

BOARD OF PODIATRIC MEDICAL EXAMINERS

OPEN SESSION MEETING MINUTES

March 13, 2014

Room 110

The Meeting was called to order by President Jay LeBow, D.P.M., at 1:10 PM.
Present at the meeting were: Drs. LeBow, Friedman, Chatter, Harrison and Cohen.
Consumer members present were Barbara Crosby, RN, and Jay Boyar.
Staff present: Eva Schwartz, Executive Director and Sheri Henderson.
Guests present: Chanelle Carter, D.P.M., representing MPMA, Harold Glazer, D.P.M., and Mark Spier, D.P.M.

A. MINUTES:

1. The minutes from the January 9, 2014 Meeting were approved as submitted. The Board did not meet in February due to inclement weather.

B. OLD BUSINESS:

1. Review of Testimony SB162/HB 272-Acute Ankle Bills.

The Board discussed the bills and the introduced amendments. At the time of this discussion, the Bill has passed out of HGO as amended, and on its way to the Senate. The Board supported the amendments about delineation of privileges.

2. Review of Testimony SB380/HB302 Cease and Desist, Special Fund.

Ms. Schwartz informed the Board of the introduced amendment by Senator Conway, sponsor of the Bill, that collected fines for unauthorized practice be placed into the General Funds, not the Board's Special Fund.

3. Proposed Emergency Regulations COMAR 10.13.01 Dispensing of Prescription Drugs by a Licensee-Board of Pharmacy.

Ms. Schwartz informed the Board that these proposed regulations are still pending approval by the Secretary's Office.

Dr. Spier inquired as to what is permissible to dispense without a dispensing permit? The Board's answer was that samples and a one time initial dose, such as an antibiotic to be given in the office, are permissible to be dispensed without a permit and without reimbursement.

C. NEW BUSINESS:

1. Inquiry: Is gastroc recession within the scope of practice in Maryland, and if so, can it be performed in an ASC?

The Board reviewed the inquiry and stated that this procedure is within the scope of podiatric practice, and can be performed in an ASC, within the anatomical domain of the leg, of mid calf and below.

3. Inquiry: Is Epidermal autograft within the scope of Practice?

The Board reviewed the inquiry and stated that this procedure is within the scope of podiatric practice as long as it is restricted to the anatomical domain of the leg, in the areas of mid-calf and below.

4. SB 852 -Dispensers of devices and equipment- exclusion from the Maryland Pharmacy Act.

Ms. Schwartz informed the Board that the Bill has support and has good chances to pass in both Houses.

5. Review for eligibility for FULL License:

- a. Kyle Scholnick, D.P.M.**
- b. Mary Zavada, D.P.M.**
- c. Philip Garrett, D.P.M.**
- d. Moeed Ekbal, D.P.M.**
- e. Alvin Bannerjee, D.P.M.**

Upon review of the completed and submitted applications for licensure, the Board voted to approve the above identified podiatrists for the issuance of a Maryland Podiatric License.

6. Inquiry: Is supervision and reimbursement permitted by a podiatrist during MRI contrast injection for lower leg?

The Board discussed the inquiry and requested that further research be done on the topic. The response was tabled to the next meeting for discussion.

7. Inquiry: Is supervision of laser procedures by an offsite Physician/Podiatrist permissible?

The Board reviewed the inquiry and stated that accessible supervision is permitted, as long as the procedure is performed in the anatomical domain of the leg, mid- calf and below.

- 8. Inquiry: Is utilization of the Cellutome within scope of podiatric practice for epidermal tissue harvesting?**

The Board reviewed the inquiry and stated that the Cellutome usage is within the scope of podiatric practice, as long as it used exclusively within the anatomical domain of the leg, mid-calf and below.

- 9. Inquiry: Is the surgical procedure of an ankle implant within the scope of podiatric practice?**

The Board requested additional information to be able to fully review the specifics of the inquiry. The issue was tabled for further review.

- 10. Request for Authorization of Corporate Name by Melinda Zellars, D.P.M.**

The Board reviewed the application for approval of the corporate name “Natural Motion Foot and Ankle Care, P.A.” and approved the submission. The approved application will be forwarded to the MPMA for final approval. Subsequent to that process, Dr. Zellars will be informed of the outcome in writing.

With no further discussion, the Public Meeting was closed at 1:52 PM.

The Board moved to close the regular session meeting at 1:52 PM, and moved into executive session in order to comply with specific constitutional, statutory or judicially imposed requirements that prevent public disclosure about a particular proceeding or matter, and to discuss the investigation of complaints against specific licensees, as well as for advice of Counsel.

Respectfully submitted,

Jay H. Boyar,
Secretary/Treasurer