

GEORGIA STATE BOARD OF PODIATRY EXAMINERS
Board Teleconference Minutes
April 15, 2016 - 1:00 p.m.

The Georgia State Board of Podiatry Examiners met via teleconference on Friday, April 15, 2016.

Board Members Present

Dr. Leonard LaRussa-Chairperson
Dr. William B. Turner-Vice Chair
Dr. Rudy Cisco-Board Member

Administrative Staff Present

Adrienne Price, Executive Director
Kathy Osier, Licensing Supervisor

Board Members Absent

Ms. Judy Sanders-Consumer Member

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 1:01 p.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

Open Session Minutes:

1) January 22, 2016 Board Minutes

Dr. Turner motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to approve the January 22, 2016 open session minutes as amended.

Licenses to Ratify January 16, 2016 – April 8, 2016

Dr. Cisco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between board meetings.

Correspondence – Barry Bloom – Supervision of Hyperbaric Dives

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to notify the writer that the statute does not prohibit Podiatrists from supervising hyperbaric dives provided that they are treating conditions of the lower extremity.

Discussion – Board Policy #3 – Guidelines for Continuing Education Audit

Dr. Cisco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to approve Board Policy 3 as amended.

3. Guidelines for Continuing Education Audit

- a. In accordance with O.C.G.A. § 43-35-15(b)(1)(A), as a requirement for the biennial renewal of his or her license, a podiatric physician must submit proof to the Board of the completion of not less than 50 hours of approved continuing education in the preceding two years.
- b. During the renewal period, the Board grants staff the administrative authority to conduct random audits of continuing education as follows:
 - 1) Select a percentage of licensees to audit for compliance at the time the license is renewed.
 - 2) Select a percentage of licensees to audit for compliance a minimum of thirty (30) days after the expiration date of the license
 - 3) Audit one hundred percent (100%) of all licensees that apply for the renewal of a license during the lapsed late renewal period.
- c. If a licensee is selected for continuing education audit, each licensee must submit continuing education records to meet the renewal requirements for that license renewal period as directed by staff.
- d. In the event a licensee fails to certify or submit adequate proof of completed CE hours, or if the CE

documentation submitted is incorrect, false, or fraudulent, the Board Cognizant may initiate disciplinary procedures in accordance with Board Rule 500-5-.02.

- e. All actions initiated by the Cognizant ~~will~~may be ratified by the Board during the next scheduled meeting of the Board.

Petition for Rule Variance or Waiver

1) Michael J. King BR 500-2-.01

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to grant the waiver of Board Rule 500-2-.01 based on the submission of sufficient evidence to support a hardship.

Executive Director's Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of active licensees, complaints/compliance matters and the status of renewal applications, to include the number of licenses that were lapsed. Ms. Price provided the Board with an update on the status of the telemedicine bills proposed in US Congress, the revision of Joint Secretary Rule 295-15-.01 to include inactive status for podiatrists. She provided a reminder that each Board Member was to have met the Annual Affidavit and Personal Financial Disclosure requirements by January 31, 2016 and if they have not done so to complete the task as soon as possible. Ms. Price's report presented the Board with an update on the pre-filled bills that were tracked in the Georgia General Assembly that may affect the Board. The Board accepted the report as presented.

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to direct Staff and Attorney General to develop a preliminary draft a rule to include the provisions of HB 821 related to transitioning service members and military spouses.

Board President's Report – L. LaRussa

1) Discussion Policy #1 – Guidelines for Records Release

Dr. LaRussa informed the Board that the language in Policy 1 states that Podiatrists should be submitting original x-rays and the language should be amended because the original x-rays should never leave the office. Ms. Price suggested amending Policy 1 to state Podiatrists should submit a copy of the originals.

Dr. LaRussa motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to accept Board Policy 1 as amended.

1. Guidelines for the Request From a Patient for Release of Patient Records ~~to be Released~~

~~a. Request for records from another healthcare practitioner must be released within three (3) to five (5) working/business days.~~

~~b.~~a. Upon receipt of a properly signed and executed release from the Patient, the podiatrist must release the patient records, copy of original x-ray film, etc. to the patient or his/her designee within seven (7) business days.

~~c.~~b. If the Board office receives a complaint against a podiatrist ~~whereby~~ stating the podiatrist will not release the records to a patient at a patient's request, a letter from the Board will be sent via Certified Mail to the podiatrist to release the records to the patient within ten (10) days of receipt of the certified letter, and submit proof that the records have been mailed to the patient (via Certified Mail) to the Board within ten (10) days as well. ~~The podiatrist must either submit to the Board proof of the mailing of the records or respond to the Board as to why the records cannot/will not be mailed within ten (10) days of receipt of the certified letter from the Board.~~

~~d.~~c. If the Board office has not received proof that the records have been released to the patient, or has not received a response from the podiatrist within fifteen (15) days of the date the request was mailed from the Board office, the podiatrist will be subject to the following disciplinary sanctions, which may include any or all of the following:

- 1) Public Reprimand;
- 2) Pay \$500 fine;
- 3) One (1) year probation; and/or
- 4) Six (6) additional hours of continuing medical education:
 - Five (5) hours of record keeping
 - 3 hours in risk management
 - 2 hours in law and rules

- Successfully pass Ethics and Boundaries Examination.

Miscellaneous Discussion(s)

1) Continuing Medical Education Statement for Website

Dr. Cisco motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to post the following statement to the home page of the Georgia State Board of Podiatry Examiner's website:

Continuing Medical Education

The purpose of the continuing medical education (CME) requirement is twofold: 1) to maintain and enhance the professional competence of Podiatrists licensed to practice in the state of Georgia; and, 2) to protect the health, safety and welfare of the public.

In order to meet the CME requirements in the state of Georgia, the hours submitted and courses taken must be approved by and/or obtained from the Council of Podiatric Medical Education (CPME), the American Osteopathic Association (AOA), the American Medical Association (AMA), and/or the Georgia Podiatric Medical Association (GPMA), in accordance with the rules.

Licensees are encouraged to review Board Rules Chapter 500-5 to gain an understanding of the number of CME hours required and how many of those hours you are allowed to submit from any of the specific organizations and associations noted above.

Dr. Cisco motioned, Dr. Turner 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 and Dr. Cisco.

At the conclusion of the Executive Session on Friday, April 15, 2016, 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) January 22, 2016 Board Minutes

Dr. Turner motioned, Dr. Cisco seconded and the Board voted unanimously in favor of the motion to approve the January 22, 2016 executive session minutes as amended.

Attorney General's Report- J. Jackson

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

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 following recommendations made in Executive Session:

POD130010 Pending additional investigation into the violations identified within the body of evidence and upon completion request the Attorney General's Office to present a recommendation regarding potential actions to the Board for consideration.

Applications for Board Review

There were no applications for the Board's review.

Adjournment With no further business to be discussed, the meeting was adjourned at 2:39 p.m.

Minutes recorded by:

Minutes reviewed and edited by:

Minutes approved on:

Tamara Elliott, Board Support Specialist

Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director

July 15, 2016

LEONARD LARUSSA
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR