

**KENTUCKY BOARD OF PODIATRY**  
**REGULAR BOARD MEETING MINUTES**  
**April 12, 2024**

A regular meeting of the Kentucky Board of Podiatry was held on April 12, 2024, at 9:30 a.m. via Microsoft Teams teleconferencing and in person in the Mayo-Underwood Hearing Room 133CW at 500 Mero Street, Frankfort, KY, 40601.

**MEMBERS PRESENT**

Timothy Ford, Podiatrist  
Paul Krestik, Podiatrist  
Thomas Childress, Podiatrist  
Timothy Ford, Podiatrist

**DEPARTMENT OF PROFESSIONAL LICENSING**

Kristen Lawson, Commissioner  
Jamar Carter, Executive Staff Advisor  
Courtney Cook, Operations Section Supervisor  
Gabriel Dent, Boards & Commissions Specialist

**MEMBERS ABSENT**

R. Neil Lively, Citizen-At-Large

**OTHERS**

Sara Janes, Board Counsel

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**CALL TO ORDER**

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

**MINUTES**

Dr. Myrick made a motion to approve the December 8, 2023, meeting minutes and the January 5, 2024, special meeting minutes. Dr. Krestik seconded the motion and the motion carried.

**FINANCIAL REPORT**

The Board reviewed the Financial Reports from December 2023, January 2024, February 2024, and March 2024.

**DPL REPORT**

No report

**LEGAL REPORT**

- The Office of Legal Services assigned Sara Janes to represent the Board of Podiatry as legal counsel. Ms. Janes was introduced to the Board.
- Paul Krestik motioned for the Board to renew contracts with the Department of Professional Licensing and the Office of Legal Services. Timothy Ford seconded the motion and the motion carried.
- Board Counsel reported SB 28 had passed both chambers and there was still a possibility it would become law this session.
- Board Counsel reported HB 780 did not move this session.
- Board Counsel reported HB 602 included the first invoice payment for Capital Solutions. It had an emergency clause and has been signed by the Governor. The payment should be forthcoming.

- There was no discussion regarding Jurisprudence Exam updates.
- The Board discussed 201 KAR 25:031. Dr. Ford made a motion to update Section 2. (1)(a) to reflect that in-person attendance is required for category A CEU's. Dr. Krestik seconded the motion and the motion carried. Board Counsel to prepare a regulation draft for Board review.

#### **OLD BUSINESS**

- The Board discussed the unpaid invoices for Capital Solutions and the procurement process. Board Counsel reported the balance must be submitted for payment as a legislative claim for the 2025 General Assembly's consideration. Board Counsel also reported the tax-exempt number for the Commonwealth had been provided to the vendor and the balance was adjusted accordingly. Board Counsel requested the Board authorize amendment of the previously submitted corrective action plan so a new legislative claim for the above invoices could be submitted. Dr. Myrick motioned to amend CAP and file a legislative claim on behalf of the Board. Dr. Ford seconded the motion and the motion carried.
- Commissioner Lawson reported the implementation of a DPL process. Supervisors and Board Counsel will review minutes and motions to ensure appropriate processes are being completed for procurement.
- The Board discussed the agreed order for T.H. The monitoring agreement in that order expires on April 24, 2024. Board Counsel presented to the Board for review a drafted letter of compliance from BOP releasing T.H. from the monitoring agreement. Dr. Ford made a motion to release the compliance letter dated April 24, 2024, on April 24, 2024, provided there are no reports of a violation by KYPRN before that date. Dr. Myrick seconded the motion and the motion carried. Board Specialist to release compliance letter on April 24, 2024.
- The Board reviewed a resolved claim letter for P.K. No judgement or action to be taken.
- Dr. Ford made a motion for the Board to send an appreciation plaque to Senator Steve Meredith for the assistance he provided on SB28. Dr. Myrick seconded the motion and the motion carried.
- The Board discussed the radiology requirements in SB28.

#### **NEW BUSINESS**

- On October 19<sup>th</sup>, 2023, Timothy Ford was appointed by the Governor to serve on the Board. Dr. Ford was introduced to the Board.
- The Board discussed KRS 311.410, which requires a Board member be appointed secretary. A motion was made to appoint Dr. Childress to the position of Board secretary. Dr. Krestik seconded the motion and the motion carried.
- The Board reviewed 2023 Q4 KASPER Quarterly Trend Report and updates to the online availability of that quarterly report.
- The Board reviewed a recommendation by COT regarding their Board email addresses and the requirement to log in every 30 days to prevent accessibility issues.
- The Board reviewed a CEU inquiry regarding a certificate of attendance. The Board approved the certificate of attendance. Board Specialist to send a letter to the inquiring Podiatrist that the Board appreciates his candor about the CEU certificate and approves.
- The Board reviewed an email inquiry regarding medical assistants trimming toenails or debriding toenails under a Podiatrists supervision. Board Specialist to send letter to inquirer informing them

that the Board is not authorized to issue advisory opinions. The Board's authority is limited by KRS 311.410.

- The Board reviewed an email inquiry regarding whether an H&P completed by a Podiatrist is to be co-signed by an MD or DO and does the Podiatrist need to be Board certified. Board Counsel to send letter to inquirer informing them that the Board is not authorized to issue advisory opinions and to refer to hospital's policies and by-laws.
- The Board reviewed updates provided by FPMB.
- The Board Specialist reminded the members of the June 30<sup>th</sup> renewal deadline. Board members asked to check renewal audits for review. Dr. Myrick requested the Board Specialist send periodic email reminders with updates.
- Board Counsel discussed need for an RFP for Investigative Services. Board Counsel and Dr. Krestik to work together drafting the RFP.
- Dr. Krestik requested Board Specialist prepare a licensee report with Board updates for his speaking engagement at the KPMA conference on Sunday, April 21, 2024.

### **INTERVIEW CANDIDATES**

Dr. Ford made a motion to approve four applications for licensure. Dr. Krestik seconded the motion and the motion carried.

- M.K.
- M.M.
- N.L.
- N.P.

Dr. Ford made a motion to defer approval of five applications until the Board receives conferred Podiatric College transcripts and passing NBPME PT 3 exam reports. Dr. Krestik seconded the motion and the motion carried.

- B.M.
- J.W.
- S.C.
- S.D.
- S.B.

Dr. Ford made a motion to defer one application for licensure. Dr. Krestik seconded the motion and the motion carried.

- R.T.

### **SETTLEMENTS/JUDGEMENTS REPORTS**

The Board reviewed 2023 Q4 DOI Report. There were no settlements or judgements listed on the report. No judgement or action taken.

### **CLOSED SESSION**

Dr. Ford made a motion to enter closed session at 10:30 a.m. pursuant to KRS 61.810(1)(c), (j), and (k) to deliberate regarding complaints, Dr. Krestik seconded the motion and it carried.

A motion was made by Dr. Childress to end closed session. Dr. Krestik seconded the motion and it carried. No final actions were taken during closed session.

Dr. Myrick to announces time returned from Closed Session at 11:16 a.m.

## **COMPLAINTS/MALPRACTICE/ADMINISTRATIVE HEARINGS**

The board reviewed the following complaints/malpractices/administrative hearings and provided the following recommendations:

- **2024-BOP-00001:**
  - Board dismissal of the complaint. Board Specialist to send letters notifying the licensee and complainant of this decision.
- **C.B. Malpractice Report:**
  - No judgment or action to be taken. Board Specialist to send a letter notifying licensee of this decision.
- **T.H. Malpractice Report:**
  - No judgment or action to be taken. Board Specialist to send a letter notifying licensee of this decision.
- **P.K. Malpractice Report:**
  - Board Counsel to send letter informing Podiatrist the Board would like more information relating to this settlement and the underlying case.
- **C.B. Medical Licensure Board Grievance:**
  - No judgment or action to be taken.
- **Lexington Podiatry Medical Licensure Board Grievance:**
  - Recommendation to initiate a Board complaint against the licensee with 20 days for response and after 20 days, Board Counsel to request medical records from the licensee. The Board wishes to review this matter at its August 9<sup>th</sup>, 2024, meeting.

A motion was made by Dr. Krestik to accept all the Board's recommendations for the complaints/malpractice/administrative hearings/grievances discussed in closed session. Dr. Ford seconded the motion and the motion carried.

## **NEXT MEETING**

August 9, 2024.

## **TRAVEL**

There was no travel of board members to approve.

## **ADJOURN**

Keith Myrick made a motion to adjourn the meeting at 11:30 a.m. Paul Krestik seconded the motion and the motion carried.



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Keith Myrick, DPM, President/Chair

