

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

MINUTES

April 9, 2015

Room 110

The Open Session Meeting chaired by President Craig Friedman, DPM, opened at 1:10 PM.

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

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

DHMH Guests attending: Sharon Bloom.

MPMA Representative attending: Chanelle Carter, DPM.

Public at large attending: Harold Glazer, DPM.

A. MINUTES:

1. Approval of minutes from March 12, 2015, Meeting

The Minutes were approved unanimously as submitted.

B. OLD BUSINESS:

1 Cosmetology Board- Licensed Nail Technician services in a Podiatrist's Office

The Board requested the status of the response from the Cosmetology Board regarding if including a podiatrist's office in the list of approved entities as a workplace for licensed nail technicians, is permissible. The Board is awaiting an official written response from the Board of Cosmetology. The topic was postponed until the May 14, 2015 meeting.

2. Drafting regulations for methods of accrual for the mandated 50 CME's for licensure renewal

The Board reviewed the change to the current CME requirements per each licensing renewal cycle. Currently, Board policy states that podiatrists are expected to complete 50 Continuing Medical Education (CME) credits every two (2) years for the renewal of their Maryland state license. Of these required CME's, 35 credits must be earned in Category A directly related to scope of podiatric practice, and 15 credits can be earned in Category B, overall medically related or applicable. Category B credits are counted at half of earned credit. All CME credits could be obtained online except for the specific requirements for the approved CPR Certification which must include the practicum (skills set portion). CPR Certification must be continuous, valid and nonlapsing throughout the Active licensure status of a Maryland podiatrist.

After discussion, the Board decided to develop a new CME policy to be supported by regulations. This policy would require podiatrists to continue to complete 50 CME credits every two (2) years for their Maryland license renewal, but will require 25 of those credits to be in person and medical podiatry related, and up to 25 credits can be online or other sources. Any course work completed either in attendance or online, must be pre-approved by the Board. Online courses must be worth at least one (1) CME credit hour. Subsequently, classification of category A or B credits will be discontinued. The CPR requirement will stay the same and be worth three (3) CME credits in the in person/medical category. Maryland Podiatric Medical Association (MPMA) meetings will be worth one (1) CME in the in person/medical podiatry category however, Maryland Board meetings will be worth one (1) CME in the online/other category only.

The Board determined that this policy will be effective December 1, 2015, and the regulations will be written and forwarded for approval.

3. Mandatory CME requirement for scheduled drugs prescription in pain management- Discussion

The Board decided to comply with the Department of Health and Mental Hygiene to mandate one (1) CME credit per renewal cycle addressing prescribing practices for controlled substance medications for pain management. This change will be effective for the 2018-2019 licensing renewal cycle.

4. HB 580/SB 198 - Health Care Disparities, Cultural and Linguistic Competency, and Health Literacy - Continuing Education– Update

The Board was informed that the amendments to HB 580/SB 198 - Health Care Disparities, Cultural and Linguistic Competency, and Health Literacy - Continuing Education Requirements made the CME's no longer mandatory for all licensees to take. The Board will post a list of courses on their website for all licensee's who would be interested in taking such coursework.

5. HB 716/SB 347- Health Occupations – Prescriber–Pharmacist Agreements and Therapy Management Contracts- Update

The Board reviewed the final amended bills, HB 716/SB 347. Dr. LeBow and Eva Schwartz testified at the hearing on HB 716 requesting to be reinstated as authorized prescribers and to be jointly involved in the drafting of regulations and not just as consultants. The final Bill passed with the podiatrists being reinstated as authorized prescribers and as consultants in promulgating regulations.

6. Electrical Signal Therapy Inquiry

The Maryland Board of Podiatric Medical Examiners (Board) reviewed an inquiry regarding if it is within the scope of practice for a podiatrist to use both Electrical Signal Therapy (EST) and Electrical Stimulation Therapy (E-STIM).

After review of the inquiry, the Board stated that electrical stimulation therapy is a long standing approved physical medicine, which is not investigational, thus can be provided by a podiatrist in a care plan. Electrical Signal Therapy (EST) is FDA cleared and also in a podiatrist's scope of practice as long as it is preformed below the mid-calf.

C. NEW BUSINESS:

1. Previously published ankle surgery board responses- Discussion

The Board discussed the previous scope of practice inquiries regarding ankle surgery vis a vis the new ankle surgery law as effective October 1, 2014 which excludes the prohibition against acute ankle surgeries. The Board decided not to delete the previous scope inquiries but to archive this information. A disclaimer will be added to the website informing the public that these inquiries's preceded the new law.

2. Revision of Application for Full/Renewal License

The Board will be revising its full license application to include questions from the renewal license application. These additions will include questions about whether there were any previous investigations or disciplinary actions, denial of privileges, criminal or drug charges, and whether there are any physical or mental conditions that would impair their practice of podiatry. A work group consisting of Drs. Chattler and Harrison will assist Mrs. Schwartz on this project.

3. Scope of Practice Inquiry

The Maryland Board of Podiatric Medical Examiners (Board) reviewed an inquiry requesting that the Board write a letter stating that the use of Bleomycin is within the scope of practice for a podiatrist.

The Board stated that the treating of a wart is in the scope of practice for a podiatrist; however, the Board cannot address the reimbursement of a product.

4. Scope of practice inquiry-CPT coding

The Maryland Board of Podiatric Medical Examiners (Board) reviewed an inquiry about whether or not CPT codes 20604 and 20606 are within the scope of practice for a podiatrist.

The Board stated that CPT codes 20604 and 20606 are within a podiatrist's scope of practice.

5. National Practitioner Data Bank Updates

The Board was made aware that the National Practitioner Data Bank now requires all medical malpractice payments, clinical privileges, and adverse licensure actions to be reported by the appropriate entities.

6. Advertising Inquiry

The Maryland Board of Podiatric Medical Examiners (Board) was given a copy of a postcard that stated "Board Certified" that a podiatrist would like to send out to their patients for approval. The Board requested that the postcard be amended to include an asterisk at the bottom stating the certifying Board. After the recommended change has been made, the postcard will meet the advertising regulations.

7. Inquiry- Electroanalgesic Medicine and Physical Medicine Treatments

The Maryland Board of Podiatric Medical Examiners (Board) reviewed an inquiry regarding if it is within the scope of practice for a podiatrist to use both Electrical Signal Therapy (EST).

After review of the inquiry, the Board stated that Electrical Signal Therapy (EST) is FDA cleared and also in a podiatrist's scope of practice as long as it is preformed below the mid-calf.

8. Review for eligibility for FULL License:

a. Heather Janney, 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 2:27 PM.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

