GEORGIA STATE BOARD OF PODIATRY EXAMINERS
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
July 31, 2015 - 1:00PM

The Georgia State Board of Podiatry Examiners met on Friday, July 31, 2015. The following members were present:

Board Members Present
Dr. Leonard LaRussa-President
Dr. William B. Turner-Vice President Dr.
Rudolf Cisco-Cognizant (via teleconference)
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 1:00 p.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

1:30 p.m. Board Rule Hearings

Board Rule 500-2-.02
Purpose: The purpose is to promulgate a rule that specifies the requirements for reinstatement of licensure for podiatrist in the State of Georgia.

Main Features: The rule will further clarify requirements for reinstatement of licensure.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PODIATRY EXAMINERS RULE FOR CHAPTER, 500-2, EXAMINATION AND LICENSURE REQUIREMENTS, RULE 500-2-.02, REINSTATEMENT OF LICENSURE.

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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.

Written Comments Received
No written comments were received.

Public Comments Received
No Public comments were received or offered during the hearing.

Dr. Turner motioned, Dr. Sanders seconded and the Board voted unanimously in favor of the motion to adopt the 500-2-.02 proposed amendment as presented.

Dr. Cisco motioned, Dr. Turner 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.

The hearing adjourned at 1:50

Board Rule 500-3-.01
Purpose: The purpose is to clarify the rights and privileges of a podiatrist practicing under a temporary limited license and amend the rule to further align the title of the rule as referenced in the statue.

Main Features: The rule will further clarify privileges of podiatrists practicing under a temporary license.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PODIATRY EXAMINERS RULE FOR CHAPTER, 500-3, LIMITED TEMPORARY LICENSE, RULE 500-3-.01, TEMPORARY LIMITED LICENSE TO PRACTICE

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

500-3-.01 ~~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 T~~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 L~~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 L~~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 D~~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 L~~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 ~~T~~temporary ~~Limited applicant to apply for a permanent~~ license holders may apply for a permanent license to practice ~~P~~podiatric ~~M~~medicine 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.~~

Written Comments Received
No written comments were received.

Public Comments Received
No Public comments were received or offered during the hearing.

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to adopt the 500-3-.01 proposed amendment as presented.

Dr. Cisco motioned, Dr. Turner 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.

The hearing adjourned at 1:50

Board Rule 500-4-.01
Purpose: The purpose of this rule amendment is to clarify the requirements for renewal of a license and the potential penalties associated with the renewal application process.

Main Features: Further clarify 500-4-.01

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PODIATRY EXAMINERS RULE FOR CHAPTER 500-4, RENEWAL OF LICENSES, RULE 500-4-.01, RENEWAL OF LICENSE

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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

(1) Renewal: All podiatrists~~e~~ ~~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 ~~R~~rules.

(~~3~~b)~~.~~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 ~~of~~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. **His tory.** 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, 43-1-19(g), 43-1-19(l), 43-1-25, 43-35-9, 43-35-15, 43-35-16, and 43-35-16(e).

Written Comments Received
No written comments were received.

Public Comments Received
No Public comments were received or offered during the hearing.

Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to adopt the 500-4-.01 proposed amendment as presented.

Dr. Cisco motioned, Dr. Turner 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.

The hearing adjourned at 1:50

Board Rule 500-5-.01
Purpose: The purpose of this rule amendment is to further define requirements for continuing education hours.

Main Features: Further clarify 500-5-.01

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PODIATRY EXAMINERS RULE FOR CHAPTER 500-5, CONTINUING PODIATRIC MEDICAL EDUCATION, RULE 500-5-.01, CONTINUING EDUCATION HOURS

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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 license~~d~~ 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 license~~d~~ 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 license~~d~~ 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 bienni al~~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. §§ 43-1-4, 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.~~

Written Comments Received
No written comments were received.

Public Comments Received
No Public comments were received or offered during the hearing.

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to adopt the 500-5-.01 proposed amendment as presented.

Dr. Cisco motioned, Dr. Turner 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.

The hearing adjourned at 1:50

Board Rule 500-5-.02
Purpose: The purpose of this rule amendment is to further define requirements and penalties associated with continuing education reporting and auditing process.

Main Features: Further clarify 500-5-.02

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF PODIATRY EXAMINERS RULE FOR CHAPTER 500-5, CONTINUING PODIATRIC MEDICAL EDUCATION, RULE 500-5-.02, CONTINUING EDUCATION REPORTING AND AUDITING

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

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 license 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.~~

Written Comments Received
No written comments were received.

Public Comments Received
No Public comments were received or offered during the hearing.

Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to adopt the 500-5-.02 proposed amendment as presented.

Dr. Cisco motioned, Dr. Turner 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.

The Board discussed the economic impact of the formulation and adoption of all five rules during the course of the hearing.

The hearing adjourned at 1:50

Open Session Minutes:

1) **April 10, 2015 Teleconference Minutes**
Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to approve the April 10, 2015 open session teleconference minutes.
2) **June 10, 2015 Teleconference Minutes**
Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to approve the June 10, 2015 open session teleconference minutes.

Licenses to Ratify April 4, 2015 – July 24, 2015
Ms. Sanders motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to ratify the list of licenses issued between meetings as presented.

Discussion – 2015 FARB Regulatory Law Seminar
The Board accepted the correspondence in reference to 2015 FARB Regulatory Law Seminar as information.

Discussion – House Bill 416
The Board accepted the correspondence in reference to House Bill 416 as information.

Discussion – Podiatry Board Policies
Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to refer the Board policies to Dr. Cisco to review and draft proposed language for the relevant rules and to present to the Board at the next scheduled Board meeting.

Discussion – Proposed Amendment to 500-8-.01 Unprofessional Conduct

500-8-.01 Unprofessional Conduct.

The Georgia State Board of Podiatry Examiners has the authority to refuse to grant or to grant a license to an applicant, or to discipline a podiatrist licensed in the State of Georgia if that individual has engaged in unprofessional conduct. For the purpose of the enforcement and implementation of this rule, unprofessional conduct is defined as, but not limited to, practicing or aiding in the following:
(a) Violating any order of the Georgia State Board of Podiatry Examiners;
(b) Violating a statute, law, or any rule or regulation of this state, any other state, the United States, or any other lawful authority, without regard to whether the violation is criminally punishable, which statute, law or rule or regulation relates to or in part regulates the practice of podiatry, when the licensee or applicant knows or should know that such action is ~~violative~~ a violation of such statute, law, or rule.
(c) Violating any Consent Order entered into with the Georgia State Board of Podiatry Examiners or any other licensing board.
(d) Violating any statutes and/or rules relating to or regulating the practice of podiatry including, but not limited to, the following:
1. The Georgia Podiatry Act (O.C.G.A. T. 43, Ch. 34);
2. The Georgia Controlled Substances Act (O.C.G.A. T. I 7, Ch. 13, Art. 2);
3. The Georgia Dangerous Drug Act (0.C.G.A. T. 16 Ch. 13, Art. 3);
4. The Federal Controlled Substances Act (21 USCA, Ch. 13);
~~3.~~5. The Consumer Information and Awareness Act (O.C.G.A. T. 43, Ch. 1, Art. 33);
~~5.~~6. The Rules and Regulations of the Georgia State Board of Podiatry Examiners;
~~6.~~7. The Rules and Regulations of the Georgia Board of Pharmacy, Ch. 480, Rules and Regulation of the State of Georgia , particularly those relating to the prescribing and
dispensing of prescript ion drugs, Chapter 480-28.
~~7.~~8. The Code of Federal Regulation Relating to Controlled Substances (21 C.F.R. Par. 1306); and
~~8.~~9. O.C.G.A. 31-33 Health Records.
(e) Been convicted of any felony or of any crime involving moral turpitude in the courts of this state or any other state, territory or country or in the courts of the United States. As used in this paragraph , the term "felony" shall ~~inc Jude~~include any offense which, if committed in this state, would be deemed a felony, without regard to its designation elsewhere; and as used in this paragraph , the term "convict ion" shall be deemed to include a finding or verdict of guilty or a plea of guilty, or plea of nolo contendere, regardless of whether an appeal of the conviction has been sought;
(f) Knowingly performing any act which in any way aids, assists, procures , advises, or encourages any unlicensed person or any licensee whose license has been suspended or revoked by the board to practice podiatry or to practice outside the scope of any

disciplinary limitation placed upon the licensee by the board;
(g) Practicing fraud, forgery, deception or conspiracy in connect ion with an examination for licensure, an application or a license renewal;
(h) Knowingly making misleading, deceptive, untrue, or fraudulent representations in connect ion with the filing of any insurance claim;
~~(D)~~(i) Failing to maintain appropriate records whenever controlled drugs are prescribed. Appropriate records, at a minimum, shall contain the following:
I . The patient's name and address;
2. The date, drug name, drug quantity, and diagnosis for all controlled drugs; and
3. Record concerning the patient's history.
(J) Prescribing for habitual drug users in the absence of substantia l pediatric purpose;
(k) Prescribing drugs for other than a legitimate pediatric purpose;
(l) Any departure from, or the failure to conform to, the minimal standards of acceptable and prevailing podiatric practice;
(m) Committing any act of nonconsensual sexual intimacies, abuse, misconduct or exploitation related to the licensee's practice of podiatry;
(n) Failing to conform to current recommendations of the Centers for Disease Control (C.D.C.) for the transmission of lmmunodeficiency Virus and Hepatitis B. Virus to patients. It is the responsibility of all currently licensed podiatrists to maintain familiarity with these recommendations, which are considered by the Board to be minimum standards of acceptable and prevailing pediatric practice. (Copies of the guidelines may be obtained from the Centers for Disease Control, the Department of Human resources , or from the Board.)
Authority O.C.G.A. Sec. 43-35-9. **History.** Original Rule entitled "Unpro~~r~~fessional Conduct" adopted. F. May 15, 1995; eff. Jun 4, 1995.

Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to refer the proposed amendment to Board Rule 500-8-.01 to the Attorney General's Office for a memorandum of authority and if no objections noted, vote to post.

Dr. Turner motioned, Ms. Sanders 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.

Discussion – Telemedicine - Delaware Requires Insurance to Pay for Telemedicine
The Board accepted the correspondence in reference to Delaware Telemedicine as information.

Discussion – Telemedicine - House Bill Addresses State Licensure Barriers to Telemedicine
Dr. Turner remarked that it will be interesting to see how this legislation will affect Podiatry since the scope of practice for the profession is not the same across state lines but it may help to support those who argue that scope of practice for podiatry should be expanded. The Board accepted the correspondence in reference to State Licensure barriers to Telemedicine as information.

Board President's Report – L. LaRussa
No report presented.

Executive Director's Report – A. Price
Executive Director's report provided the Board with statistical data relevant to the processing of applications and complaints/compliance. Ms. Price notified the Board that the Executive Directors were asked to notify the Secretary of State's Attorney for Elections and Legislation of any potential legislation that may be under consideration for each Board, no matter what stage in the process. Ms. Price informed Board Members that she currently had on her list for the Board to amend Board Rule 500-4-.02 Inactive License as well as the cleanup of language within other areas of the statute as some of the lines are no longer relevant and the recent discussions concerning Telemedicine. Ms. Price shared that the majority of the healthcare boards have shown an interest in requiring all applicants to complete a National Fingerprint Criminal Background Check. The consensus of the Board was that those matters were of concern to the

Board. Ms. Price also discussed other relevant topics changes within the structure of the Professional Licensing Boards Division, and changes made to the website as it relates to the posting of Public Board Orders/Actions. The Board accepted the report as presented.

Dr. Turner motioned, Ms. Sanders seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 50-14-2(1), O.C.G.A. § 43-1-2-(k) (4), O.C.G.A. § 43-1-19 (h) (2) & (4) to receive and review information pertaining to Applications, receive the Attorney General's, Cognizant, and Enforcement Reports. Voting in favor of the motion were those Board members present: Dr. LaRussa, Dr. Turner, Dr. Cisco, and Ms. Sanders.

At the conclusion of the Executive Session on Friday, July 31, 2015, Dr. LaRussa declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken during executive session.

OPEN SESSION

Executive Minutes

1) **April 10, 2015 Teleconference Minutes**
Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to approve the April 10, 2015 executive session teleconference minutes.

2) **June 10, 2015 Teleconference Minutes**
Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to approve the June 10, 2015 executive session teleconference minutes.

Attorney General's Report- J. Jackson

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's report as presented.

1) POD140016 Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to close case with a letter of concern.

Cognizant's Report – Dr. Rudy Cisco

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to accept the Cognizant's report as presented.

1) POD150005 Close case, no further action required.

Applications for Board Review

1) A.B. Ms. Sanders motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to notify applicant that all CE requirements must be met by August 30, 2015 and if the requirements are not met, the license will enter a lapsed status.
2) J.G. Ms. Sanders motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to issue the license.

Dr. Cisco left the meeting at 2:44 p.m.

Adjournment No further business was discussed and the meeting adjournment at 2:50 p.m.

Minutes recorded by: Tamara Elliott, Board Support Specialist
Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director
Minutes approved on: October 2, 2015

LEONARD LARUSSA	ADRIENNE PRICE
BOARD PRESIDENT	**EXECUTIVE DIRECTOR**