

GEORGIA STATE BOARD OF PODIATRY EXAMINERS
Teleconference Minutes
June 10, 2015 - 12:30PM

The Georgia State Board of Podiatry met on Friday, June 10, 2015. The following members were present:

Board Members Present

Dr. Leonard LaRussa-President
Dr. Rudolf Cisco-Cognizant
Dr. William B. Turner-Vice President
Ms. Judy Sanders-Consumer Member

Administrative Staff Present

Adrienne Price, Executive Director
Kathy Osier, Licensing Supervisor
Tamara Elliott, Board Support Specialist

Office of Attorney General

Janet Jackson, Assistant Attorney General

Visitors Present

No Visitors Present

Call to Order Dr. LaRussa established that a quorum was present and called the meeting to order at 12:33pm.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

1) Discussion - Board Rule 500-2-.02 Reinstatement of Licensure

500-2-.02 Reinstatement of Licensure

(1) Reinstatement of a revoked or lapsed license is within the discretion of the Board.

(2) An applicant for reinstatement for a revoked or lapsed license must submit a completed application provided by the Board, payment of the required fee, and the following:

(a) A signed letter of explanation from the applicant and supporting documents that explain the reasons the license was lapsed and/or revoked;

(b) A certification of licensure from any other state or states in which the applicant is licensed showing the current status of the license and any action taken against the license;

(c) A resume showing the applicant's professional experience since the Georgia license expired;

(d) Payment of all required renewal and delinquency fees; and

(e) Proof of completion of the continuing education requirements as stated in the Board rules.

(3) The Board, in its discretion, may impose any remedial or additional requirements for applicants who have previously engaged in the practice of podiatric medicine and who have not practiced for a period greater than thirty

(30) consecutive months as approved by the Board.

(4) The Board may deny reinstatement for failure to demonstrate current knowledge, skill and proficiency in the practice of podiatric medicine or for being mentally or physically unable to practice with reasonable skill and safety, or for any ground stated in O.C.G.A. § 43-35-16 and any other applicable state or federal law.

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-19.2, 43-1-25, 43-35-9, 43-35-15, and 43-35-16.

Ms. Sanders motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to vote to post the new Board Rule 500-2-.02 as presented with the omission of explanation notes and statements.

Dr. Cisco motioned, Dr. Tuner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

2) Discussion - Board Rule 500-3-.01 Limited Temporary License

Temporary-Limited Temporary License to Practice, ~~Podiatric Medicine in the State of Georgia~~ Amended

(1) A limited temporary-~~limited~~ license may be issued to a podiatrist from another state or country upon approval by the Georgia State Board of ~~Podiatric~~ Podiatry Board-of Examiners ("Board").

(2) A limited ~~This Temporary Limited~~ license will only be issued to a podiatrist for the purpose of advancing medical education in a hospital facility and enhancing the individual's training provided that the following conditions are met:

~~(a) The podiatrist holds a This Temporary Limited license will only be issued if the applicant is currently which is in good standing in any the state or country where he or she holds a that has issued their current license.~~

~~(b) The podiatrist who is issued person receiving the Temporary Limited temporary license practices will be restricted to work under the direct supervision of a podiatric physician currently licensed to practice in Georgia and in a facility acceptable to the Georgia Podiatric Board of Examiners.~~

(3) For the purposes of this Rule, "direct supervision" means that the supervising podiatrist is on the premises and is quickly and easily available to perform any acts, duties, or functions of a licensed podiatrist in this state.

(4) The podiatric physician providing the direct supervision must provide the Board with the following:

~~(a) A have a~~ license in good standing in the state of Georgia; and

(b) Proof of malpractice insurance.

(5) The applicant for a ~~Temporary Limited~~ temporary Podiatric license must provide the ~~Georgia Board of Podiatric Examiners~~ with the following:

~~(a) A verification Proof of current licensure is~~ in good standing in any state or country where the applicant is licensed;

~~(b) Proof of graduation or A Podiatric Diploma, proving graduation from a podiatric medical school or its equivalent (that is acceptable by to the Georgia Board of Podiatric Examiners); and~~

~~(c) A letter from the podiatric physician that will be providing the direct supervision with a statement regarding acceptance of liability and the supervisors plan for supervision.~~

Proof of the applicant's malpractice insurance. ~~or proof that the supervising podiatric physician malpractice covers any liability incurred by the Temporary Limited licensed podiatric practitioner.~~

(6) Limited temporary license holders practicing under the direct supervision of a licensed podiatrist in this state may perform any acts, duties, or functions which are otherwise permitted by law as a podiatrist in this state.

(7) The limited temporary license must be surrendered to the Board upon completion of the education program or expiration, whichever occurs first.

~~(8) The Temporary Limited temporary license will be valid for a period not to exceed one year. Within one month of the expiration date, temporary limited license holders submit an application to renew the license to practice Podiatric Medicine in Georgia duration may be set Renewal is at the discretion of the Georgia Podiatric Medical Board, but the applicant must provide a renewed application annually.~~

(9) There are no restrictions for the Limited Temporary Limited applicant to apply for a permanent license holders may apply for a permanent license to practice Podiatric Mmedicine in Georgia provided that, as long as that the applicant can qualify meets all licensure requirements as codified with the Practice Act and Board Rules.

Authority: O.C.G.A. §§ 43-1-25, 43-35-9, and 43-35-11(c).

~~Authority Ga. Code 84-1, as amended. O.C.G.A. Sec. 43-35-9. History. Original Rule entitled "Public Information" was filed and effective on June 30, 1965. Repealed: New Rule entitled "Limited Temporary License" adopted. F. May 15, 1995; eff. Jun. 4, 1995.~~

Ms. Sanders motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to vote to post proposed amendments to Board Rule 500-3-.01 as presented with the omission of explanation notes and statements.

Dr. Cisco motioned, Dr. Tuner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

3) Discussion - Board Rule 500-4-.01 Renewal of License

500-4-.01 Renewal of License. Amended.

- (1) Renewal: All podiatrists ~~se physicians~~ licensed in the State of Georgia shall submit to the Board of Podiatry Examiners ("Board") pay a license renewal application prior to the date of license expiration ~~fee to the Board of Podiatric Examiners~~; every two (2) years.
- (a) Each renewal application shall include a nonrefundable license renewal ~~The fee is~~ payable before the first day of September of the odd number year; ~~and~~
- (b) Each renewal payment must be accompanied by a statement about ~~of~~ having completed a minimum of fifty (50) approved continuing education hours as defined within the Board's continuing education rules; ~~and~~.
- (c) Each renewal application ~~Applicants~~ may be subject to an audit of continuing education hours ~~audit~~.

(2) Late Renewal:

(a) If the applicant files for renewal of license after the date the license is expired and during the lapsed late renewal period, which begins on the first day of September and ends on the last day of November of the odd year, the late renewal application must be accompanied by:

1. A late renewal application fee of \$300.00;
2. A signed letter of explanation; to include any supporting documentation; which supports the reason the application was not submitted timely; and;
3. Proof of completion of the continuing education requirements as outlined within the Board's Rrules.

~~(3b)~~ The renewal of a license during the late renewal period may be subject to a consent order for licensure renewal that contains terms and conditions for renewal as determined by the Board.

(3) Reinstatement: The license of ~~A~~ any podiatrist who fails to meet all of the requirements ~~off~~ for license renewal before the end of the late renewal period shall be lapsed, the effect of which shall be the same as revocation of licensure. The lapsed license may be reinstated at the discretion of the Board after the applicant completes all reinstatement requirements as provided in the statute and the Board's rules. ~~within the designated timeframes may be:~~

- ~~(a) Issued a Public Consent Order for Renewal of Licensure with the terms and conditions to be determined by the Board; and/or;~~
- ~~(b) Required to submit an application for reinstatement of licensure as outlined within the Board Rules. Should this occur, all renewal fees will be forfeited and all reinstatement fees must be submitted.~~
- ~~(4) Reinstatement will be at the discretion of the Georgia State Board of Podiatry Examiners.~~

~~Authority O.C.G.A. Sec. 43-1-7, 43-35-7, 43-35-9. **History**. Original Rule entitled "Fees" was filed on June 19, 1979; effective July 9, 1979. **Amended**: Rule repealed and a new Rule of same title adopted. Filed May 1, 1985; effective May 21, 1985. **Amended**: Filed June 12, 1985; effective July 2, 1985. **Repealed**: New Rule of same title adopted. F. Jun. 24, 1991; eff. Jul. 14, 1991. **Re-pealed**: New Rule entitled "Renewal of License" adopted. F. May 15, 1995; eff. Jun. 4, 1995.~~

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-19, 43-1-25, 43-35-9, 43-35-15, and 43-35-16.

Ms. Sanders motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to vote to post proposed amendments to Board Rule 500-4-.01 as presented with the omission of explanation notes and statements.

Dr. Cisco motioned, Dr. Tuner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

4) Discussion - Board Rule 500-5-.01 Continuing Education Hours

500-5-.01 Continuing Education Hours. Amended.

(1) The purpose of continuing education for podiatrists is to maintain and enhance the professional competence of podiatrists licensed to practice in Georgia for the protection of the health and welfare of the people of the State of Georgia.

(2) As a requirement for the biennial renewal of his/her license, a podiatrist must certify to the Georgia State Board of Podiatry Examiners the completion of not less than fifty (50) hours of approved continuing education in the preceding two (2) years prior to the license expiration date. ~~In the event a podiatrist fails to certify completion of continuing education hours at the time of renewal of his/her license, the Georgia State Board of Podiatry Examiners will not process his/her request to renew his/her license until continuing education requirements are met.~~

(a) No more than ten (10) hours shall be obtained from online courses/~~correspondence courses/webinar~~, and ~~said online such~~ courses must be approved by ~~CPME~~ (Council of Podiatric Medical Education ~~(CPME)~~).

(b) No more than ten (10) hours shall be obtained ~~live (in person) from any healthcare related source, from the AOA (American Osteopathic Association) and/or the AMA (American Medical Association) approved continuing medical education providers.~~

(c) At least thirty (30) continuing medical education hours must be approved by the ~~CPME~~ (Council of Podiatric Medical Education ~~(CPME)~~) and/or ~~GPMA~~ (Georgia Podiatric Medical Association ~~(GPMA)~~) and ~~must be obtained live (in person).~~

(3) A podiatrist ~~who has obtained a Georgia license by reciprocity or by examination, and who must renew his or her Georgia license for the first time, shall obtain the following number of continuing education hours prior to renewal of the license:~~

~~(a) If the licensed was issued during the first six (6) months of the biennial renewal period, from (September of every the odd numbered year to the end of the following February, of every even numbered year) of the biennium renewal cycle shall be required to obtain~~ the full fifty (50) hours of continuing education ~~shall be required for renewal;~~

~~(b) if the licensed was issued during the following twelve (12) months of the biennial renewal period, from (March of every the even numbered year to February of every the odd numbered year) of the licensure period, biennium renewal cycle, he/she shall be required to obtain~~ thirty (30) hours of continuing education ~~shall be required for license renewal;~~

(c) if the licensed was issued during the last six (6) months of the biennial renewal period, from (March of every the odd numbered year to August of every the odd numbered year,) of the biennium renewal cycle, he/she licensee shall be exempt from the continuing education requirements for that biennial ~~um renewal period only~~ licensing cycle and no continuing education hours shall be required to renew the license.

(4) This rule ~~will~~shall become effective ~~with~~during the 2013 -2015 renewal cycle.

Authority O.C.G.A. §§ 43-4-4, 43-1-25, 43-35-9, and 43-35-15.

~~Authority O.C.G.A. Sec.s 43-35-4, 43-35-5(b), 43-35-9, 43-35-15. History. Original Rule entitled "General Requirements" adopted. F. Sept. 7, 1989; eff. Sept. 27, 1989. Repealed: New Rule of same title adopted. F. May 15, 1995; eff. Jun. 4, 1995. Repealed: New Rule entitled "Continuing Education Hours" adopted. F. May 7, 2012; eff. May 27, 2012.~~

Ms. Sanders motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to vote to post proposed amendments to Board Rule 500-5-.01 as presented with the omission of explanation notes and statements

Dr. Cisco motioned, Dr. Tuner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

5) Discussion - Board Rule 500-5-.02 Continuing Education Reporting and Auditing

500-5-.02 Continuing Education Reporting and Auditing. Amended.

(1) At the time ~~of a license to practice podiatric medicine is renewed, the applicant must acknowledge and state that the applicant has earned the required~~ renewal, each podiatrist shall certify to the Board that he/she has completed the continuing education credit hours ~~required~~ for license renewal.

(2) The renewal applicant must keep on file a record of the accumulated continuing credit hours, titles, where the courses were obtained, and the certificate of completion with the number of approved CME credits/hours for no less than three (3) renewal periods or six (6) ~~Each licensed podiatrist shall maintain records of attendance and supporting documents for continuing education for a period of five (5) years from the date of attendance.~~

~~(3) The Georgia State Board of Podiatry Examiners ("Board") shall conduct a random audits of CME the continuing education hours, certified at renewal for compliance with all rules and regulations. A minimum of five (5%) per cent of active licensed podiatrists shall be included in this audit.~~

(a) Audits conducted before license expiration date. Licensees whose renewal applications are selected for ~~a continuing education~~ CME hours audit before the license expiration date must submit to the Board ~~their~~ records of

attendance and supporting documents for CME continuing education hours obtained before a and certified to for Board review before a randomly selected licensee's renewal application is completed.

(1) Before a licensee license is renewed, if an audit of the license renewal application shows that the number of CME hours or documentation for CME hours required for renewal is deficient, documentation satisfactory to the Board shall be submitted prior to granting renewal of the license.

(2) The Board may take disciplinary action against a licensee based upon the outcome of an audit and may require, as a condition of granting renewal, that the licensee agree to terms and conditions that include, but are not limited to, the following:

(i) pay a fine of \$50.00 per unsubstantiated or deficient credit hour;

(ii) submit proof satisfactory to the Board of completion of all deficient CE hours, none of which deficient hours may be used to satisfy the CE requirement of any subsequent renewal cycle;

(iii) comply with and satisfy all terms and conditions required for license renewal imposed by the Board prior to the end of the late renewal period;

(iv) failure to comply with all the Board's terms and conditions by the end of the late renewal period may result in revocation of the license; and

(v) additional sanctions and penalties based upon the facts and circumstances as determined by the Board.

(b) Audits conducted after license expiration date. After a license is renewed, an audit may be conducted of CE hours submitted in connection with the license renewal application. Licensees whose renewal applications are selected for CME hours audit after license renewal must submit upon request records of attendance and supporting documents for the CME hours obtained for license renewal.

(1) The Board may take disciplinary action against a licensee if the licensee fails to certify or submit adequate proof of completed CE hours, or if the CE documentation submitted is incorrect, false, or fraudulent.

(2) The Board's disciplinary action against a licensee based upon the outcome of an audit may include the suspension of the renewed license and the imposition of terms and conditions that include, but are not limited to, the following:

(i) a fine of \$50.0) per unsubstantiated credit hour;

(ii) proof satisfactory to the Board documenting the completion of all deficient CE hours, none of which deficient hours may be used to satisfy the CE requirement of any subsequent renewal cycle;

(iii) all terms and conditions shall be satisfied prior to the end of the late renewal period and/or prior to the lifting of license suspension and restoration of the license to active status; and

(iv) failure to comply with the Board's terms and conditions by the end of the late renewal period may result in revocation of the license.

(4) The submission of a false statement on a license renewal application that the CME hours requirement has been met, after substantiation thereof, may result in the revocation of a license by the Board.

Authority: O.C.G.A. §§ 43-1-4, 43-1-7, 43-1-25, 43-35-9, 43-35-15, and 43-35-16.

~~Authority O.C.G.A. Secs. 43-35-4, 43-35-3(b) 43-35-9, 43-35-15. History. Original Rule entitled "Reporting and Auditing" adopted F. Sept. 7, 1989; eff. Sept. 27, 1989. Repealed: New Rule of same title adopted F. May 15, 1995; eff. Jun. 4, 1995. Repealed: New Rule entitled "Continuing Education Reporting and Auditing" adopted F. May 7, 2012; eff. May 27, 2012.~~

Ms. Sanders motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to vote to post proposed amendments to Board Rule 500-5-.02 as presented with the omission of explanation notes and statements.

Dr. Cisco motioned, Dr. Tuner seconded and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Adjournment No further business was discussed and the meeting adjournment at 12:50 pm.

Minutes recorded by:

Tamara Elliott, Board Support Specialist

Minutes reviewed and edited by:

Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on:

July 31, 2015

LEONARD LARUSSA
BOARD PRESIDENT

ADRIENNE PRICE
EXECUTIVE DIRECTOR