

TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

DATE: March 24, 2016
TIME: 9:00 A.M., CST
LOCATION: Health Related Boards
Poplar Room
665 Mainstream Drive
Nashville, TN 37243

BOARD MEMBERS

PRESENT: Paul Rivard, D.P.M., Chair
Karl Fillauer, C.P.O., Secretary
Sheila Schuler, D.P.M.
David Sables, D.P.M.
Martha Kay Oglesby, Consumer Member

BOARD MEMBERS

ABSENT: Paul Somers, D.P.M

BOARD STAFF

PRESENT: Andrea Huddleston, Deputy Counsel
James Hill, Board Administrator
Latonya Shelton, Administrative Services Assistant III

Dr. Rivard called the meeting to order at 9:20 a.m. A roll call voted was conducted and a quorum was present.

Dr. Rivard asked that a plaque be made in recognition of Dr. Longs eight years of service to the Board.

Minutes

Upon review of the August 19, 2015 minutes, Dr. Sables made a motion, seconded by Ms. Oglesby, to approve the minutes as written. The motion carried.

Office of General Counsel

Ms. Huddleston stated there is one (1) open case in OGC and will be presented at this meeting as an Agreed Orders.

Ms. Huddleston stated that there is pending legislation SB1723, HB 1906 which authorizes a licensed podiatrist to supervise a physician assistant; requires a supervising podiatrist and physician assistant to comply with certain statutory requirements and administrative rules; prohibits a physician assistant supervised by a podiatrist from providing certain services; subjects

a podiatrist to disciplinary action for failing to supervise properly a physician assistant. The Board took no position at this time.

Ms. Huddleston presented an Agreed Order regarding Christopher Alexander, Prosthetist. Mr. Johnson was arrested on or about July 5, 2015 for possession of a pipe bomb and suspected in the bombing of Victory Orthotics & Prosthetics. Mr. Alexander was indicted in the United States District Court, Eastern District of Eastern Tennessee, at Greenville on or about July 14, 2015. Mr. Alexander was indicted under one count of damaging a building and property, use in commerce, by means of fire and explosives and three counts of knowingly possessing of a firearm, that is, a pipe bomb, not registered to you in the National Registration and Transfer Record. Mr. Alexander voluntarily surrendered his prosthetist license, license number 75 and must pay actual and reasonable costs associated with the investigation and prosecution of the case. The maximum assessment of costs shall be limited to One Thousand Dollars (\$1000.00). Mr. Fillauer made a motion, seconded by Ms. Oglesby to accept the agreed order. The motion carried.

Ms. Huddleston presented to the Board the revised policy on lapsed license. Dr. Schuler made a motion, seconded by Mr. Fillauer to approve the revised policy with changes. Dr. Sables opposed. The motion carried.

Ms. Huddleston said the Lawrence case is still on appeal and waiting a decision by the Chancellor of Chancery Court.

Financial Report

Ms. Vanessa Crutcher presented the financial report for yearend closing for 2015. Total direct expenditures \$ 12,596.27, Allocated expenditures \$21,488.97, with total expenditures of \$ 58,618.17, Total revenue \$103,627.75 current year net \$ 45,009.58 with a carryover of \$243,759.16.

Ms. Crutcher reviewed the policy regarding the large amount of carryover the Board has and suggested that if the carryover keeps growing the Board may wish to have a discussion of reducing fees.

Office of Investigations

Nichelle Dorroh stated there is currently one (1) open complaint in investigations against a Podiatrist.

Ms. Dorroh reviewed the currently monitored practitioners report with the Board.

Dr. Rivard asked that the Board have a selection of three to serve as consultant for review investigative cases to include at least one from the profession of Orthotics, Prosthetics, and Pedorthotists.

The Board welcomed Ms. Antoinette Welch, Director of investigations.

Applicant Interview

The Board reviewed the file of **Michelle Kirkland** for Podiatric X-Ray Operator. Mr. Fillauer made a motion, seconded by Dr. Schuler to approve the file for Certification. The motion carried.

Administrative Report

Mr. Hill stated as of January 2016 there are currently two hundred sixty three (263) actively licensed Podiatrists; one hundred twenty nine (129) Podiatric X-ray Operators; one hundred forty nine (149) Orthotists; one hundred forty five (145) Prosthetists; and, fifty five (57) Pedorthists.

Mr. Hill informed the Board of the new web site and asked the members to review the site and inform him of any changes.

Mr. Hill also asked the Board to review and signed conflict of interest statement for 2016.

Mr. Hill reviewed the following 2016 Board meeting dates with the Board:

May 11, 2016

August 10, 2016

November 9, 2016

Agreed Citations

The Board reviewed an Agreed Citation for **Constance Ann Wells, X-Ray Operator**, for working seven (7) months on an expired license after the three (3) month grace period. Mr. Fillauer made a motion, seconded by Ms. Oglesby, to accept the Agreed Citation. The motion carried.

The Board reviewed an Agreed Citation for **Tim D. Leppert, Prosthetist**, for failure to obtain the required continuing education hours for 2013/2014. Mr. Fillauer made a motion, seconded by Dr. Schuler, to accept the Agreed Citation. The motion carried.

The Board reviewed an Agreed Citation for **David V. Knowles, Prosthetist**, for failure to obtain the required continuing education hours for 2013/2014. Mr. Fillauer made a motion, seconded by Dr. Schuler, to accept the Agreed Citation. The motion carried.

The Board reviewed an Agreed Citation for **James P. Atkins, Orthotist**, for failure to obtain the required continuing education hours for 2010/2011. Mr. Fillauer made a motion, seconded by Dr. Schuler, to accept the Agreed Citation. The motion carried.

Dr. Mutter, Medical Director of special projects presented to the Board the revised policy for the Chronic Pain Guidelines Symposia through Vanderbilt/Belmont University how to access CME's. Dr. Sables made a motion, seconded by Dr. Schuler to approve as policy. The motion carried.

Review, Approve/Deny and Ratify New Licensure Files

The Board reviewed the file of **Dr. Kelly Walker, Podiatrist**, after review Dr. Schuler made a motion, seconded by Dr. Sables to approve the application of Dr. Walker. The motion carried.

Mr. Fillauer made a motion to approve **Brian David Cumby** as a newly licensed Orthotist and Ms. Oglesby seconded the motion. The motion carried.

Mr. Fillauer made a motion to approve **Michael James Mahar** as a newly licensed Prosthetist and Ms. Oglesby seconded the motion. The motion carried.

Dr. Shuler made a motion to approve the following newly licensees as a Podiatrists and Ms. Oglesby seconded the motion. The motion carried.

Ashley Marie Dikis
Samantha Anne Hall

Jalpa R. Patel
William Hamilton Thetford

Dr. Sables made a motion to approve the following newly licensees as a Podiatric X-Ray Operators and Mr. Fillauer the seconded motion. The motion carried.

Melanie Katherine Black
Rachel Ewell
Katrina Marie Johnson

Laurie L. Johnson
Rhea N. Schulman

Reinstated Licenses

Mr. Fillauer made a motion to approve the following reinstated licensees and Dr. Schuler seconded the motion. The motion carried.

Ronald E. Rosenberg
Stacy Tolley Davis
Katie R. McLendon
Gregory Armstrong
Eric M. Pause

Podiatrist
X-Ray Operator
X-Ray Operator
Orthotist
Orthotist

Gregory Armstrong
William Mullins
Eric M. Pause
David A. Cloud

Prosthetist
Prosthetist
Prosthetist
Pedorthist

File Closure

Mr. Fillauer made a motion to approve the following files for closure and Dr. Sables seconded the motion. The motion carried.

Matthew Borns
Monique Rolle
Wilnelsia Awoniy
Kathleen Bonner

Podiatrist
Podiatrist
Podiatrist
X-Ray Operator

Tynika Baker
Ashley Houston
Melanie Potter
Ann Ellis Bradley

X-Ray Operator
X-Ray Operator
X-Ray Operator
X-Ray Operator

Ashley Chaffin	X-Ray Operator	David Kozersky	Orthotist
Amanda Whitworth	X-Ray Operator	Harold Calkins	Orthotist
Karen Miller	X-Ray Operator	Christopher Stovall	Orthotist
Lacey Carter	X-Ray Operator	Jeffery Loyd	Orthotist
Kristal M. Allen	X-Ray Operator	Harold Calkins	Prosthetist
Lori Pirtle	X-Ray Operator	Christopher Beardsley	Prosthetist
Angela Lee	X-Ray Operator	Skip Steward	Pedorthist
Kimyetta Johnson	X-Ray Operator	Caleb Garrett	Pedorthist
Lindsey Helton	X-Ray Operator	Robert Garrett	Pedorthist
Jamie Arnette	X-Ray Operator	Jeffery Loyd	Pedorthist

Ms. Huddleston discussed revising Rule 1155-02-.08 (4) regarding the five year effectiveness of the PM Lexis III exam. The Board asked that she draft language and bring back to the Board at the next scheduled meeting.

Ms., Huddleston discussed revising Rule 1155-02-.12 (1)(b) regarding the prescribing practice requirement changing the language to reflect the now required two hours. The board asked that she draft language and bring back to the Board at the next scheduled meeting.

Mr. Fillauer asked that TSOP be added to the agenda to speak to the Board regarding a rule change to the profession for Orthotists, Prosthetist under the definitions regarding assistances for the professions.

With no other Board business to conduct, Dr. Schuler made a motion, seconded by Mr. Fillauer, to adjourn at 10:55 a.m. The motion carried.

Adopted by the Board of Podiatric Medical Examiners on this the 11th day of May, 2016.