

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING

MINUTES

November 10, 2016

Room 110

The Public Session Meeting commenced at 1:12 PM, opened by Board President, Dr. Philip Cohen.

Board members attending were: Drs. Chatter, Friedman, 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, Elizabeth Amspacher, Licensing Coordinator.

Guests present: Drs. Glazer and Rothstein. Representing DHMH, Brandon Wright, Assistant Director for Health Care Occupations Board.

A. MINUTES:

1. Approval of minutes from October 13, 2016 Meeting

The minutes from the October 13, 2016 meeting were approved unanimously, as submitted.

B. OLD BUSINESS:

1. PDMP Updates

Ms. Schwartz and Board staff met with the Maryland Prescription Drug Monitoring Program to discuss updates in the registration process. Podiatrists must now be registered by July 1, 2017. It was also noted that podiatrists will not be able to renew their Controlled Dangerous Substance licenses without first being enrolled in the PDMP. Ms. Schwartz will post the new deadline on the Board's website, as well as send out emails to all licensees providing the new deadline.

C. NEW BUSINESS:

1. Lyme Disease Regulations

The Board was given a copy of the new Lyme disease notice requirement for informational purposes.

2. Inquiry- Procedure for Closing an Office

The Board received an inquiry on the procedure for closing an office including if the podiatrist is required to provide a copy of patient's medical records to them while the office is still open or do they need to wait until the office closes before patients can be charged the duplication fee. Also, how much notice are patients required to get before the closure of an office?

The Board requires 30 days notice for patients when closing an office. This notice time could be extended by 30 more days. The podiatrist needs to inform patients where the charts will be available, if they wish to obtain them. A podiatrist cannot automatically charge patients for their records; they have to request them first. A podiatrist then could charge patients according to the allowable rates by State law as posted on the Board of physicians' website or MECHI's website for medical records charges.

At the time the podiatrist discontinues his or her podiatry practice, the podiatrist shall immediately secure all medical records until one of the following options are taken:

1. The records are transferred to another podiatrist who will be assuming the podiatry practice;
2. The records may be given to the patient;
3. At the patient's direction, the records maybe transferred to a new podiatrist or other applicable health care provider; or
4. The records may be destroyed in accordance with Maryland regulations.

COMAR 10.01.16.06.A. If a podiatrist retires or otherwise discontinues his or her practice, the podiatrist may appoint a designee who agrees to maintain the podiatrist's medical records.

Further detailed information on medical records disposition will be researched by Board Counsel and disseminated at the next Board meeting.

3. COMMENTS REQUESTED: COMAR 10.05.01.08 and .11 General Requirements (OHCQ)

The Board received a copy of the proposed COMAR 10.05.01.08 and .11 regarding general requirements from OHCQ. After reviewing the proposed regulations, the MPMA sent over comments regarding how it is unreasonable that the new proposed regulations will require ASC centers to be held at the same standards for the design and construction as hospital outpatient facilities. Another opposition found was that it would require review of a physician annually, when hospitals only do this bi-annually. The Board supports the MPMA with their comments and is waiting on a response from the OHCQ.

4. COMMENTS REQUESTED: COMAR 10.05.03.04 Freestanding Major Medical Equipment Facilities (OHCQ)

The Board received a copy of proposed regulation COMAR 10.05.03.04 for informational purposes.

5. In person CME requirements : Are Live Webinars Acceptable?

The Board discussed whether or not live webinars would be acceptable for CME credits towards the 25 in person CME credits required for renewal. After discussion, the Board decided that live webinars are not accepted for in person CME credits and will be counted as online CME credits only.

6. Review for eligibility for FULL License:

a. Arash Changizi, D.P.M.

b. Sraddha Lamichhane , D.P.M.

c. Hoan Dang, D.P.M.

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

With no further business, the Board meeting concluded at 1:42 PM.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

