

**MEETING MINUTES
TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS**

DATE: February 8, 2019
TIME: 9:00 A.M., CST
LOCATION: Health Related Boards
Iris Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Sheila Schuler, D.P.M. - Chair
Tyrone Davis, D.P.M. – Vice Chair
David Sables, D.P.M.
Ramesh Pavuluri, D.P.M.
Karl Fillauer, C.P.O. - Secretary

BOARD MEMBER

NOT PRESENT: Martha Kay Oglesby, Consumer Member

BOARD STAFF

PRESENT: David Silvus, Assistant General Counsel
Vanessa Hayes, Board Administrator
Theodora Wilkins, Administrative Director

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

Minutes

Upon review of the November 2, 2018 minutes, Mr. Fillauer moved to accept the minutes, seconded by Dr. Sables. All in favor. The motion carried.

Investigative Report

Ms. Lori Leonard reported that for 2018 they have received one (1) new complaint for Podiatric X-ray Operators and one (1) new complaint for Orthotists.

Office of General Counsel

The Rule regarding record-keeping for podiatrists and the revisions to the Rule regarding the length of time that testing is valid were revised at the rulemaking hearing in November to reflect the concerns of the TPMA. Those revised rules were sent to the Attorney General's office, which requested some non-substantive changes. Those changes were made and ultimately approved by the Attorney General's office. The Rules were then sent to the Secretary of State's office, but the

Governor issued a 90-day stay on all new rules. That stay went into effect on the same date that the Rules were sent to the Secretary of State's office. There is a path to have rules adopted even with the stay, which we will explore given how far along in the process we were with these rules. At the February 2018 meeting, the Board indicated that non-DPM licensees of the Board should have a similar Rule as podiatrist for record-keeping. Two different approaches to address this were drafted and presented to the Board at the May meeting. The first is simply a Rule that would adopt the DPM Rule for Orthotists, Prosthetists, and Pedorthists. The second is a Rule that is an effort to reproduce the DPM Rule without inapplicable language (such as prescribing, etc.). Mr. Fillauer advised that he wanted to review the draft language and suggest revisions, if appropriate, before the Board took any action on that proposed Rule. The stay does not affect the Board's ability to consider language for rules. The Board can go ahead and consider the language it would like to adopt for this rule. At this time there are no appeals or civil suits pending.

The Office of General Counsel currently has four open cases pertaining to four respondents who hold DPM licenses. A 320c notice letter has gone to all. A formal Notice of Charges has been filed on one, but service has not yet been obtained. We are awaiting a report from an external expert on another before filing formal charges. We are fairly engaged in settlement discussions with counsel for on the third. The other has only just come over from investigations since the last meeting.

Administrative Report

Ms. Hayes stated as of February 7, 2019 there are 268 active Podiatrists; 131 active X-ray operators; 149 active Orthotists; 143 active Prosthetists and 42 active Pedorthists. Ms. Hayes reviewed the monthly statistical breakdown of the renewed, retired and failed to renew.

Ms. Hayes said the Board meeting dates for **2019** are as follows:

Board Meeting Dates

May 10, 2019

August 9, 2019

November 8, 2019

Applicant for File Review

Mr. William Kirschman appeared in front of the Board for review of his application. Mr. Kirschman has not fulfilled the educational requirement of a Bachelors' degree. The Board is unable to waive the educational requirement due to T.C.A. § 63-3-202.

Dr. Abdul R. Ba's file for reinstatement was reviewed by the Board for approval of due to his multiple state licenses and Continuing Education being from 2017. All of his state licenses are clear of discipline. Dr. Pavuluri made a motion to approve, seconded by Dr. Davis. All in favor. Motion carried.

Ms. Karen Miller's file was reviewed due to her initially applying in 2014 and all of her documents not being received until 2019. After review by the Board Dr. Pavuluri made a motion to approve, seconded by Dr. Davis. All in favor. Motion carried.

Newly Licensed

Podiatrist

**Christina A. Juber
Yerusalem Lanier
Joshua B. Stauffer**

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

Podiatric X-Ray Operators

**Danielle P. Atkins
Kaula A. Hatley
Jeni M. Johnson
Grace A. Rash
Erica Rogers
Karen R. Miller**

Dr. Davis made a motion to approve the newly licensed Podiatric X-ray Operators, seconded by Mr. Fillauer. The motion carried.

Orthotists

**Thaddeus Holgado
Mary Littrell Jackson
Marc J. Lennon
Shawn McAdams**

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

Prosthetists

**Brandon J. Christeson
Tyler C. Lambright
Alex G. Teitelbaum**

Mr. Fillauer made a motion to approve the Prosthetists, seconded by Dr. Pavuluri. The motion carried.

Reinstated Podiatrist

Dr. Abdul R. Ba

Dr. Pavuluri made a motion to approve the Reinstated Podiatrists, seconded by Dr. Davis. The motion carried.

Reinstated Podiatric X-Ray Operators

**Rachel E. Rittenberry
Jewel M. Shuler**

Dr. Pavuluri made a motion to approve the Reinstated Podiatric X-ray Operators, seconded by Mr. Fillauer. The motion carried

Reinstated Orthothist

Horace T. Shown

Mr. Fillauer made a motion to approve the Reinstated Orthotist, seconded by Dr. Davis. The motion carried.

Reinstated Prosthetists

James J. Neumeyer, Jr.

Horace T. Shown

Mr. Fillauer made a motion to approve the Reinstated Prosthetists, seconded by Dr. Pavuluri. The motion carried.

Other Board Business

There is no other Board business.

Adjournment

Dr. Pavuluri made a motion to adjourn the meeting at 10:25 a.m., seconded by Mr. Fillauer. The meeting adjourned.