

TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

DATE: February 19, 2014
TIME: 9:00 A.M., CST

LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: David Long, D.P.M., Chair
Karl Fillauer, C.P.O
Lawrence Burns, D.P.M.
Paul Somers, D.P.M.
Karen Garner, Citizen Member

BOARD MEMBERS

ABSENT: Paul Rivard, DPM

BOARD STAFF

PRESENT: Alex Munderloh, Assistant General Counsel
James Hill, Board Administrator
Theodora Wilkins, Administrative Director

Dr. Long, Chair, called the meeting to order at 9:10 a.m. Dr. Long conducted a roll call vote. A quorum was present.

Alex Munderloh reviewed the conflict of interest statement.

Contested Case Poplar Room

Dr. Lawrence was present and was represented by counsel, Frank Scanlon, Esquire. Mr. Alex Munderloh, Assistant General Counsel, represented the State. Presiding at the hearing was the Honorable Kim D. Summers, Administrative Judge, assigned by the Secretary of State. Dr. Lawrence was issued a license by the Board on May 25, 1986, which is currently suspended. February 7, 2013, an agreed Order suspending Dr. Lawrence's license for a period of at least 60 days and requiring him to complete courses in record keeping and prescribing practices before the suspension would be lifted was ratified by the Board. Additionally, the Agreed Order stated Dr. Lawrence must meet with the Tennessee Medical Foundation within 30 days of the entry of the order and must get evaluations recommended by the TMF and must abide by all recommendations. The order required Dr. Lawrence to file an Order of Compliance to have the suspension lifted and appear before the Board. On or about February 13, February 20, March 6, March 27, and April 24, 2013, Dr. Lawrence examined and treated patients at the Volunteers in

Medicine Clinic in Chattanooga, Tennessee while his license was suspended. The Board finds that Dr. Lawrence has violated the Tennessee Podiatric Medical Examiners statutes and regulations. One who has engaged in immoral, unethical, unprofessional or dishonorable conduct; violation or attempting violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order by the Board issued pursuant thereto, or any criminal statute of the State of Tennessee; and defines immoral, unprofessional, unethical or dishonorable conduct which shall include, but not be limited to, the following: Being a party to or aiding and abetting the violation of these regulations or the laws of the State of Tennessee regulating the practice of Podiatry. A motion was made by Dr. Somers, seconded by Dr. Burns, to revoke the license of Dr. Lawrence, He was further ordered to not have contact with any members of the Board. Dr. Lawrence was ordered to pay actual and reasonable costs of prosecuting the case to the extent allowed by law not to exceed \$5000.00. The motion carried.

File Review

The Board reviewed the application of **Tony Cook** for licensure as a Prosthetist. Mr. Fillauer made a motion, seconded by Ms. Garner to allow Mr. Cook to withdraw his application due to not meeting the educational requirements for licensure. The motion carried.

Office of General Counsel Report

There are no rules changes to report and there is no legislation enacted or pending that affects this board.

The Office of General Counsel currently has three (3) disciplinary cases pertaining to the Board of Podiatric Medical Examiners, one (1) of which will be presented today as a contested case hearing. There are no Consent Orders or Agreed Orders for presentation at this time. There are no appeals in Chancery Court from the Podiatry Board.

Correspondence

The Board was presented with questions from **Irma Carrasco** regarding podiatry scope of practice. The Board directed Mr. Alex Munderloh to draft a letter directing Ms. Carrasco to the applicable statutes and rules. Tenn. Code Ann. 63-3-101 (a) and Rule 1155.02.02.

Agreed Citation

Dr. Somers made a motion, seconded by Dr. Burns to accept the Agreed Citation of **Stacy Arrigo, Pedorthist** for an expired license. The motion carried.

Application Review

Dr. Somers made a motion, seconded by Dr. Burns to approve the following application for certification as a X-Ray Operator. The motion carried.

**Megan Nivens
April Brisentine
Khatija Ahmed
Pamela Weir**

**April Smith
Codi Downs
Markisha Washington
Rose Lunceford**

Mr. Fillauer made a motion, seconded by Dr. Somers to approve the application of **Allison Hoffmann** for licensure as a prosthetist. The motion carried.

Election of Officers

Dr. Somers made a motion, seconded by Dr. Burns to keep Dr. Long as Chair and Mr. Fillauer as Secretary. The motion carried.

Reinstatement Review

Mr. Fillauer made a motion, seconded by Dr. Burns, to approve the reinstatement application of **Stacy Arrigo** as a license pedorthist. The motion carried.

Mr. Fillauer made a motion, seconded by Dr. Somers to approve the reinstatement application of **Terry Graybeal** as a licensed orthotist and prosthetist. The motion carried.

Other Board Business

Ms. Wilkins informed the Board regarding the professional privilege tax that an e-mail has been sent out to all professional who opted in to the email notification, the information will also be posted on the Health Related Boards website. The Department of Revenue will not be sending out statements unless you are a new licensee. All professionals who pay the professional privilege tax will now have to submit online.

With no other Board business Dr. Somers made a motion, seconded by Dr. Burns, to adjourn at 12:00PM. The motion carried.