

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

MINUTES

July 9, 2015

Room 110

The Open Session Meeting chaired by President Craig Friedman, DPM, opened at 1:11 PM.

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

Staff attending: Eva Schwartz, Executive Director, Ari Elbaum, AAG (Anthony DeFranco AAG, Board Counsel was absent), Sheri Henderson, Administrative Officer, and Elizabeth Amspacher, Licensing Coordinator.

DHMH Guests attending: Paula Hollinger, Sharon Bloom, Kristen Neville, Michelle Duell, CRNA, Deputy Director Board of Nursing, and Shirley Devaris, R.N., J.D., Director of Regulatory and Legislative Affairs, B.O.N..

MPMA Representative attending: Chanelle Carter, DPM.

Public at large attending: Harold Glazer, DPM., and Vinti Singh, Regional Sales Manager-Northeast US .

A. MINUTES:

1. Approval of minutes from May 14, 2015, Meeting

The Board approved the May Minutes with an amendment. The Board added parenthesis around the word strn, under the hyperbaric oxygen inquiry.

B. OLD BUSINESS:

1. Review of Proposed CME Regulations

The Board reviewed and approved the proposed CME regulations, which hopefully will become final by December 1, 2015 when the new 2018-2019 licensure renewal cycle begins. The regulations will be posted in the Maryland Register by August 7, 2015 and comments should be forwarded to Michele Phinney, Director of Regulatory Affairs at DHMH. Her email address is: Michele.phinney@maryland.gov.

C. NEW BUSINESS:

1. Inquiry- Scope of Practice

The Board received an inquiry from a podiatrist regarding whether or not it was within scope of practice to work under the supervision of a qualified physician and assist in a surgery that is not foot or ankle related, and/or under the supervision of a qualified physician assist in seeing patients for non-foot and ankle related issues, similar to a physician assistants role.

The Board discussed the inquiry and ruled that at this time this is not within the scope of practice of a podiatrist to perform duties similar to a licensed physician assistant. However, the Board decided to move forward with proposing legislation in 2016 to allow podiatric practitioners to practice as physician extenders.

2. Inquiry- Dual Licensure D.P.M. & M.D. crossover in scope of practice, is it permissible

The Board deferred the inquiry until the September 10, 2015 meeting pending if a question in writing is received.

3. Inquiry- CRNA providing anesthesia services in a podiatrist's ASC- B.O.N. Presenting

Michelle Duell, Deputy Director Board of Nursing, addressed the Board regarding the current regulations for a Certified Registered Nurse Anesthetist (CRNA) and how podiatrists are not included, thus not recognized in the regulation as a licensed physician; therefore presently a collaborative agreement between a CRNA and a podiatrist is not permissible. She expressed the desire to change the regulations, with the Podiatry Board's approval and support. The Board supported Ms. Duell's proposal, and will work to have podiatrists added to the existing CRNA practice regulations.

4. Inquiry- Core Competencies under Quality Assurance Board review

The Board received an inquiry from the Podiatry Board in British Columbia regarding Quality Assurance information in regard to podiatric training in residency programs. The issues of "Core Competencies" for residency programs are not within our Boards purview. The Board referred the inquirer to the Council of Podiatric Medical Education and to Hospitals for possible answers.

5. Draft proposal for COMAR 10.34.29 Drug Therapy Management

The Board was given a copy of COMAR 10.34.29 Drug Therapy Management for informational purposes.

6. Licensure Inquiry

The Board received an inquiry asking for an exemption from the PM Lexis exam, which is a requirement for full license applicants. The Board responded that according to the Maryland Podiatry Act and the Board's regulations, a PM Lexis exam is required of everyone applying for a license, regardless of experience or possession of podiatric licenses in other states. At this time, the Maryland Board of Podiatry does not have regulatory waivers to address such requests.

After review of the inquiry, the Board decided that they will pursue formulating regulations to waive a PM Lexis exam based on competency and discretionary Board decision. The topic was deferred to the September 10, 2015 meeting.

7. Proposed Legislation for Criminal Background Checks

The Board reviewed the proposed legislation for criminal background checks for new full license applicants. The Board voted to move forward with the proposed Bill requesting background checks only for initial license applications.

8. FYI- Topics Quarterly Newsletter Volume 30/No. 2 Summer 2015 from Gordon,

Feinblatt, Rothman, Hoffberger & Hollander, LLC

The Board received the Topics Quarterly Newsletter Volume 30/No. 2 Summer 2015 from Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC for informational purposes.

9. In-Office CT Equipment Regulations for Podiatrists in Maryland

Ms. Vinti Singh, Regional Sales Manager-Northeast US, presented to the Board information on the new machine pedCAT. The pedCAT is a weight bearing extremity CT scanner dedicated to the foot and ankle. The question arose whether the machine would fall within the guidelines for podiatrists to use in Maryland or if it is not permitted based on the MRI or CT machine and self-referral laws. Ms. Singh noted that the equipment is more of an x-ray device due to the fact that it is not a full body scan. The Board informed her that they can not give advice at this time; however, the Board is possibly interested in pursuing this matter.

10. Discussing Ideas about the Sunset Report due to the General Assembly by Oct 1, 2015

Eva Schwartz, Executive Director, informed the Board that accordingly to the Program Evaluation Act based on the Sunset Report, it was required that the Board present to the General Assembly by October 1, 2015 the Board's fiscal solvency for the next 5 years.

11. Review for eligibility for FULL License:

a. Mark Linzer, D.P.M.

b. Gregory Cardinal, D.P.M.

c. Caitlin Garwood, D.P.M.

d. Caitlin Madden, D.P.M.

e. Vinay Matai, D.P.M.

f. John Thomas, D.P.M.

g. Katherine Perscky, D.P.M.

h. Lani Nagorski, D.P.M.

i. Khaled Madi, D.P.M.

j. Reema Dua, D.P.M.

The above identified licensure candidates were approved unanimously for the issuance of a full Maryland License.

With no further business, the Meeting concluded at 2:41 PM.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

