



**TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS**  
**November 17, 2023**

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**MINUTES**

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The regular Board meeting of the Tennessee Board of Podiatric Medical Examiners was called to order at 9:05 a.m. in the Poplar Room, Ground Floor, Metro Center Complex, 665 Mainstream Drive, Nashville, Tennessee 37243 by Dr. Bhekumuzi Khumalo, Board Chair.

Board members present:     Bhekumuzi Khumalo, D.P.M  
  Christopher Frazier, D.P.M.  
  Chad Webster, D.P.M.  
  Gerald Stark, PhD, MSEM, CPO

Board Member(s) Absent:    Kelly Bumpus, D.P.M.  
  Vacant, Consumer Member

Staff present:                 Candyce Wilson, Unit 1 Board Director  
  Ashley Fine, Deputy General Counsel

**Rulemaking Hearing**

Ms. Ashley Fine presented the notice of rulemaking hearing. The purpose of this rulemaking hearing was to propose a reduction in fees and a grammatical error correction. Ms. Emily Godwin, Fiscal Director, presented the Board with their current financial report and projected financial analysis should the Board approve the rulemaking hearing. It does appear that previous numbers, with a prior fiscal director, presented to the Board were not accurate. Based on the current numbers, it is not advised for the Board to move forward with their proposed fee reduction. The Board members voiced concerns over the fluctuating information on whether or not to reduce their fees and then the delays in the process moving forward. Dr. Chad Webster motioned to not adopt the rulemaking hearing. Dr. Christopher Frazier seconded the motion and it passed by roll call vote. There was no public comment.

**Applicant Interview(s)**

**Michelle Murray-Clark** – the applicant was not present before the Board. The Board opted to review the application and take action without the applicant present. Ms. Murray-Clark is applying for licensure by reciprocity. Pursuant to Rule 1155-02-.08(4) Any applicant whose most recent satisfactory NBPME examination score is more than five (5) years old and who has practiced podiatry with an unencumbered license in another state during the three (3) year period immediately preceding the application shall not be required to take Part III of the NBPME examination for licensure. All other applicants whose most recent satisfactory examination score is more than five (5) years old shall be required to take Part III of the NBPME examination for licensure.

Ms. Fine outlined the application details and the questions before the Board. Does the Board consider the “three years prior” to include the year the application was received or the previous three years and does the Board feel as though she should be required to take the examination? From the application it appears she practice from 2009 – 2019, then she took a leave of absence, and her application indicates she practiced from January 2023 – February 2023. In an e-mail from the applicants supervisor, she reports the applicant has practiced within the three years and shouldn’t be required to take the exam. Additionally, the supervisor indicated the leave of absence was from December 15, 2020 – March 1, 2023. The Board is considering that the applicant did not work in 2020, 2021, or 2022 thus that would mean three years without work and based on this Boards rules there is a competency concern which is to be cured by taking the exam. Dr. Webster motioned to grant licensure contingent on passing part three (3) of the national examination within six (6) months from todays date. Dr. Frazier seconded the motion and it passed. [The Board considered this application again later in these meeting minutes.]

### **APPROVAL OF MINUTES**

The Board members reviewed the meeting minutes from May 5, 2023. Mr. Stark motioned to approve the minutes. Dr. Webster seconded the motion and it passed. The meeting minutes from their August 11, 2023 meeting will be available for review and ratification at the next meeting.

### **REPORT FROM THE OFFICE OF INVESTIGATIONS**

Ms. Barbara Granum reported for 2023 there have been twelve (12) new complaints and eleven (11) closed. Ms. Granum also reported that no complaints have been opened or closed for podiatric x-ray operators, orthotists, pedorthists and one (1) closed for prosthetist.

### **ADMINISTRATIVE OFFICE REPORT**

The Board reviewed and heard the current Board Administrative Office report. At this time there are 317 licensed Podiatrists, 103 licensed podiatric x-ray operators, 141 licensed orthotists, 146 licensed prosthetists, and 36 licensed pedorthist.

### **OFFICE OF GENERAL COUNSEL REPORT**

Ms. Fine with the Office of General Counsel (“OGC”) presented the OGC report. She read aloud the Conflict-of-Interest Policy and the Open Meetings Act. At the July 30, 2021, Board meeting, the Board voted to approve a licensure renewal fee decrease among all licensee categories. A rulemaking hearing was conducted on these amendments at today’s meeting, and it was rescinded. At the December 17, 2021, meeting, the Board voted to change the amount of continuing education hours that can be obtained virtually for orthotists, prosthetists, and pedorthists. These amendments are currently under review with the Attorney General’s Office.

Ms. Fine stated there are no pending appeals nor civil suits. Ms. Fine informed the board there are two (2) open cases against respondents who hold DPM licenses.

### **DISCIPLINARY REPORT**

Ms. Fine report indicated the following regarding disciplinary report for the Board of Podiatry is currently monitoring the following:

- One (1) licensee for a reprimand;
- Two (1) licensees for probation;
- Four (4) licensees for revocation.

### **CONDUCT NEW BUSINESS**

#### **Ratification of New Licensees**

Dr. Webster made a motion to approve the newly licensed Podiatrists, Orthotists, Prosthetics, Pedorthists and Podiatry Xray Operators. Dr. Frazier seconded the motion and it passed.

#### **Discuss and consider CE Broker**

Ms. Candyce Wilson provided an overview of the CE Broker platform and the administrative and licensee benefits of the Board allowing the use of CE Broker. The Board would like to move forward with allowing CE Broker be optional for all licensees. Dr. Webster motioned to allow CE Broker be an option for all licensees under the Board. Dr. Frazier seconded the motion and it passed.

#### **Discussion and consideration re-opened on applicant interview for Michelle Murray-Clark –**

Ms. Fine read aloud an e-mail from the supervisor indicating the leave of absence dates was from December 15, 2020 – March 1, 2023. Indicating that she did work in 2020. If she did work in 2020, the Board would not need proof of the examination. Dr. Webster motioned to approve licensure contingent upon proof from human resources that she worked in 2020 and rescind the Boards first motion. Dr. Frazier seconded the motion and it passed.

#### **Adjournment**

Dr. Webster motioned to adjourn the meeting at 10:35am. Dr. Frazier seconded the motion and it passed.