

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING VIA GOOGLE MEET

AGENDA

May 12, 2022

Location Google Meet: <https://meet.google.com/qou-cfnx-hmw?hs=224>

Join by phone: US) [+1 218-321-0249](tel:+12183210249) (PIN: 169825543)

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 the March 10, 2022 meeting

Tab A

B. BOARD PRESIDENT’S REPORT

C. EXECUTIVE DIRECTOR’S REPORT

D. OLD BUSINESS:

1. None

E. NEW BUSINESS:

1. Summary of 2022 Legislative Session
2. Office of Legislative Audit findings/reports
3. Discussion to create a Legislative Committee
4. Review eligibility for issuance of Full Active Podiatric License:
 - a. Sara Mahmood, DPM

Tab B

Tab C (upload it)

F. ADJOURNMENT

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING VIA GOOGLE MEET

MINUTES

March 10, 2022



Location Google Meet: <https://meet.google.com/ymv-ziyk-ddz?hs=224>

Join by phone: (US) [+1 636-492-2428](tel:+16364922428) (PIN: 129875904)

The Public Meeting commenced at 1:05 PM, opened by the Board President, Dr. Adam Silverman.

Roll call was initiated by the Executive Director.

Board members present: Drs. Gottlieb, Umezurike, Silverman, Fox, and Duggirala.

Consumer Members present: Ms. Frona Kroopnick. Ms. Lynne Brecker, RN was absent.

Board staff present: Eva Schwartz, Executive Director, and Elizabeth Kohlhepp, Deputy Executive Director

Office of the Attorney General: Rhonda Edwards, AAG, Board Counsel

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

Representing MDH: Kim Link, Secretary's Liaison to the Boards and Commissions

Dr. Silverman 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 10, 2022 meeting

The minutes from the February 10, 2022 meeting were approved unanimously, as submitted.

B. BOARD PRESIDENT'S REPORT

Dr. Silverman had nothing to report at this time.

C. EXECUTIVE DIRECTOR'S REPORT

The Board's Continuing Education requirements have been modified for the renewal cycle of 2024-2025, based on the recognized hardship and safety issues ensued by the COVID-19 pandemic. A licensee shall complete not less than fifty (50) credit hours of continuing education accrued during the two (2) year period from December 1, 2021 through December 1, 2023. ALL fifty (50) CME credit hours may be obtained in-person or online, however, twenty-five (25) CME credits must be directly related to the practice of podiatric medicine. All course work submitted to the Board must be pre-approved by the Board. The Board may not accept a submission for continuing education credit of less than half an hour duration. It is a licensee's responsibility to ensure that the offered courses by various sponsors, qualify for continuing education credit. If you have questions about whether a course will meet the continuing education requirements, please contact the Board via email at Elizabeth.Kohlhepp@maryland.gov. Please be advised that a licensee must maintain accurate records of continuing education courses or programs for the preceding 5 years and must make the records available to the

Board or its representatives upon request. Continuing education for license renewal is governed by the Code of Maryland Regulations (COMAR) 10.40.02.

Ms. Schwartz also discussed the mandatory Bias Training CME requirements that will be due for the 2024-2025 renewal cycle. There is a list of courses to fulfill the requirement listed on the Board's website at: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fhealth.maryland.gov%2Fmhhhd%2FDocuments%2FMHHD-Recommended-Health-Equity-Trainings.pdf&cld=124305&chunk=true>.

D. OLD BUSINESS:

1. SB 311/HB 790 -Podiatric Physician Bill Hearings: EHEA 2/10/22, HGO 2/15/22

The Board was made aware that SB 311- Podiatric Physician failed in the Senate.

E. NEW BUSINESS:

1. HB 1455/SB 899-Health Occupations Boards– Authority Over Staffing and Infrastructure Operations

The Board discussed HB 1455/SB 899-Health Occupations Boards– Authority Over Staffing and Infrastructure Operations. The Bill has a purpose of establishing that the Secretary of Health has authority over the infrastructure operations of health occupations boards and commissions; alters the method of selecting officers of certain health occupations boards; establishes procedures for the filling of certain vacancies on a certain health occupations board; requires the Secretary of Budget and Management, in consultation with the Secretary of Health, to determine the positions for which the Secretary of Health may set compensation; prohibits certain special funds from being used to pay for infrastructure operations; and generally relating to the organization and operation of health occupations boards. All the Health Occupation Boards were opposed to the Bill as well as to the introduced amendments. The Bill failed in the Senate, and was not heard in HGO.

F. ADJOURNMENT

With no further business, the Public Session of the Board meeting concluded at 1:33 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: _____

END OF SESSION REPORT — 2022



Bills of Interest

HB 21/SB 133 State Board for the Certification of Residential Child Care Program Professionals - Membership and Official Seal

STATUS: The HB and the SB passed. To be effective 7/1/22.

SYNOPSIS: Repealing the requirement that the Subcabinet for Children, Youth, and Families appoint a member of the State Board for the Certification of Residential Child Care Program Professionals; and repealing the requirement that the Board adopt an official seal.

HB 112/SB 230 Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting

STATUS: HB did not get voted out of HGO Committee. SB passed the Senate but did not get voted out of HGO Committee.

SYNOPSIS: Requiring health occupations boards to issue a temporary license, certificate, registration, or permit to a service member, veteran, or military spouse who meets certain requirements; and prohibiting a health occupations board from issuing a certain temporary license, certificate, registration, or permit if the issuance would pose a risk to public health, welfare, or safety.

HB 155/SB 103 State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists - Revisions

STATUS: The HB and the SB passed. To be effective 7/1/22.

SYNOPSIS: Altering certain requirements for the licensing and regulation of audiologists, hearing aid dispensers, speech-language pathologists, and music therapists, including clarifying quorum requirements for the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists, license reciprocity, professional disciplinary grounds, and delegation authority for audiologists.

HB 173 State Board of Social Work Examiners - Temporary License to Practice Social Work

STATUS: Did not get voted out of HGO Committee.

SYNOPSIS: Authorizing the State Board of Social Work Examiners to issue a temporary license to practice social work if a required examination is unavailable to the applicant for a period of at least 7 days and the applicant has met the appropriate education and experience requirements; and providing that a temporary license authorizes the holder to practice social work only under the supervision of a Board-approved supervisor and is valid until 90 days after the examination becomes readily available to the applicant.

HB 188/SB 120

Acupuncture Licensure Requirements

STATUS: The HB and the SB passed. To be effective 10/1/22.

SYNOPSIS: Altering the education requirements that an applicant for licensure by the State Acupuncture Board must achieve to be issued a license if the license is issued on or before May 31, 2026, and if the license is issued on or after June 1, 2026.

HB 218

Health Occupations – Nursing – Dialysis Technicians

STATUS: Passed with amendments. To be effective 7/1/22.

SYNOPSIS: Establishing a separate category of certified dialysis technicians to be certified by the State Board of Nursing; repealing the requirement that a dialysis technician be a certified nursing assistant except under certain circumstances; altering the composition of the Board advisory committee; and authorizing the Board to conduct survey visits of certified dialysis technician training programs.

HB 220/SB 37

Health Occupations – State Board of Massage Therapy Examiners – Requiring License to Practice and Other Revisions

STATUS: HB and SB passed with amendments. To be effective 10/1/22.

SYNOPSIS: Requiring the State Board of Massage Therapy Examiners to maintain on the Board's website an electronic roster of individuals registered and licensed to practice massage therapy; phasing out the option for an individual to be registered by the Board to practice massage therapy in a setting that is not a health care setting; altering the educational requirements for licensure or registration as a massage therapist to include 750 contact hours in a certain approved curriculum; etc.

HB 226/SB 577

Public Schools - Self-Contained Special Education Classroom Video Recording Pilot Program

STATUS: The HB passed, but a hearing was not held in the EHE Committee. The SB was not voted out of Committee.

SYNOPSIS: Establishing the Self-Contained Special Education Classroom Video Recording Pilot Program for selected public school classrooms in which all of the regularly attending students have a disability and are in that classroom for at least 50% of the instructional day; requiring certain public schools to allow the installation of a video recording device in a certain classroom; requiring notification of the appropriate law enforcement agency on receipt of a complaint of alleged neglect or abuse of a student; etc.

HB 287/SB 243

Secretary of Health - Professional Qualification Requirement

STATUS: The HB passed and the SB did not get voted out of the Finance Committee. To be effective 7/1/22.

SYNOPSIS: Requiring the Secretary of Health to be professionally qualified through certain experience or education in at least one health-related field, health or law policy, health care facilities administration, health economics or financial management, government operations related to health care, or as a health care provider.

HB 407/SB 407

Health Occupations - Health Care Staffing Shortage Emergency - Declaration and Licensing and Practice Requirements (Health Care Heroes Act of 2022)

STATUS: Neither bill was voted out of Committee.

SYNOPSIS: Authorizing the Secretary of Health to declare a health care staffing shortage emergency in the State; requiring each health occupations board to establish processes for the issuance of initial licenses, temporary licenses, and temporary practice letters on an expedited basis during a health care staffing shortage emergency; etc.

HB 421/SB 398

Out-of-State Health Care Practitioners – Provision of Behavioral Health Services via Telehealth – Authorization

STATUS: Neither bill was voted out of Committee.

SYNOPSIS: Authorizing a health care practitioner who is not licensed in the State to provide behavioral health services via telehealth to a patient in the State under certain circumstances; providing that an out-of-state health care practitioner who provides behavioral health services via telehealth to a patient in Maryland shall be held to the same standards of practice applicable to in-person health care settings in the State.

HB 462/SB 159

Health Occupations - Authorized Prescribers - Financial Reporting

STATUS: HB was not voted out of Committee. SB passed the Senate with amendments, but was not voted out of the HGO Committee.

SYNOPSIS: Requiring each authorized prescriber who receives a financial gratuity or incentive from a pharmaceutical distributor or manufacturer to submit to the health occupations board that licenses the prescriber a financial disclosure document within 30 days after the gratuity or incentive is received; requiring each health occupations board that regulates authorized prescribers to review each year all gratuities and incentives that exceed a cumulative amount of \$5,000 per year; etc.

HB 533/SB 523

Occupations and Professions - Licenses, Certificates, and Registration - Immigrants

STATUS: The HB was not voted out of HGO Committee. The SB passed the Senate, but was not voted out of the House Committee,

SYNOPSIS: Prohibiting a State occupational or professional licensing board or other government agency in the State from denying an occupational or professional license, certification, or registration to an immigrant if the individual meets certain requirements.

HB 625/SB 440

Commission to Study the Health Care Workforce Crisis in Maryland - Establishment

STATUS: HB and SB passed with amendments. To be effective 7/1/22.

SYNOPSIS: Establishing the Commission to Study the Health Care Workforce Crisis in Maryland to examine certain areas related to health care workforce shortages in the State, including the extent of the workforce shortage, short-term solutions to the workforce shortage, future health care workforce needs, and the relationship between the Maryland Department of Health and the health occupations boards; and requiring the Commission to report its findings and recommendations to certain committees of the General Assembly by December 31 each year.

HB 790/SB 311

Health Occupations - Podiatric Physicians

STATUS: HB was withdrawn by sponsor and SB received an unfavorable report.

SYNOPSIS: Altering the term "podiatrist" to be "podiatric physician".

HB 830

State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists - Physician Members - Repeal

STATUS: Did not get voted out of the HGO Committee.

SYNOPSIS: Altering the membership of the State Board of Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists, and Music Therapists by removing the physician members.

HB 902

State Board of Professional Counselors and Therapists - Out-of-State Licensing Reciprocity – Study

STATUS: Withdrawn by sponsor.

SYNOPSIS: Requiring the State Board of Professional Counselors and Therapists to conduct a study and make recommendations on licensure reciprocity for out-of-state clinical marriage and family therapists licensed in Virginia and the District of Columbia.

HB 911

Health Occupations - Psychologists - Licensure Qualifications

STATUS: Passed the House with amendments, but did not get voted out of the Senate EHE Committee.

SYNOPSIS: Altering the qualifications an individual must have to be licensed as a psychologist by the State Board of Examiners of Psychologists.

HB 982

Health Occupations - Faith-Based Counseling – Exemption

STATUS: Withdrawn by sponsor.

SYNOPSIS: Establishing an exemption from licensure requirements under the Maryland Professional Counselors and Therapists Act for an individual offering faith-based counseling services in coordination with a religious organization; prohibiting an individual who receives an exemption from offering medical care, medical detoxification, or medical withdrawal services; and authorizing the Maryland Department of Health to revoke an exemption under certain circumstances.

HB 1016/SB 711

Health Occupations - Licensed Athletic Trainers - Dry Needling Approval

STATUS: HB did not get voted out of the HGO Committee. The SB was approved by the Senate with amendments, but was not voted out of House Committee.

SYNOPSIS: Authorizing the State Board of Physicians to register licensed athletic trainers to perform dry needling, a certain type of intramuscular manual therapy involving the insertion of one or more solid needles or a mechanical device into the muscle and related tissues to effect change in the muscle and related tissues.

HB 1034/SB 720

State Board of Examiners of Nursing Home Administrators - Renaming, Licensure of Assisted Living Managers, and Penalties

STATUS: The HB and SB passed with amendments. To be effective 10/1/22.

SYNOPSIS: Renaming the State Board of Examiners of Nursing Home Administrators to be the State Board of Long-Term Care Administrators; establishing a licensing and regulatory system for assisted living managers under the Board; requiring, as of October 1, 2024, an individual to be licensed by the Board before practicing as an assisted living manager; providing that a license expires 2 years from its effective date unless renewed for an additional 2-year term; authorizing the Board to impose certain civil fines under certain circumstances; etc.

HB 1068/SB 113

Local Health Departments, Environmental Health Specialists, and On-Site Sewage Disposal Systems - Systems Standards, Regulations, Applications, and Funding

STATUS: Neither bill was voted out of Committee.

SYNOPSIS: Requiring a database or system created by the Department of the Environment for local health departments to be designed in a certain manner; requiring the Department of the Environment to take certain actions regarding applications for the installation of and associated permits for on-site sewage disposal systems; requiring the approving authority for an application for the installation of an on-site sewage disposal system to provide certain information to an applicant under certain circumstances; etc.

HB 1169

Child Abuse and Neglect - Training of Health Care Professionals

STATUS: Passed the House, but not voted out of the Senate Committee.

SYNOPSIS: Requiring the Maryland Department of Health to provide certain boards that are authorized to take actions against persons who knowingly fail to report suspected child abuse with a list of courses relating to the obligation to report child abuse and neglect and the identification of abused and neglected children; requiring certain boards to post certain information on each board's website, provide information about recommended courses to certain health care professionals, or advertise the availability of certain courses; etc.

HB 1177

Courts - Expert Witnesses - Licensed Certified Social Workers-Clinical

STATUS: Did not get voted out of House Committee.

SYNOPSIS: Altering a provision of law authorizing a licensed psychologist to testify as an expert witness on certain issues in a court or administrative hearing to also include a certified social worker-clinical licensed under the "Maryland Social Workers Practice Act" and qualified as an expert witness.

HB 1241/SB 909

Health Occupations - Nursing Home Administrator - Qualifications

STATUS: HB withdrawn by sponsor. SB not voted out of Senate Finance Committee.

SYNOPSIS: Establishing an exception to the requirement that an individual be licensed by the State Board of Examiners of Nursing Home Administrators before the individual may practice in this State for a person who holds a license in another state and has certain experience; altering the qualifications for applicants for a license to practice as a nursing home administrator; etc.

HB 1346/SB 812

State Government - Cybersecurity - Coordination and Governance

STATUS: HB passed with amendments. SB did not get voted out of Committee. HB to be effective 7/1/22.

SYNOPSIS: Establishing the Office of Security Management within the Department of Information Technology (DoIT); establishing the Cybersecurity Coordination and Operations Unit in DoIT; requiring each unit of the Executive Branch of State government and certain local entities to report certain cybersecurity incidents; requiring the Secretary of Information Technology to develop and maintain a statewide cybersecurity master plan; establishing the Maryland Cybersecurity Coordinating Council; etc.

HB 1364

Health Care Freedom of Conscience Act

STATUS: Did not get voted out of House Committee.

SYNOPSIS: Authorizing health care providers and health care practitioners to decline to participate in a health care service that violates their conscience; authorizing health care payors to decline to pay for health care services or health care products that violate their conscience; establishing certain civil, criminal, and administrative immunity; etc.

HB 1402

Health Care Practitioners – Sexual Abuse – Reporting and Statute of Limitations

STATUS: Did not get voted out of House Committee.

SYNOPSIS: Altering the statute of limitations for prosecuting a certain sexual offense if the offense is committed by a health care practitioner; and requiring health care practitioners who suspect or have reason to believe that a patient is being sexually abused to notify certain individuals or the head of certain hospitals or related institutions or the designee of certain hospitals or related institutions in a certain manner and within a certain time frame.

HB 1455/SB 899

Health Occupations Boards - Authority Over Infrastructure - Staffing and Operations

STATUS: HB was not moved out of Rules Committee. SB received an unfavorable vote in the EHE Committee.

SYNOPSIS: Establishing that the Secretary of Health has authority over the infrastructure operations of health occupations boards and commissions; altering the method of selecting officers of certain health occupations boards; establishing procedures for the filling of certain vacancies on a certain health occupations board; requiring the Secretary of Budget and Management, in consultation with the Secretary of Health, to determine the positions for which the Secretary of Health may set compensation; etc.

SB 77

Health Occupations Boards – Investigations – Right to Counsel

STATUS: Passed the Senate with amendments, but was not voted out of the HGO Committee.

SYNOPSIS: Authorizing a licensee, certificate holder, or registration holder to be represented by counsel during an investigation by a health occupations board that may result in charges or sanctions except under certain circumstances; and authorizing a licensee, certificate holder, or registration holder to have counsel present at any interview conducted by or on behalf of the health occupations board during the investigation.

SB 111

Occupational Licenses or Certificates - Pre-application Determinations - Criminal Convictions

STATUS: Did not get voted out of Senate Committee.

SYNOPSIS: Establishing a process for potential applicants for an occupational license or certificate to obtain a determination, before submitting an application, from a department as to whether certain criminal convictions would be the basis for the denial of an application for a certain occupational license or certificate; requiring a department to provide a determination in writing to the potential applicant; authorizing a department to set a reasonable fee to cover the cost of performing the service; etc.

SB 195

State Board of Examiners of Psychologists - Sunset Extension

STATUS: Passed in House and Senate, but the Senate shortened the 10-year extension to 2 years. The House voted to amend the bill back to its original 10 years. The Senate did not concur with this amendment and requested the House recede to the Senate's position and the House refused. This will go through sunset again in 2023.

SYNOPSIS: Continuing the State Board of Examiners of Psychologists in accordance with the provisions of the Maryland Program Evaluation

Act (sunset law) by extending until July 1, 2033, the termination provisions relating to the statutory and regulatory authority of the Board.

SB 202

State Board of Examiners in Optometry - Sunset Extension

STATUS: Passed in House and Senate, but the Senate shortened the 10-year extension to 2 years. The House voted to amend the bill back to its original 10 years. The Senate did not concur with this amendment and requested the House recede to the Senate's position and the House refused. This will go through sunset again in 2023.

SYNOPSIS: Continuing the State Board of Examiners in Optometry in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending until July 1, 2033, the termination provisions relating to the statutory and regulatory authority of the Board.

SB 209

State Board of Physical Therapy Examiners - Sunset Extension

STATUS: Passed with amendment. To be effective 6/1/22.

The Senate shortened the 10-year extension to 2 years. The House voted to amend the bill back to its original 10 years. The Senate did not concur with this amendment and requested the House recede to the Senate's position and the House agreed. This will go through sunset again in 2023.

SYNOPSIS: Continuing the State Board of Physical Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending until July 1, 2024, the termination provisions relating to the statutory and regulatory authority of the Board.

SB 780

Cybersecurity Governance Act of 2022

STATUS: Did not get voted out of Senate Committee.

SYNOPSIS: Establishing the Office of Security Management within the Department of Information Technology, certain Office positions, and the Maryland Cybersecurity Coordinating Council; establishing certain responsibilities and authority of the Office; centralizing authority and control of the procurement of all information technology for the Executive Branch of State government in the Department of Information Technology; etc.