letter discussing issues that could arise from the draft Bill for the Board's, which the Board of Podiatry signed on to. Dr. Arpana Singh Verma-

President of the Board of Dentistry, is currently attending the session to explain the position of the Boards.

2. Update on HB 28- Public Health- Implicit Bias Training and the Office of Minority Health and Health Disparities- Presented by Katina R. Nazzario-Joy- MDH

Ms. Katina R. Nazzario-Joy was invited to attend the meeting and discuss what would be expected with the new update on HB 28. Ms. Nazzario-Joy was unable to attend the meeting, therefore, Ms. Schwartz discussed the list of approved implicit bias courses which are listed on the Department of Minority Health and Health Disparities website found at <https://health.maryland.gov/mhhd/pages/implicit-bias-resources.aspx>. Ms. Schwartz reiterated that implicit bias and diversity courses are different. Additionally, Ms. Schwartz mentioned the accessibility of courses via the APMA, MPMA, and Board's websites.

3. H.R. 7939 Veterans Auto and Education Improvement Act of 2022

A copy of H.R. 7939 Veterans Auto and Education Improvement Act of 2022 was shared with the Board. The Bill proposes that a Veteran or a Veterans Spouse, who is currently licensed appropriately in a different State, is eligible to receive a temporary license permit to work within the State of Maryland. There are many concerns surrounding the vetting process of the applications, fees associated in issuing temporary licenses, and the difference of Scope of Practice and Prescribing within the States. Currently, the Board does not allow temporary licenses per their COMAR. The Board voted in favor of putting the discussion of H.R. 7939 on hold until more information becomes available.

4. Specialty Certifying Boards in Podiatric Medicine

Ms. Kohlhepp shared with the Board a copy of Specialty Certifying Boards in Podiatric Medicine. Ms. Kohlhepp reported that at this time the American Board of Podiatric Medicine and the American Board of Foot and Ankle Surgery are the only two Boards eligible for podiatrists to use as a title for Board Certification. For a podiatrist to become certified by either Board, they must graduate from a CPME accredited college, have three years of an approved CPME residency, and must go through an extensive exam process with each Board. After completion of those three requirements, a podiatrist can then use the Specialty Board Certification behind their name.

5. Federation of Podiatric Medical Boards Meeting

Dr. Duggirala reported on her experience at the Federation of Podiatric Medical Boards Meeting stating that it was very informative and well organized.

Additionally, it was discussed that at the Federation meeting the topic of the process for awarding CMEs for live and/or recorded virtual meetings was discussed. There are some concerns regarding the authentication of recording modules for later review.

6. Discussion on Licensing Fee Structure

Ms. Schwartz brought to the Board's attention the structure of how the Board currently is accepting new license application payments based on whether the applicant submits their application in January or July in year one or year two of the licensing cycle. Ms. Schwartz expressed concern that the Board's auditors may feel there is a disconnect in linking the fees and license issuance together and would like to discuss ways to make it clearer. The Board voted to move discussion of licensing fee structure to the next Public meeting.

7. New Licensee Approval

a. James Chung, D.P.M.

The above identified licensure candidate was approved unanimously for the issuance of a full Maryland license.

b. Coralía Terol, D.P.M.

The above identified licensure candidate was approved for the issuance of a full Maryland license with six votes in favor. One Board member abstained from the vote.

c. Jeremy Dublon, D.P.M.

The above identified licensure candidate was approved unanimously for the issuance of a full Maryland license.

d. Nicholas Fifelski, D.P.M.

The above identified licensure candidate was approved unanimously for the issuance of a full Maryland license.

e. Brandon Blanken, D.P.M.

The above identified licensure candidate was approved unanimously for the issuance of a full Maryland license.

8. NPDB March Newsletter- Is It Reportable?

A copy of the NPDB March Newsletter- Is It Reportable was shared with the Board for informational purposes. Ms. Schwartz discussed an insert from the newsletter pertaining to the reposting of Podiatric Public Orders, and the impact of reporting outcomes to NPDB.

F. OTHER

Dr. Umezurike inquired about the Medicare sequestration of income amendment. Mr. Bloch stated that there were no updates at the time. Ms. Lim stated that this was not a Board issue.

G. ADJOURNMENT

With no further business, the Public Session of the Board meeting concluded at 2:10 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:_____