

GEORGIA STATE BOARD OF PODIATRY EXAMINERS
Board Teleconference Minutes
Friday, October 12, 2018 - 1:00 p.m.

The Georgia State Board of Podiatry Examiners met via teleconference on Monday, October 12, 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

Administrative Staff Present

Adrienne Price, Executive Director
Kathy Osier, Licensing Supervisor
Michelle Hornaday, Board Support Specialist

Board Members Not Present

Ms. Judy Sanders, Consumer Member

Office of Attorney General

Betsy Cohen, Assistant Attorney General

Visitors Present

No visitors present.

Call to Order Dr. LaRussa established that a quorum of the Board was present and the meeting was called to order at 1:05 p.m.

OPEN SESSION

Agenda The Board accepted the agenda as presented.

Open Session Minutes

1. July 27, 2018 Board Teleconference Minutes

Dr. Giovinco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to approve the July 27, 2018 open session teleconference minutes as presented.

Licenses to Ratify July 6, 2018 – October 5, 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.

Discussion – CE Broker

- 1. Overview - Shane Hall, CE Broker Director of Strategic Development**
- 2. CE Tracking Benefits**
- 3. FAQs**
- 4. Technical Proposal**
- 5. Partnership with Systems Automation**
- 6. Reference - Lola Pouncey, Bureau Chief, FLDH**

Dr. Giovinco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to initiate the process to utilize CE Broker as the online recording and reporting system for continuing education approved by the Board.

Discussion – Case Western Reserve School of Medicine Re-Education Program – L. LaRussa

Dr. LaRussa motioned, Dr. Giovinco seconded and the Board voted unanimously in favor of the motion for the Cognizant to consider including the Case Western Reserve Re-Education Program when making recommendations to the Board for disciplinary cases where remediation is in order.

Discussion – Investment Disclosure Form – J. Giovinco

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion for Dr. Giovinco to submit a modified form for the Board to review at the January 2019 meeting. Upon Board approval, refer to the Attorney General's Office for a Memorandum of Authority.

Dr. LaRussa 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. Leonard LaRussa, Dr. William Turner and Dr. Joseph Giovinco.

At the conclusion of the Executive Session on Friday, October 12, 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

Attorney General's Report – B. Cohen

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

Miscellaneous Executive Discussion

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

- POD190002** Close the case with a letter of Letter of Concern regarding failure to register with PDMP by January 1, 2018 as required by O.C.G.A. §16-13-57(c) and to release information to the Georgia Department of Community Health.
- POD190003** Close the case with a letter of Letter of Concern regarding failure to register with PDMP by January 1, 2018 as required by O.C.G.A. §16-13-57(c) and to release information to the Georgia Department of Community Health and grant inactive status.
- POD190005** Close the case with a letter of Letter of Concern regarding failure to register with PDMP by January 1, 2018 as required by O.C.G.A. §16-13-57(c) and to release information to the Georgia Department of Community Health. And grant Inactive Status request.
- POD190007** Close the case with a letter of Letter of Concern regarding failure to register with PDMP by January 1, 2018 as required by O.C.G.A. §16-13-57(c) and to release information to the Georgia Department of Community Health.
- POD190008** Close the case with a letter of Letter of Concern regarding failure to register with PDMP by January 1, 2018 as required by O.C.G.A. §16-13-57(c) and to release information to the Georgia Department of Community Health.
- POD190004** 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 failure to register with PDMP by January 1, 2018 as required by O.C.G.A. § 16-13-57(c) and to release information to the Georgia Department of Community Health.
- POD190006** 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 failure to register with PDMP by January 1, 2018 as required by O.C.G.A. § 16-13-57(c) and to release information to the Georgia Department of Community Health.

Betsy Cohen left the meeting.

Cognizant's Report – W. Turner

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

- POD160004** Close the case.
- POD160007** Refer to the Attorney General's Office for a Private Consent Order to require a course

- from Case Western Reserve School of Medicine Re-Education Program on Ethics, Narcotic Prescriptions and Record Keeping.
- POD180001** Close the case due to insufficient evidence.
- POD180002** Close the case.
- POD180009** Table pending receipt of records.
- POD180010** Close the case.
- 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. Renewal application may be withdrawn in lieu of providing Notice of Intent form.
- 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. Renewal application may be withdrawn in lieu of providing Notice of Intent form.
- 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. Renewal application may be withdrawn in lieu of providing Notice of Intent form.
- 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. Renewal application may be withdrawn in lieu of providing Notice of Intent form.
- 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. Renewal application may be withdrawn in lieu of providing Notice of Intent form.
- POD180018** Table pending further review.
- POD180020** Table pending further review.
- POD190009** Refer to Attorney General's Office for a Private Consent Order for Indefinite Suspension of Licensure. May petition for restoration of license upon receipt of documentation from the treating physician indicating the Respondent is able to practice with reasonable skill and safety. Upon restoration, enter into a period of probation for a minimum of four years with the following terms and conditions: quarterly personal, treatment provider and employer reports with random drug screens.
- POD190010** Close the case.
- POD190011** Refer to Investigations to subpoena records.
- POD190012** Table pending receipt of records.
- POD190013** Table pending receipt of records.
- POD190014** Table pending receipt of records.

Executive Minutes

1. July 27, 2018 Executive Session Teleconference Minutes

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to approve the July 27, 2018 executive session teleconference minutes as presented.

Discussion – Federation of Podiatric Medical Boards (FPMB) – Survey Request

Dr. LaRussa motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion for staff to submit the survey as discussed.

Discussion – US Department of Justice DEA Requirement to Establish Production Quotas

Dr. Turner motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to notify the Attorney General's Office the Board feels Podiatrists are writing fewer narcotics prescriptions because of the strict regulation. There has been increased pushback from patients because of the pain medication monitoring and much more referrals to pain management clinics.

Rule Revisions – W. Turner

Tabled for further review.

2019 Board Meeting Dates

All meetings are scheduled for Fridays.

January 25, 2019 11:00 a.m.

April 19, 2019 Teleconference 1:00 p.m.

July 12, 2019 11:00 a.m.

October 11, 2019 Teleconference 1:00 p.m.

Dr. Giovinco motioned, Dr. LaRussa seconded and the Board voted unanimously in favor of the motion to approve the 2019 Board meeting dates as posted.

Board Member Elections

1. Board Chairperson

Dr. Giovinco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Leonard LaRussa as the Board's Chair.

2. Vice Chairperson

Dr. Giovinco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to re-elect Dr. William Turner as the Board's Vice Chairperson.

3. Applications and Complaints/Disciplinary Cognizant

Dr. Giovinco motioned, Dr. Turner seconded and the Board voted unanimously in favor of the motion to re-elect Dr. Dr. William Turner as the Board's Applications and Complaints/Disciplinary Cognizant.

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. Ms. Price stated that during the April 2018 meeting the Board voted to submit a request to the GPMA to request that they consider lobbying to amend the definition of Podiatric Medicine as it relates to the performance of amputations. Staff received a response from the Executive Director of GPMA indicating that they will be lobbying for several legislative modifications to the practice act, including an amputation scope change.

Dr. Turner motioned, Dr. LaRussa 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 notified the Board he had been on a conference call earlier in the day with the Georgia Podiatric Medical Association to discuss proposed changes to the practice act regarding amputations, which will clear up conflicting and restrictive language. He noted he would continue with updates as they are provided.

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.

Miscellaneous Discussion

1. Federation of Associations of Regulatory Board (FARB) Board Member Training

The Board accepts the information provided regarding the FARB Board Member Training as information.

Adjournment With no further business to be discussed, the meeting was adjourned at 3:41 p.m.

Minutes recorded by: Michelle Hornaday, Board Support Specialist

Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor & Adrienne Price, Executive Director

Minutes approved on:

LEONARD LARUSSA
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR