

BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING VIA GOOGLE MEET

AGENDA (AMENDED)

June 08, 2023

Location: Google Meet meet.google.com/agu-wexa-igb

Join by phone: (US) +1 347-569-5057 PIN: 939062765

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 May 11, 2023 meeting** **Tab A**

B. CONSUMER BOARD MEMBER REPORT

C. EXECUTIVE DIRECTOR'S REPORT

D. OLD BUSINESS:

1. **Review of New DEA Training Requirement for Licensed Practitioners** **Tab B**
 - a. Review of response from James Christina, DPM- Executive Director of APMA **Tab B1**
2. **H.B. 636: Public Information Act- Inspection of Email Addresses And Telephone Numbers**
 - a. Update by Board Counsel on the allowable release of information.
3. **SB: Health Occupations- License, Certifications, and Registrations- Immigrants Lawful Presence and Identification Numbers**
 - a. Update by Board Counsel to ensure that the Board's current requirements are in compliance.

E. NEW BUSINESS:

1. Discussion on End of Online Waiver for 50 CME Credits

- a. Compliance with CME Regulations effective December 1, 2023

**2. Discussion on Amending COMAR Regulation Language for the
CME Credit Accrual Requirement**

Tab C

3. New Licensee Approval

- a. Nishani Kuruppu, D.P.M.
- b. Jin Cho, D.P.M.
- c. Kyle Miller, D.P.M.
- d. Sang Kim, D.P.M.
- e. Kyung Seo, DPM
- f. **Nnaemeka Uzomah, D.P.M.**
- g. **Amir Baharloo, D.P.M.**
- h. **Jonathan Furmanek, D.P.M.**

F. ADJOURNMENT

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING VIA GOOGLE MEET

PUBLIC MEETING MINUTES

May 11, 2023



Location: Google Meet <https://meet.google.com/tck-zqnx-pec>

Join by phone: (US) +1 339-545-2593 PIN: 246498111

The Public Meeting commenced at 1:03pm, 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. Ms. Lynne Brecker, RN was absent.

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 DPM. Kim Link-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 March 09, 2023 meeting.

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

B. BOARD PRESIDENT'S REPORT

A report was not presented by the Board President.

C. EXECUTIVE DIRECTOR'S REPORT

1. Update on HB 28- Public Health- Implicit Bias Training and the Office of Minority Health and Health Disparities

Ms. Schwartz shared updates on HB 28- Implicit Bias Training and the Office of Minority Health and Health Disparities. A statement was issued to all Board Executive Directors that all Implicit Bias CME's must be approved by the Office of Minority Health and Health Disparities. Ms. Schwartz reiterated that the mandatory Implicit Bias training and Diversity, Equity, and Inclusion training are separate entities. It is recommended that licensees receive pre-approval by the Board or ask the Implicit Bias Training Office's staff directly to approve the course.

Ms. Schwartz also reminded the Board of the meeting with Secretary Herrera Scott to be held on Monday, May 22, 2023. Attendees are asked to accept the invitation, and share their thoughts.

Ms. Schwartz announced that the Executive Directors will be meeting again regarding the explanation of purview of responsibilities or shared responsibilities, as cited by the Legislative Auditors. The Board is currently meeting compliance; however, repeat cited deficiencies will not change unless all the Boards meet the audit requirements. The Office of Legislative Auditors will tr-audit the Boards in September of 2023, to ascertain if the Boards are operating as stated in their respective corrective action plans.

D. OLD BUSINESS

1. Update on Proposed Regulation Compliance with ADA Laws

The topic of "Update on Proposed Regulation Compliance with ADA Laws" was removed from the Agenda.

E. NEW BUSINESS

1. Federation of Podiatric Medical Boards(Federation)- Federal and State Legislative Updates

Dr. Jay Lebow, MPMA, shared updates and insights from the Federation's meeting. Several Podiatric Medical Boards have been absorbed by their respective State's Medical Boards. For the decisions to be reversed, each State must move to vote and present concerns to their legislative body.

Dr. Lebow also announced that the Federation is researching the use of a Continuing Education (CE) broker. The CE broker will act as a repository for podiatrists' CE credits and CE education. There are several States that currently mandate that CE credits be kept in the database.

Additionally, Dr. Lebow shared that according to his understanding, the State of Maryland recently signed a Memorandum of Understanding with Virginia and

Washington DC, that a licensee in any of the states identified in the MOU can receive a license by endorsement or reciprocity based on a an initial license issued in any of these states. Ms. Schwartz informed the Board that the Board of Podiatry statutes do not allow for reciprocity or endorsement, and that the Maryland Board of Podiatry did Not sign the MOU allowing for such. In order for such a process to be considered in Maryland, the Maryland Board of Podiatry will need to pursue legislative and regulatory changes.

Lastly, Ms. Schwartz posed the question if there were any updates on the administering of hands-on Part II of the AMPLE. Dr. Lebow stated that he is working with colleagues to determine if modifications can be made to administer the exam at Podiatric Medical Schools.

2. H.B. 636: Public Information Act- Inspection of Email Addresses And Telephone Numbers

Ms. Schwartz shared that HB 636: Public Information Act- Inspection of Email Addresses and Telephone Numbers passed. The new legislation requires that all PIA used for communication must be reported for compliance. PIA includes business email and physical mailing addresses used for communication. Ms. Lim will review the full text of the Legislation to clarify the allowable release of information. Additionally, Ms. Schwartz stated that all new applications for the October 2023 license renewal will be updated to reflect the request to comply with HB 636.

3. SB 187: Health Occupations- License, Certifications, and Registrations- ~~Immigrants~~ Lawful Presence and Identification Numbers

Ms. Schwartz shared that SB 187: Health Occupations- License, Certifications, and Registrations- ~~Immigrants~~ Lawful Presence and Identification Numbers passed. The bill requires licensing Boards to revise their applications to include a Social Security number, Tax ID, or Federal approved identification number for applicant verification. Ms. Schwartz will work with Ms. Lim to ensure that the Board's current requirements are in compliance.

4. Topics Newsletter Highlights-Spring 2023

The Topics Newsletter Highlights- Spring 2023 was provided for informational purposes.

Additionally, Ms. Schwartz suggested reading the HIPAA update and drug transmission sections for compliance updates.

5. NPDB April Highlights

The NPDB April Highlights were provided for informational purposes only.

6. New Licensee Approval

a. Olivia Hammond, D.P.M.

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

b. Jared Melman, D.P.M.

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

c. Gina Zigerelli, D.P.M.

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

d. Alexander Lakner, D.P.M.

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

e. Hayden Hoffler, D.P.M.

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

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:___



U. S. Department of Justice
Drug Enforcement Administration
8701 Morrisette Drive
Springfield, Virginia 22152



www.dea.gov

DEA Registered-Practitioners

Dear Registrants:

On December 29, 2022, the Consolidated Appropriations Act of 2023 enacted a new **one-time**, eight-hour training requirement for all Drug Enforcement Administration (DEA)-registered practitioners on the treatment and management of patients with opioid or other substance use disorders. Below is information on this new requirement.

Who is responsible for satisfying this new training requirement?

- All DEA-registered practitioners, with the exception of practitioners that are solely veterinarians.

How will practitioners be asked to report satisfying this new training requirement?

- Beginning on June 27, 2023, practitioners will be required to check a box on their online DEA registration form—regardless of whether a registrant is completing their initial registration application or renewing their registration—affirming that they have completed the new training requirement.

What is the deadline for satisfying this new training requirement?

- The deadline for satisfying this new training requirement is the date of a practitioner's next scheduled DEA registration submission—regardless of whether it is an initial registration or a renewal registration—on or after June 27, 2023.
- This one-time training requirement affirmation will not be a part of future registration renewals.

How can practitioners satisfy this new training requirement?

There are multiple ways that practitioners can satisfy this new training requirement.

- First, the following groups of practitioners are deemed to have satisfied this training:
 1. **Group 1:** All practitioners that are board certified in addiction medicine or addiction psychiatry from the American Board of Medical Specialties, the American Board of Addiction Medicine, or the American Osteopathic Association.
 2. **Group 2:** All practitioners that graduated in good standing from a medical (allopathic or osteopathic), dental, physician assistant, or advanced practice nursing school in the United States within five years of June 27, 2023, and successfully completed a comprehensive curriculum that included at least eight hours of training on:

- Treating and managing patients with opioid or other substance use disorders, including the appropriate clinical use of all drugs approved by the Food and Drug Administration for the treatment of a substance use disorder; or
 - Safe pharmacological management of dental pain and screening, brief intervention, and referral for appropriate treatment of patients with or at risk of developing opioid and other substance use disorders.
- Second, practitioners can satisfy this training by engaging in a total of eight hours of training on treatment and management of patients with opioid or other substance use disorders from the groups listed below. A few key points related to this training:
 1. The training does not have to occur in one session. It can be cumulative across multiple sessions that equal eight hours of training.
 2. Past trainings on the treatment and management of patients with opioid or other substance use disorders can count towards a practitioner meeting this requirement. In other words, if you received a relevant training from one of the groups listed below—prior to the enactment of this new training obligation on December 29, 2022—that training counts towards the eight-hour requirement.
 3. Past DATA-Waived trainings count towards a DEA registrant’s 8-hour training requirement.
 4. Trainings can occur in a variety of formats, including classroom settings, seminars at professional society meetings, or virtual offerings.

What accredited groups may provide trainings that meet this new requirement?

- The American Society of Addiction Medicine (ASAM)
- The American Academy of Addiction Psychiatry (AAAP)
- American Medical Association (AMA)
- The American Osteopathic Association (AOA), or any organizations accredited by the AOA to provide continuing medical education
- The American Dental Association (ADA)
- The American Association of Oral and Maxillofacial Surgeons (AAOMS)
- The American Psychiatric Association (APA)
- The American Association of Nurse Practitioners (AANP)
- The American Academy of Physician Associates (AAPA)
- The American Nurses Credentialing Center (ANCC)
- Any other organization accredited by the Accreditation Council for Continuing Medical Education (AACCME) or the Commission for Continuing Education Provider Recognition (CCEPR), whether directly or through an organization accredited by a State medical society that is recognized by the ACCME or CCEPR
- Any other organization approved or accredited by the Assistant Secretary for Mental Health and Substance Use, the ACCME, or the CCEPR

We hope this information is helpful. For information regarding the DEA Diversion Control Division, please visit www.DEAdiversion.usdoj.gov. If you have any additional questions on this issue, please contact the Diversion Control Division Policy Section at (571) 362-3260.

Sincerely,

THOMAS
PREVOZNIK

Digitally signed by
THOMAS PREVOZNIK
Date: 2023.03.27
16:37:23 -04'00'

Thomas W. Prevoznik
Acting Assistant Administrator
Diversion Control Division



Kiana Nicholson -BDCOMM- <kiana.nicholson@maryland.gov>

MATE ACT

Eva Schwartz -BDCOMM- <eva.schwartz@maryland.gov>
To: Kiana Nicholson -BDCOMM- <Kiana.nicholson@maryland.gov>

Wed, May 31, 2023 at 9:14 AM

----- Forwarded message -----

From: **James R. Christina, DPM** <jchristina@apma.org>
Date: Thu, May 18, 2023 at 2:08 PM
Subject: RE: MATE ACT
To: Eva Schwartz -BDCOMM- <eva.schwartz@maryland.gov>

Hi Eva,

Podiatry was not left out of the MATE requirements, it is just that our accrediting body, CPME, was not included so currently no programs provided by CPME recognized providers of continuing education would count towards the MATE requirements. We are approaching this on two fronts. We are asking the US Congress to provide a technical correction to include CPME and list APMA and we are asking SAMSHA who under the law can authorize other entities to provide this education to recognize CPME and their approved sponsors of CME. Our initial conversations with SAMSHA have been less than encouraging as they claim it will require rulemaking that could potentially take years to achieve. As far as a congressional technical correction, we are in contact with the sponsor of the bill, but no technical correction has taken place to date. So the short answer is that there is currently no change to the law.

Fortunately, the Maryland Board of Podiatric Medical Examiners has the ability to review a program and approve it for credit towards license renewal. There are many free resources for the MATE education, but there are ACCME accredited and for some states their statute specifically states CPME approved sponsors of CME. APMA has not yet developed or released a CME program specific to the MATE act so I am not sure what programs your board has approved. I know of at least one CME provider that has partnered with an ACCME provider, so with the dual recognition of an ACCME provider and a CPME provider it covers both MATE and licensure requirements.

I hope this helps and that you are doing well,

Jim

James R. Christina, DPM

Executive Director/CEO

American Podiatric Medical Associationwww.apma.org

Phone: 301-581-9265

Email: jchristina@apma.org

Hours: 8 a.m.-4 p.m. ET



ATTACHMENT C

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

.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) Shall be directly related to the practice of podiatric medicine; and

(c) May include:

(i) The cardiopulmonary resuscitation (CPR) certification required in §B(6) of this regulation;

(ii) Attendance at programs offered at professional or scientific meetings of local, State, regional, national, or international professional or scientific organizations; or

(iii) Attendance at regularly scheduled Board meetings;

(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) All credit hours shall be pre-approved by the Board; and

(4) The Board may not accept a submission for continuing education credit of less than 0.5 hours.