

## **BOARD OF PODIATRIC MEDICAL EXAMINERS**

### **OPEN SESSION MEETING MINUTES**

**September 8, 2016**

**Room 106**

The Public Session Meeting commenced at 1:07 PM, opened by interim President, Dr. Zach Chattler.

Board members attending were: Drs. Friedman, Cohen, Gottlieb and Umezurike. Consumer members present were Ms. Frona Kroopnick and Mr. Jay Boyar.

Board staff present: Eva Schwartz, Executive Director, Tony DeFranco, AAG, Board Counsel, Sheri Henderson, Deputy Executive Director, Kristen Neville, Legislative and Regulations Coordinator, Danielle Vallone, Board Investigator.

Guests present: Drs. Glazer and Rothstein. Representing DHMH, Sharon Bloom.

#### **ELECTIONS:**

Preceding the nominations process, Dr. Chattler announced that he was not running for Board President Office during this election. He will run for the Vice Presidency slot, and if elected, he will seamlessly continue for a year, in his role as Vice President of the Board.

Dr. Friedman announced that during this election process, the Board will accept nominations from the floor, for Board Officers positions.

Dr. Friedman nominated Dr. Cohen as President, Dr. Chattler as Vice-President and Mr. Boyar as Secretary/Treasurer.

The vote for approval of the nominations was unanimous:

Dr. Phil Cohen, President

Dr. Zach Chattler, Vice-President

Mr. Jay H. Boyar, Secretary Treasurer

#### **A. Approval of MINUTES:**

Dr. Cohen, as the newly installed President, requested the approval of minutes from the July 14, 2016 Meeting. The minutes were approved unanimously, as submitted.

#### **B. OLD BUSINESS:**

##### **1. Proposed Regulation for Criminal Record Check (COMAR 10.40.02.03)**

Ms. Schwartz informed the Board that regulations addressing the new requirement are in process, and that the new Criminal Record Check (CRC) on new /initial licensees will start on January 3, 2017.

The Board discussed a request from the Department of Legislative Services to add several provisions to the statutory authority for the Board's proposed amendments to COMAR 10.40.02.03. Specifically, it was requested that the Board add the following sections of the Health Occupations Article to the statutory authority: §§ 16-302(h), 16-302.1, 16-303(a), 16-305(c), and 16-311(26)(27), and (28).

Upon advice of counsel, the Board voted unanimously to add only §§ 16-302(h), 16-302.1, 16-303(a), and 16-311(28) to the statutory authority. The remaining provisions were not appropriate for this regulatory proposal.

#### C. NEW BUSINESS:

##### 1. DHMH inquiry about mandatory CMEs for Opioid prescribing

The Board reiterated their previous position on the requirement for mandatory CME's for opioid prescribing: The position of the Board was that mandatory CME's will not be required of podiatrists at this time. Taking CME's on the topic are optional, and will be approved toward the Board's CME overall requirement accrual.

##### 2. Revised NEW DHMH Policy: 01.04.01 Public Information Act (PIA)

The Board received the DHMH revised Policy for the PIA.

##### 3. Revised Version of the 2016 Healthcare Section Legislative Report

For informational purposes, the Board received the Report extrapolated with permission from "TOPICS" a publication by Gordon-Feinblatt LLC, Attorneys at Law.

##### 4. New Board Member Orientation - November 14, 2016

The Board was informed about the date and requirement for new Board members to attend the New Board Members Orientation seminar.

##### 5. Board of Physician Inquiry-Board's position on the expansion of the presently authorized delegation of dispensing prescription medications, to additional persons

The Board did not express any opinion or opposition to this inquiry.

##### 6. Addition of CME question(s) on Jurisprudence Exam

Drs. Cohen and Umezurike have volunteered to augment the Jurisprudence Examination.

##### 7. UPDATED information regarding the Prescription Drug Monitoring Program (PDMP)

Ms Schwartz informed the Board that all updates or news are posted on the Board's website, and will be continuously updated if any new information is provided by PDMP.

##### 8. Anonymous Inquiry-Scope of Practice

The scope of practice inquiry referencing the possibility of a Registered Nurse to perform several procedures that may fall within the scope of podiatry was referred to the Board of Nursing.

##### 9. CDS renamed to Office of Controlled Substance Administration

The Board was informed of the change, as identified in the title above.

10. Review of eligibility for REINSTATEMENT TO FULL License:

a. Gary Kugler, D.P.M.

The Board approved unanimously the issuance of the reinstated license from Inactive to Active Status.

11. Ms. Henderson inquired of the Board if Licensure Verifications fees for eligibility for CRISP Registration should or should not be waived.

The Board concluded that since this process is a one- time only verification at the time of the licensees' initial registration with CRIP, that the licensure verification fee may be waived.

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

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

