

KENTUCKY BOARD OF PODIATRY
REGULAR BOARD MEETING MINUTES
August 12, 2022

A regular meeting of the Kentucky Board of Podiatry was held on August 12, 2022 via Zoom teleconferencing and in person at 500 Mero Street, Frankfort, KY 40601.

MEMBERS PRESENT

Keith Myrick, DPM, President/Chair
Matthew Enzweiler, DPM
Thomas Childress, DPM
Paul Krestik, DPM
R. Neil Lively, Citizen-at-Large

DEPARTMENT OF PROFESSIONAL LICENSING

Tasha Stewart, Interim Commissioner
Jamar Carter, Administrative Section Supervisor
Chessica Nation, Board Administrator

MEMBERS ABSENT

OTHERS

August Pozgay, Board Counsel

CALL TO ORDER

Keith Myrick called the meeting to order at 9:33 a.m.

MINUTES

Matthew Enzweiler made a motion to approve the April 8, 2022 meeting minutes. R. Neil Lively seconded the motion and it carried.

Keith Myrick made a motion to approve the June 17, 2022 meeting minutes. Paul Krestik seconded the motion and it carried.

FINANCIAL REPORT

The Board reviewed the June and July 2022 Financial Reports.

DPL REPORT

Tasha Stewart informed the board that Commissioner Winstead retired effective August 1, 2022. The new Commissioner, Kristen Lawson, will begin on September 1, 2022. Tasha Stewart will be filling in as Interim Commissioner for the month of August.

Tasha Stewart introduced Jamar Carter as the newly-promoted Administrative Section Supervisor.

Tasha Stewart reminded the board that the Cabinet is working on assigning state email addresses to all board members. Progress has been made, but it will still take some time due to the vast number of email addresses that must be created.

LEGAL REPORT

August Pozgay updated the board on the procedure for background checks.

August Pozgay announced that he has received a promotion with a different state agency effective August 16, 2022.

OLD BUSINESS

Matthew Enzweiler reported that he has made attempts to secure a lobbyist for the drafted resident licensure bill, but he has not been successful so far.

Keith Myrick suggested that, if the matter cannot be resolved with the KY Board of Medical Imaging and Radiation Therapy, that the topic of a podiatric assistant be added to the legislative change packet.

Paul Krestik made a motion for the following:

- To authorize the Chair to work with new counsel to potentially draft additional bill language for a podiatric assistant to be discussed at a special meeting this fall;
- To authorize Matthew Enzweiler to continue reaching out to secure a lobbyist; and
- To authorize the Chair to meet with the KY Board of Medical Imaging and Radiation Therapy to continue efforts to resolve the matter with them.

R. Neil Lively seconded the motion and it carried.

NEW BUSINESS

The Board reviewed the FPMB Annual Meeting Recap.

The Board discussed including email addresses in mailing list requests and sending out a notification to all licensees allowing them 30 days to update their email address, if needed. Paul Krestik made a motion to authorize the Board Administrator to email the communication draft as presented. R. Neil Lively seconded the motion and it carried.

The Board discussed the process of new licensees attaining the 1.5 hours of KASPER training. The matter was tabled until the next meeting when it can be reviewed with the new counsel.

Matthew Enzweiler made a motion to make a formal referral to the Department of Justice notifying them of a scam attempt involving the Board and their agency. Paul Krestik seconded the motion and it carried.

Paul Krestik made a motion to deny the late renewal fee waiver requests of D.P., D.A., and A.F. consistent with KRS 311.450(2) and 201 KAR 25:021 Section 2(1). Matthew Enzweiler seconded the motion and it carried.

Keith Myrick made a motion to deny the renewal fee refund request of J.S. Paul Krestik seconded the motion and it carried.

INTERVIEW CANDIDATES

Paul Krestik made a motion to approve the seven applications for licensure for A.K., A.S., J.V., K.M., M.D., M.T., and P.T. R. Neil Lively seconded the motion and it carried.

One of the interview candidates brought up the outdated agency names used in KRS 311.380. August Pozgay stated that he will pass the information along to the new attorney to possibly include with the other legislative drafts.

CLOSED SESSION

Keith Myrick made a motion to enter closed session at 10:37 a.m. pursuant to KRS 61.810(1)(c), (j), and (k) to deliberate regarding complaints 2022BOP00001, 2022BOP00002, 2022BOP00003, and 2022BOP00004, and the matters of S.K., B.F., H.J., and T.H. Matthew Enzweiler seconded the motion and it carried.

A motion was made by Keith Myrick to end closed session at 11:54 a.m. Matthew Enzweiler seconded the motion and it carried. No final actions were taken during closed session.

RECESS

Keith Myrick made a motion to recess at 11:55 a.m. Paul Krestik seconded the motion and it carried. Keith Myrick called the meeting back to order at 12:07.

SETTLEMENTS/JUDGEMENTS REPORT AND COMPLAINTS

Matthew Enzweiler made a motion to approve the recommendations below for S.K., B.F., 2022BOP00001, and 2022BOP00002. Keith Myrick seconded the motion and it carried.

Keith Myrick made a motion to approve the recommendations below for H.J. R. Neil Lively seconded the motion and it carried. Paul Krestik recused from discussion and voting.

Matthew Enzweiler made a motion to approve the recommendations below for 2022BOP00003 and 2022BOP00004. R. Neil Lively seconded the motion and it carried. Keith Myrick and Thomas Childress recused from discussion and voting.

Matthew Enzweiler made a motion to approve the recommendations below for T.H. R. Neil Lively seconded the motion and it carried. Keith Myrick and Thomas Childress recused from discussion and voting.

RECOMMENDATIONS

- S.K.: Issue letter rescinding fine
- B.F.: Send letter confirming receipt and that no action will be taken
- H.J.: Send letter confirming receipt and that no action will be taken
- T.H.: Defer consideration and request medical records
- 2022BOP00001: Dismiss with no finding of violation of board statute and regulations, notify complainant and licensee with reminder re HIPAA, patient confidentiality, and to uphold integrity of profession.

- 2022BOP00002: Dismiss with no finding of violation of board statute and regulations
- 2022BOP00003: Issue emergency suspension. The suspension can be lifted if the agreed order is signed and the conditions are met.
- 2022BOP00004: Issue emergency suspension. The suspension can be lifted if the agreed order is signed and the conditions are met.

NEXT MEETING

December 9, 2022

TRAVEL

There was no travel of board members to approve.

ADJOURN

Matthew Enzweiler made a motion to adjourn the meeting at 12:20 p.m. Paul Krestik seconded the motion and it carried.



Keith Myrick, DPM, President/Chair