

TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

DATE: February 8, 2017
TIME: 9:00 A.M., CST
LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Paul Somers, D.P.M., Chair
Sheila Schuler, D.P.M. Vice-Chair
David Sables, D.P.M.
Tyrone Davis, D.P.M
Karl Fillauer, C.P.O, Secretary
Martha Kay Oglesby, Consumer Member

BOARD STAFF

PRESENT: Andrea Huddleston, Chief Deputy General Counsel
Jennifer L. Smith, General Counsel
Vanessa Hayes, Board Administrator
Theodora Wilkins, Administrative Director

Dr. Somers called the meeting to order at 9:00 a.m. A roll call vote was conducted and all Board members were present.

Rulemaking Hearing

Ms. Andrea Huddleston of the Office of General Counsel conducted a Rulemaking hearing regarding an amendment to the Fees Rule 1155-02-.06 which will reduce the bi-annual fee for renewal for Podiatry from \$350 to \$275 and rule and 1155-04-.09 which will reduce the bi-annual renewal fee for Orthotists, Prosthetists, and Pedorthists from \$200 to \$150. After much deliberation Dr. Sables proposed that there be a reduction in bi-annual renewal fees for Podiatry to \$275 and a reduction in fees for Orthotists, Prosthetists, and Pedorthist bi-annual renewal fees to \$160. This was seconded by Dr. Schuler. All voted in favor. The motion carried. The Rulemaking hearing concluded.

Minutes

Upon review of the amended August 10, 2016 minutes, Dr. Schuler moved to accept the minutes as corrected and seconded by Dr. Sables. Upon review of the November 9, 2016 minutes Dr. Somers moved to approve the minutes as written, seconded by Dr. Sables. The motion carried.

Office of General Counsel

Ms. Huddleston presented the OGC report stating there are no Consent Orders, Agreed Orders or disciplinary complaints pending in the Office of General Counsel. She also reported that the amendment to the Continuing Education rule was forwarded to the Attorney General's office and approved and will have an effective date of May 1, 2017.

Investigative Report

The Disciplinary and Investigative Reports were presented by Nichelle Dorroh. The Investigative Report showed there are currently eight (8) cases for Podiatrists pending review in their office and the last review was in November. There are currently seven (7) individuals being monitored.

Discuss Applications

Ms. Huddleston explained to the board that Dr. Brad Hayman's application is up for review due to his extensive discipline in Arizona and Ohio. He also has not taken the PM Lexis since the early 90's and pursuant to the examination rule the exam would need to be retaken. Dr. Hayman was present and the Board requested he explain his disciplinary action in Arizona, particularly the one that resulted in his license being suspended. Dr. Hayman stated that the reason for the initial suspension was due to a patient coming in who had Raynaud's disease and was a smoker. Dr. Hayman excised some of her toenails and she developed a gangrenous lesion on the tip of her fifth toe. She subsequently ended up losing the tip of her fifth toe. Dr. Hayman stated that the Board felt that he should have been more diligent in recognizing the vascular issue and should not have excised the nails.

He then did not report to Ohio about the disciplinary action when he renewed his license. Dr. Davis questioned him on why he failed to disclose the disciplinary action. Dr. Hayman stated that he did not recall this.

Dr. Somers stated that the exam requirement alone made him ineligible for licensure and even if he passed the exam his history is concerning and he may not be granted licensure. Dr. Hayman asked what his options were and the Board replied that he would need to take the PM Lexis and gave him the option to withdraw his application. He chose to withdraw his application. Ms. Huddleston reminded the Board that denial of licensure is reportable to the National Practitioner Data bank.

Administrative Report

Ms. Hayes stated as of February 7, 2017 there are 268 active podiatrists; 137 active X-ray operators; 153 active Orthotists; 141 active Prosthetists and 52 active Pedorthists. Ms. Hayes reviewed the monthly statistical breakdown of the renewed, retired and failed to renew.

Ms. Hayes said the remaining date for Board meetings in 2017 are as follows:

May 10, 2017
August 9, 2017
November 8, 2017

Newly Licensed/Certified

Dr. Davis made a motion to approve the newly licensed Podiatrists, seconded by Mr. Fillauer. The motion carried.

Podiatrist

**Ryan Mackey Thomas
Carla Arnette Martin
Kyler D. Thomas**

Upon review, Dr. Schuler made a motion to approve the Podiatric Locum Tenens License, seconded by Ms. Oglesby. The motion carried.

Locum Tenens License

Susan M. Yeager

Dr. Schuler made a motion to approve Podiatric X-Ray Operators, seconded by Dr. Sables. The motion carried.

Podiatric X-Ray Operators

**Brittany Gilliland
Chelsey Leann Harris
Kikki M. Lacy
Geneva D. McLemore
Deborah Ann Mitton
Jessica L. Parker-Johnson
Laurie G. Reed
Elizabeth Riggs
Crystal Scott
Daniel L. Sontchi
Catherine Cantrell**

Mr. Fillauer made a motion to approve the Orthotists, seconded by Dr. Somers. The motion carried.

Orthotists

**Amy K. Lawrence
Robert Patai
Jessica D. Sadler
Priyanka Singh**

Mr. Fillauer made a motion to approve the Prosthetists, seconded by Ms. Oglesby. The motion carried.

Prosthetists

**Andrew S. Hill
Amy K. Lawrence
Jessica D. Sadler**

Priyanka Singh
Reinstatements

Upon review, Mr. Fillauer made a motion, seconded by Dr. Somers, to approve the following Reinstated Pedorthist License. The motion carried

Pedorthist:
Richard Henson

Upon review Dr. Sables made a motion, seconded by Dr. Schuler, to approve the following Reinstated Podiatrist License. The motion carried

Podiatrist:
Mackenzi J. Nelson

The motion carried.

Other Board Business

Mr. Fillauer introduced Ms. Molly Pratt as the new lobbyist for the TN Society for Orthotists and Prosthetists. He stated that there are two separate projects that he would like to discuss. The first is the TSOP would like to have a rule change to add a certification and expand the scope of practice of O&P assistants. They would like to adopt the ABC language on Orthotist and Prosthetist assistants. They want to do what has been done with the Orthotic fitters for O&P assistants in order for them to be able to work as an assistant under the Tennessee law. They would be able to do more than just minor repairs; they would also be able to assist directly in a patient fitting as well. However, they would not be able to do any kind of evaluation managing patient care. They would also like a provision in the Rules that they could not deliver a device.

The second project discussed was requiring Orthotic and Prosthetic residents to register directly with the Board as individuals. Mr. Fillauer stated that as of now residents are exempt from licensure as long as they are working within a residency program. The Legislation that TSOP would like to see would also require those residents to register with the Board so that we could track those individuals and verify for certain that they are actually in a residency program. Ms. Huddleston stated that they are going to work with the TSOP on the language to present to the Board at the next meeting.

Dr. Schuler reminded the Board of the National meeting held at Gaylord Opry Mills Hotel. Dr. Somers made a motion for all of the Board and one staff member to attend seconded by Dr. Davis. All in favor. Motion carried.

Adjournment

A motion to adjourn was made by Dr. Somers and seconded by Dr. Davis. The motion carried. The meeting adjourned.