

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

MINUTES

February 11, 2016

Room 106

The Open Session Meeting chaired by President Jay LeBow, DPM, opened at 1:28 PM.

Board members attending the meeting were Drs. Zachary Chatter, Craig Friedman, Todd Harrison and Philip Cohen. Consumer members present were Jay Boyar and Barbara Crosby.

Staff attending: Anthony DeFranco, AAG, Eva Schwartz, Executive Director, Sheri Henderson, Administrative Officer, and Elizabeth Amspacher, Licensing Coordinator.

MPMA Representative attending: Chanelle Carter, DPM.

Public at large attending: Kristen Neville, Danielle Valone and Harold Glazer, DPM.

A. MINUTES:

1. Approval of minutes from January 14, 2016 Meeting

The Board approved the January 14, 2016 minutes as submitted.

B. OLD BUSINESS:

1. Report from MPMA if there is any Interest in Moving Forward with Podiatric Practice Expanders

The topic of whether or not to propose regulations for podiatrists to work as physician extenders was discussed at the MPMA meeting on January 26, 2016. According to the MPMA representative to the Board, at this meeting, the topic was discussed and it was decided that the MPMA will support moving forward in the proposing of regulations in collaboration with the Board of Physicians to delineate the functions for a podiatrist to perform services as a physician extender. The Board created a sub-committee to start creating a concept of exactly what podiatrists would like to propose for the new regulations. The sub-committee will consist of President Jay LeBow and Phillip Cohen, D.P.M. The Board also will extend and invitation to include a participant from the Board of Physicians and from MPMA.

2. HB 108 Criminal Background Check Hearing 1/27/2016 Report

The Board was informed that HB 108/SB 109- Criminal Background Check bill has passed through the HGO subcommittee and should move forward to the House. The Board of Podiatry will still be doing background checks on initial license applicants only.

3. HB 104 Medical Cannabis Provider Certification Criteria -Report on 2/2/2016 Hearing

Board President, Jay LeBow D.P.M., represented the Board at the hearing for HB 104-Medical Cannabis Provider Certification Criteria. Podiatrists, along with other identified medical professions, were included in the Bill. Dr. LeBow testified to the fact that podiatrists mostly treat acute, post-operative

pain, or lower leg cramping, and other acute lower extremity conditions. If patients need continuous pain management for chronic pain, they are referred to the appropriate specialists.

4. Explanation of Criteria for Reinstatement from Inactive to Active Status

The Board determined that in able to convert a license from inactive to active status, all CME course work and all additional requirements as identified in statute must be met. Requiring compliance w the CME accrual, **should not be translated as a requirement for additional licensing exams.**

5. Review Archived Scope of Practice Inquires

Ms. Schwartz informed the Board that there are many old scope of practice inquires on the website that no longer have relevance due to more current changes in law. The Board decided that the website will be purged of such information to prevent confusion on scope of practice or other additional issues. Dr. LeBow will assist Ms. Schwartz in this process.

6. PROPOSED ACTION: COMAR 10.40.02.03 Licensing and Continuing Education Requirements

The Board was made aware that the amendment to the new CME regulation changing from a minimum 1.0 CME credit accrual to a minimum .5 CME credit accrual was moving forward. It is expected to be posted in the Maryland Register on March 18, 2016, with the comment period ending on April 18, 2016.

C. NEW BUSINESS:

1. House Bills

The Board was given a copy of the following three bills and made aware that they were scheduled to be heard on Feb 24th, 2016.

a. HB 217 - Open Meetings Act – Requirements for Providing Agendas-No Position

<http://mgaleg.maryland.gov/2016RS/bills/hb/hb0217F.pdf>

HB 217- Open Meetings Act- Requirements for Providing Agendas requires all Boards to provide their public agendas for the upcoming meeting to the general public prior to the meeting date.

b. HB 250 - General Provisions – Open Meetings Act – Required Training and Certificate of Compliance-No Position

<http://mgaleg.maryland.gov/2016RS/bills/hb/hb0250F.pdf>

HB-250- General Provisions- Open Meetings Act- Required Training and Certificate of Compliance requires all employees and officials in the public body of the Board to take and complete a training course.

c. HB 413 - Open Meetings Act – Minutes – Video and Audio Streaming-No Position

<http://mgaleg.maryland.gov/2016RS/bills/hb/hb0413F.pdf>

HB 413-Open Meetings Act- Minutes- Video and Audio Streaming states that if a Board meeting is recorded or streamed live and then archived, that is will no longer be required to type written minutes of the meeting.

The Board decided to take No Position on all of the above identified proposed bills.

2. SB382/HB456- Prescription Drug Monitoring Program- Revisions

The Board was given a copy of SB382/HB456- Prescription Drug Monitoring Program- Revisions for review. Also discussed was SB 537/HB437- Prescription Drug Monitoring Program – Modifications. It was noted that both Bills will be heard the following week. The SB 537/HB437- Prescription Drug Monitoring Program – Modifications differs from the SB382/HB456- Prescription Drug Monitoring Program- Revisions, by having more exemptions of criteria that needs to be reported to the PDMP as well as by allowing the PDMP to study the prescriber of the drugs not just the intended recipient of the prescription.

3. Budget Hearings: Senate 2/17/2016, House 2/18/2016

The Board was made aware that the Budget hearings will take place in the Senate on 2/17/16 and the House on 2/18/16. Ms. Schwartz will be attending the hearings to represent the Board.

4. Inquiry- EMT/DPM Dual License

The Board received an inquiry regarding whether or not someone with a podiatry license as well as an EMT license would be able to practice simultaneously under both licenses, if both licenses have been maintained Active. After review of the inquiry, the Board determined that as long as a podiatrist follows all regulations and keeps both licenses current at all times, then a podiatrist is allowed to practice either profession.

5. Types of CME's to be accepted for Reinstated licensees from an Inactive status to an Active Status license

The Board stated that to be consistent all licenses that require CME accrual whether its initial, renewal, reinstatement, etc. will follow the same half in person half online ratio.

6. Letter from Secretary of DBM

The Board received a letter from David R. Brinkley, Secretary, stating that there are to be no increase in fees or establishing of any new fees at this time.

7. Section 16-203 Elections

The Board reviewed Section 16-203 Elections in the current statute. It states that the Board shall determine: (1) The manner of election of officers;

(2) The term of office of each officer;

(3) The duties of each officer.

The Board decided that dissemination and anonymous submission of Ballots will be the mechanism via which elections of Board officers will be conducted annually. Each position will be eligible for election and re-election, during each annual election.

8. Review for eligibility for FULL License:

a. Jennifer Lipman, D.P.M.

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

With no further business, the Meeting concluded at 2:31 PM.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

