

GEORGIA STATE BOARD OF PODIATRY EXAMINERS
Board Teleconference Meeting Minutes
Friday, July 27, 2018 - 1:00 p.m.

The Georgia State Board of Podiatry Examiners met via teleconference on Friday, July 27, 2018. The following members were present:

Board Members Present

Dr. Leonard LaRussa, DPM, Chairperson
Dr. William B. Turner, DPM, Vice Chair
Dr. Joseph Giovinco, DPM
Ms. Judy Sanders, Consumer Member

Administrative Staff Present

Adrienne Price, Executive Director
Michelle Hornaday, Board Support Specialist

Administrative Staff Absent

Kathy Osier, Licensing Supervisor

Board Members Not Present

No members absent.

Office of Attorney General

Betsy Cohen, Assistant Attorney General

Visitors Present

No visitors present.

Call to Order Dr. LaRussa established that a quorum was not available and a Committee of the Board was called to order at 1:01 p.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

Open Session Minutes:

1. May 14, 2018 Board Teleconference Minutes

Dr. LaRussa motioned, Dr. Giovinco seconded and the Board voted unanimously in favor of the motion to approve the May 14, 2018 open session teleconference minutes as presented.

2. July 13, 2018 Board Meeting Minutes

Dr. Turner motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to approve the July 13, 2018 open session Board meeting minutes as presented.

Licenses to Ratify April 6, 2018 – July 6, 2018

Dr. Turner motioned, Dr. Giovinco 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 – PDMP System Reliability Letter – J. Patrick O’Neal, Commissioner, DPH

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to accept the correspondence regarding PDMP System Reliability as information.

Discussion – StateReporting.Com Guest Presentation – Timmothy Bell

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to accept the correspondence regarding State Reporting as information and consider other programs at the next meeting.

Discussion – Controlled Substance Prescribing Practices

The Board accepted Controlled Substance Prescribing Practices as information.

Open Records Request

1. Florida Department of Health

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to release requested Public records as permitted by law, to the Florida Department of Health.

2. Moraitakis & Kushel, LLP

Dr. LaRussa motioned, Dr. Giovinco seconded and the Board voted unanimously in favor of the motion to deny releasing confidential information including application and investigative records to Moraitakis & Kushel, LLP, as requested.

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 licensees, complaints/compliance matters and the status of renewal applications, to include the number of licenses that were lapsed.

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

Board President's Report – L. LaRussa

Dr. LaRussa presented the Board with information from Case Western Reserve School of Medicine. He recommends that the Board adopt their re-education program, which provides broad courses for Respondents in complaint cases to satisfy Board Order requirements. Dr. LaRussa stated he will provide the information to staff to include the files for the Board to review and discussion during the next meeting.

Dr. Turner motioned, Dr. Giovinco seconded and the Board voted unanimously in favor of the motion to accept the Board President's 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. Leonard LaRussa, Dr. William Turner, Dr. Joseph Giovinco and Judy Sanders.

At the conclusion of the Executive Session on Friday, July 27, 2018, 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. May 14, 2018 Executive Session Teleconference Minutes

2. July 13, 2018 Executive Board Meeting Minutes

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to approve the May 14, 2018 executive session teleconference minutes and the July 13, 2018 executive session Board meeting minutes as presented.

Attorney General's Report – B. Cohen

1. AG MEMO – Investment Disclosure

Dr. Turner motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to refer the Investment Disclosure Form to Dr. Giovinco to make revisions to include the language provided in the relevant statute. The form is to be presented to the Board for review during the next scheduled meeting.

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

Cognizant's Report – W. Turner

Dr. LaRussa motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

- POD160004** Table pending Cognizant review.
- POD160007** Table pending Peer Review.
- POD160013** Close the case. If attempt is made to reinstate, reconsider case. Flag for reinstatement.
- POD170009** Referred to Legal Services July 11, 2018.
- POD180001** Table pending final disposition of criminal case.
- POD180007** Referred to Legal Services January 24, 2018.
- POD180009** Refer to Investigations to obtain records via subpoena.
- POD180010** Refer to Investigations to obtain records via subpoena.
- POD180018** Table pending receipt of records.
- POD180020** Table pending receipt of records.

Miscellaneous Executive Discussion

Dr. Turner motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

1. **POD180002** Close the case.
2. **POD190001** Close the case with no action.
3. **POD180012** Rescind the referral to the Attorney General's Office. Refer to Investigations to subpoena certified copy of patient records for Peer Review.
4. **POD180013** Refer to Attorney General's Office for a maximum of a Hearing for Voluntary Surrender or Suspension or a minimum of a Public Consent Order with a fine of \$500 for failure to complete renewal requirements [O.C.G.A. §§ 26-4-130(a)(1) & (2); 26-4-130(e)]. Notice of Intent form must be submitted within 30 business days.
5. **POD180014** Refer to Attorney General's Office for a maximum of a Hearing for Voluntary Surrender or Suspension or a minimum of a Public Consent Order with a fine of \$500 for failure to complete renewal requirements [O.C.G.A. §§ 26-4-130(a)(1) & (2); 26-4-130(e)]. Notice of Intent form must be submitted within 30 business days.
6. **POD180015** Refer to Attorney General's Office for a maximum of a Hearing for Voluntary Surrender or Suspension or a minimum of a Public Consent Order with a fine of \$500 for failure to complete renewal requirements [O.C.G.A. §§ 26-4-130(a)(1) & (2); 26-4-130(e)]. Notice of Intent form must be submitted within 30 business days.
7. **POD180016** Refer to Attorney General's Office for a maximum of a Hearing for Voluntary Surrender or Suspension or a minimum of a Public Consent Order with a fine of \$500 for failure to complete renewal requirements [O.C.G.A. §§ 26-4-130(a)(1) & (2); 26-4-130(e)]. Notice of Intent form must be submitted within 30 business days.
8. **POD180017** Refer to Attorney General's Office for a maximum of a Hearing for Voluntary Surrender or Suspension or a minimum of a Public Consent Order with a fine of \$500 for failure to complete renewal requirements [O.C.G.A. §§ 26-4-130(a)(1) & (2); 26-4-130(e)]. Notice of Intent form must be submitted within 30 business days.

Dr. Giovinco left the meeting at 2:46 p.m.

Dr. Giovinco joined the meeting at 2:53 p.m.

Applications for Board Review

Dr. Turner motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in Executive Session.

Application 2744242 Issue the license.

Dr. LaRussa motioned, Ms. Sanders seconded and the Board voted unanimously in favor of the motion to refer rule revisions regarding requests for records from respondents for complaint reviews and time limits for updating contact information to Dr. Turner.

Adjournment With no further business to be discussed, the meeting was adjourned at 3:22 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by: Adrienne Price, Executive Director

Minutes approved on: October 12, 2018

LEONARD LARUSSA
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR