

BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING VIA GOOGLE MEET

AGENDA (AMENDED)

November 09, 2023

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

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

A. ORDER OF BUSINESS

1. Call to Order- Roll Call
2. 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.
3. Approval of minutes from October 12, 2023 meeting Tab A

B. BOARD PRESIDENT'S REPORT

C. EXECUTIVE DIRECTOR'S REPORT

D. OLD BUSINESS:

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

E. NEW BUSINESS:

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

F. ADJOURNMENT



**BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING VIA GOOGLE MEET
PUBLIC MEETING MINUTES**

October 12, 2023

Location: Google Meet meet.google.com/mqk-hsmh-vno

Join by phone: (US) +1 724-370-3801 PIN: 416192987

The Public Meeting commenced at 1:07pm, opened by the Board President, Dr. H. David Gottlieb.

Roll call was initiated by the Executive Director.

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

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

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

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. Lillian Reese- MDH.

Dr. H. David 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 September 14, 2023 meeting.

The meeting minutes from the September 14, 2023, public meeting, were approved unanimously, as submitted.

B. BOARD PRESIDENT'S REPORT

Dr. H. David Gottlieb shared information from the Federation meeting regarding intrastate compact licensing. It appears that the compact will create a central resource for all licensure applications, and will allow podiatrists easy access to licensure in multiple states. The Compact requires that the original licensing state will hold all original license verification materials.

Mr. Bloch shared that several Compacts exist in other states and have worked well in upkeep of documentation and approving licenses. Regardless of the state in which a podiatrist would obtain a license, if licensed in Maryland, such a licensee would be mandated to practice only according to the Maryland Podiatry Act, specifically concerning the scope of practice.

Dr. H. David Gottlieb posed a concern regarding the ability to verify training, and ensure that the Doctors are performing within their privilege.

Dr. Lebow, stated that the Compact is a more streamlined way for the presently Compact licensed doctors to gain licensure in other states. Requirements for enrollment into the Compact may be higher than those of an individual licensing Board. Requirements include Board Certification via APMA or other verified certifying specialty Board, no disciplinary actions, and previous licensure for at least three years in the home state. Although the verification documents are not from a primary source, each state has their own regulations that must be followed. Additionally, the applicant pays an additional fee to the Compact for administrative purposes.

Ms. Schwartz emphasized that the Compact is a big shift in managing the licensing process, especially since the Maryland Board of Podiatry is specially funded and uses primary source verification. The use of primary source verification has been essential in catching mistakes on applications. Additionally, it will require ample time for a Board to adopt the Compact since passing of new legislation and the promulgation of regulations would be required first.

C. EXECUTIVE DIRECTOR'S REPORT

Ms. Schwartz yielded her discussion time to the Board President toward his report.

D. OLD BUSINESS

1. PROPOSAL PRINTED: COMAR 10.40.02 Licensing and Continuing Education Requirements (BOARD OF PODIATRIC MEDICAL EXAMINERS)

Update on positing in Maryland Register for comments

Lillian Reese provided an update on the posting, and processing, of COMAR 10.40.02 Licensing and Continuing Education Requirement. The proposed action was printed in the September 8, 2023 Register. The comment period ended on October 10, 2023. No comments were posted. The Regulation can now move forward to posting as proposed for final action. If the Board approves the regulation as proposed, it can move forward to the Secretary then back to the Maryland Register for finalization.

By a unanimous vote, the proposed regulation was approved unanimously.

2. Update on Federation Meeting for Compact Licensure

The update on the Federation meeting for Compact Licensure was moved to the President's report.

3. FPMB- Department of Veterans Affairs (VA)- National Standards Of Practice- Podiatry

Update from Dr. H. David Gottlieb on the potential, upcoming changes to the VA's Policy in credentialing Residency Programs

At this time, there are no updates to report on the topic.

4. Update on Incorporation of HB 454/SB 187 *Health Occupations - Licenses, Certificates, and Registrations - Lawful Presence and Identification Numbers*

Ms. Schwartz provided an update on the Incorporation of *Health Occupations - Licenses, Certificates, and Registrations - Lawful Presence and Identification Numbers* was posted according to the requirements of law. Additionally, amendments were made to the New License Application as required.

E. NEW BUSINESS

1. License Renewal- Opened on October 10, 2023

Dr. H. David Gottlieb reiterated the opening of annual renewals, and asked that all licensees act accordingly to ensure timely renewal.

Ms. Schwartz shared that the frequency and time required to review CME credits for renewal is difficult. To ensure that CME's are reviewed in a timely manner, Ms. Schwartz inquired if there were any Board members who would like to volunteer. Upon discussion, Dr. Fox and Dr. H. David Gottlieb agreed to assist with the auditing of CME credits process. Ms. Schwartz reiterated that some CME credits submissions received by the Board, will be forwarded to the volunteering Board members.

Additionally, Ms. Schwartz discussed the policies regarding CME approval request submissions. The approval request must be accompanied with a course syllabus and should be emailed directly to her or Elizabeth Kohlhepp, who will then disburse the request to the Board. CME requests are NOT to be submitted directly to the Board members. Additionally, Ms. Schwartz reiterated that all 50 CME credits may be obtained in person or online, however 25 CME credits of the required 50 credits, must be directly related to podiatry.

2. Keeping Ischemic and Threatened Extremities Safe (KITES)- CME Course, October 20-21, 2023

Ms. Schwartz shared that the free, KITES CME course scheduled for October 20-21, 2023 is approved for 14 CME credits in Category A- Podiatric Medicine. Information and a link to the course are posted on the Board's website.

3. Discussion on Board Mandated Self- Reporting Requirements for Licensure

Ms. Lim discussed Board mandated self-reporting requirements for licensure. Ms. Lim stated that a question on the license renewal application states, "Have you been named

as a defendant in a filing or settlement of a malpractice action, not previously disclosed to the Board? If yes, submit a current copy of your National Practitioner Data Bank report". Ms. Lim shared that the Board received an inquiry regarding the terms of confidentiality and when to self-report. Ms. Lim stated that all malpractice cases must be reported to the Board. Any malpractice information not reported to the Board is a violation of the Privacy Act and Board disciplinary guidelines. No malpractice suit is considered confidential, and it is in the best interest of the licensee to submit information regarding the case as reports are automatically sent to the Board. Ms. Lim reiterated that the application does not require an actual report, but requires a summary or case number to retrieve a copy of the file. Further details regarding submission of self-mandated reporting requirements will be discussed further in the Board's Executive Session.

4. Topics Newsletter Highlights- Fall 2023

The Topics Newsletter Highlights were provided for informational purposes.

5. Elections

The election for all Board Officer Positions was held. Ms. Schwartz announced the names of the newly elected officers:

Elected as President, Dr. Aparna Duggirala

Elected as Vice President, Dr. Bruce Fox

Re-elected as Treasurer/Secretary, Frona Kroopnick

CONGRATULATIONS TO ALL!

F. ADJOURNMENT

With no further business, the Public Session of the Board meeting concluded at 1:50 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:__



FINAL AND PROPOSAL

Maryland Register

Issue Date: November 3, 2023

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Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 40 BOARD OF PODIATRIC MEDICAL EXAMINERS

10.40.02 Licensing and Continuing Education Requirements

Authority: Health Occupations Article, §§16-205(a), 16-301, 16-302(h), 16-302.1, 16-303(a), 16-307, 16-308, and 16-311(28), Annotated Code of Maryland

Notice of Final Action

[23-185-F]

On October 25, 2023, the Secretary of Health adopted amendments to Regulation .03 under COMAR 10.40.02 Licensing and Continuing Education Requirements. This action, which was proposed for adoption in 50:18 Md. R. 815 (September 8, 2023), has been adopted as proposed.

Effective Date: November 13, 2023.

LAURA HERRERA SCOTT
Secretary of Health

PROPOSAL

Maryland Register

Issue Date: September 8, 2023

Volume 50 • Issue 18 • Page 815

Title 10

MARYLAND DEPARTMENT OF HEALTH

Subtitle 40 BOARD OF PODIATRIC MEDICAL EXAMINERS

10.40.02 Licensing and Continuing Education Requirements

Authority: Health Occupations Article, §§16-205(a), 16-301, 16-302(h), 16-302.1, 16-303(a), 16-307, 16-308, and 16-311(28), Annotated Code of Maryland

Notice of Proposed Action

[23-185-P]

The Secretary of Health proposes to amend Regulation .03 under COMAR 10.40.02 Licensing and Continuing Education Requirements. This action was considered by the Board of Podiatric Medical Examiners at a public meeting held on June 8, 2023, notice of which was given by publication on the Board's website at <https://health.maryland.gov/mbpme/Pages/index.aspx> pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to provide an option of completing continuing education hours for license renewal online, in addition to in person.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Jourdan Green, Director, Office of Regulation and Policy Coordination, Maryland Department of Health, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to mdh.regs@maryland.gov. Comments will be accepted through October 10, 2023. A public hearing has not been scheduled.

.03 Initial Licensing and License Renewal.

A.—C. (text unchanged)

D. Of the 50 credit hours required under §B(2) of this regulation:

(1) 25 credit hours:

(a) Shall be completed in person *or online*;

(b)—(c) (text unchanged)

(2) [No more than] *The additional required 25 credit hours [shall] may* be completed [online or via]:

(a) *In person*;

(b) *Online*; *or*

(c) *Via* other sources;

(3)—(4) (text unchanged)

LAURA HERRERA SCOTT
Secretary of Health