

BOARD OF PODIATRIC MEDICAL EXAMINERS
OPEN SESSION MEETING MINUTES
May 13, 2010

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners was held on Thursday, May 13, 2010, in Room 108/109, 4201 Patterson Avenue. The meeting was called to order at 1:15 p.m. by President Dr. Ira Gottlieb. Board members present were Drs. Steven Chatlin, David Freedman, Jay LeBow and Tanya Sellers-Hannibal and Barbara Crosby, RN and Jay Boyar, Ed.S. Also present were Eva Schwartz, Executive Director, Richard Bloom, AAG, Board Counsel, Sally Reier, Administrative Officer and Robyn Day, Administrative Specialist.

A. MINUTES:

The amended minutes from the April 8, 2010 meeting were reviewed and approved as submitted. See approved amendments: B. Old Business 4. Maryland Department of the Environment (MDE) regulations regarding radiological equipment Maintenance – Jerry Adams and Matthew Almes, MDE. The following was inserted:

Inspection and Maintenance of X-ray Machines

The Maryland Department of the Environment (MDE) has imposed **new regulations (effective July 1, 2009)** requiring that **regular Preventative Maintenance (PM) be performed on all X-ray machines.** This regulation was enacted in response to a growing concern about the safety of X-ray machines and the desire to protect patients and office staff from radiation. This required PM will specifically focus on the function of the X-ray machine including its appropriate calibration, MA, Kv, radiation exposure, and radiation monitoring.

The frequency of the required PM is determined by the manufacturer's recommended schedule. In the absence of a manufacturer's schedule MDE recommends that PM be performed annually. (MDE regulations mandating same are in the promulgation process). Please note that this PM requirement is in addition to the biennial Certified Inspection that is currently required.

MDE recommends scheduling PM 30 to 60 days prior to the biennial Certified Inspection to ensure that your equipment is functioning properly. The PM allows for the opportunity to correct issues prior to the biennial Certified Inspection thus minimizing damages and the assessment of costly fines. **When inspected by MDE, and violations are cited there is no longer a grace period for correction; fines will be levied immediately.**

Additional information including copies of inspection forms, MDE Notice to Employees (copies of same must be posted) and a listing of certified inspectors is available at <http://www.mde.state.md.us>.

B. OLD BUSINESS

1. Developing proposed legislative language

The Board discussed moving forward with the drafting of proposed legislation for the registration of Podiatric Medical Assistants (PMAs) which would include an x-ray component. The Board discussed requiring that PMAs be at least 18 years of age and have a high school education or equivalent.

The Board discussed that the education of a PMA should include both didactic and clinical components and that the clinical component could be completed in office with the supervising podiatrist documenting competencies. A sample skills checklist was reviewed which could serve as a model for the development of a Board approved clinical skills competency form.

To meet the didactic component of the PMA educational requirement, the Board discussed the possibility of approving existing programs such as the PMA certification program of the American Society of Podiatric Medical Assistants (ASPMA) which includes a written proficiency examination.

The Board reviewed the MediNails online PMA program which includes written proficiency examinations and discussed the possibility of collaborating with MediNails to customize their program to achieve Board approval. The Board identified that Jay Boyar, Ed.S., and Barbara Crosby, RN may wish to collaborate with MediNails on the development of this program.

The Board discussed the following PMA registration process:

- **Within 90 days of the effective date of the legislation and/or 90 days from the date of initial hire, the PMA would be required to be registered with the Board.**
 - The initial registration would include the submission of an application, registration fee and completed clinical competency skills form.
- **Annual renewal of PMA registration would be required.**
 - The first renewal of the PMA registration would require the submission of documentation evidencing completion of a Board approved didactic educational program along with the renewal form and fee.

The Board identified that time is of the essence for the development of proposed legislation which needs to be submitted in July. The proposed legislation will move parallel in the legislature to the preliminary Sunset Review bill.

The Board reaffirmed its position and approved the motion to move forward with the drafting of legislation to register PMAs with an x-ray component and to pursue the

registration of Orthotists, Prosthetists, and Pedorthists (OPPs) under the Board's purview similar to the Tennessee model previously reviewed.

C. NEW BUSINESS:

1. Request approval from MPMA for Authorization of Corporate Name

The Board reviewed and approved the request of William A. Gormley, D.P.M. for authorization of the corporate name *Crownsville Foot and Ankle Center*. Staff will forward same to the Maryland Podiatric Medical Association (MPMA) for approval.

2. Certified Registered Nurse Anesthetists (CRNAs) in a podiatric setting

The Board discussed important considerations when utilizing CRNAs in the podiatric setting. Whether there is a CRNA or RN in attendance when providing patient care podiatrists are responsible for care rendered in their practice and ambulatory settings within the scope of the practice act.

3. Verification fees for subcontractors of State and Federal agencies

The Board reaffirmed the policy of waiving verification fees for State and Federal government agencies and further identified that fees would not be waived for subcontractors.

4. Revision of the Residency Affidavit Form

The Board discussed the need to develop a fellowship affidavit with elements that parallel the residency affidavit. Effective July 1, 2010, Bradley M. Lamm, D.P.M., Head of Foot and Ankle Surgery at the International Center for Limb Lengthening at Sinai Hospital's Rubin Institute for Orthopedics, will become the Director of the fellowship training program. The Board will advise Dr. Lamm of the requirements for the fellowship affidavit.

5. New Signature Guidelines in Effect

The Board reviewed the new Medicare signature guidelines that went into effect April 16, 2010. The Board discussed that providers should have a signature log which identifies the author associated with initials or an illegible signature, as Medicare claims reviewers are instructed to disregard an entry with a missing or illegible signature and make the claims review determination based only on authenticated documentation. The Board identified that these guidelines were informational and required no Board action.

6. Election of Board Officers

The Board approved the motion electing David J. Freedman, D.P.M., President, Tonya R. Sellers-Hannibal, D.P.M., Vice-President and Jay Boyar, Ed.S., Secretary/Treasurer of the Board.

7. Other

In response to a Board member's inquiry, Mrs. Schwartz stated that per diem rates are approved by the Legislature. A motion to increase the per diem rate was proposed, but was not seconded.



With no further business, the meeting was adjourned at 2:45 p.m.

CLOSED SESSION: Pursuant to Maryland State Government Annotated "10-501 et seq." the Board approved a motion to close its meeting at 2:45 p.m., for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters.

Respectfully submitted,

Jay Boyar, Ed.S., Secretary/Treasurer