

**KENTUCKY BOARD OF PODIATRY
SPECIAL BOARD MEETING MINUTES
August 27, 2021**

A meeting of the Kentucky Board of Podiatry was held via video conference ZOOM meeting, hosted by the Department of Professional Licensing which is located at 500 Mero Street, Frankfort, KY 40601, on August 27th, 2021.

MEMBERS PRESENT

Keith Myrick, DPM, President/Chair
Matthew Enzweiler, DPM
Thomas Childress, DPM Thomas Childress,

DEPARTMENT OF PROFESSIONAL LICENSING

Kevin Winstead, Commissioner DPL
Chessica Nation, Administrative Section Supervisor
August Pozgay, Board Counsel
Tiler Hahn, Board Administrator
Peter Travis, Board Administrator

MEMBERS ABSENT

Paul Krestik, DPM
R. Neil Lively, Citizen-at-Large

OTHERS

CALL TO ORDER

Keith Myrick called the meeting to order at 9:32 a.m.

MINUTES

A motion was made by Keith Myrick to approve the May 1st, 2021 meeting minutes with no amendments. Matthew Enzweiler seconded the motion, and the motion carried.

FINANCIAL REPORT

The Board reviewed the May 2021, June 2021 & July 2021 Financial Report.

DPL REPORT

Administrative Section Supervisor Chessica Nation introduced the new board administrator Peter Travis. Chessica Nation asked the board if there is any new budget items and mentioned the possibility of the State of Emergency being lifted. The board did not have any new budget items to discuss.

LEGAL REPORT

Board Counsel August Pozgay introduced himself as the new board counsel and explained the closed session process to the board members.

OLD BUSINESS

Board Chair Keith Myrick discussed updating regulations and legislation to update statutes so Podiatry assistants could take X-Rays, and to create a resident license and podiatric residency period requirement. A motion was made by Matthew Enzeiler for Drs. Myrick and Childress and for Board

Counsel to work on preparing draft proposed regulations and a draft bill. Keith Myrick seconded the motion and the motion carried.

The board discussed an inquiry regarding signage and did not find any wrongdoing. A motion was made by Keith Myrick for Board Counsel to prepare a letter response for Keith Myrick regarding not moving forward with the signage inquiry and complaint. Matthew Enzeiler seconded the motion and the motion carried.

The board discussed the USMLE. A motion was made by Keith Myrick to table the matter. Matthew Enzeiler seconded the motion and the motion carried.

NEW BUSINESS

The board discussed whether the board's Jurisprudence Exam and applicant interviews should remain online only. Motion made by Matthew Enzeiler to keep the Jurisprudence Exam and the Interview procedures online only. Keith Myrick seconded the motion and the motion carried.

The board discussed the fee waiver request and Keith Myrick moved to not waive the fee and for board counsel to draft the response letter for Keith Myrick. Matthew Enzeiler seconded the motion and the motion carried.

The board discussed the J Bryant email and in accordance with the board's discussion, Keith Myrick moved for Board Counsel August Pozgay to draft a response letter. Matthew Enzeiler seconded the motion and the motion carried.

The board discussed an email question about Podiatrists being able to purchase dermal fillers from a drug wholesaler. In accordance with the board's discussion, motion made by Keith Myrick to have Board Counsel August Pozgay to draft a response letter for Keith Myrick. Thomas Childress seconded the motion and the motion carried.

INTERVIEW CANDIDATES

A motion was made by Matthew Enzeiler to approve the application for licensure by Stephen Frascone. Keith Myrick seconded the motion and the motion carried.

Keith Myrick motioned to defer the other three interview candidates who were absent for the interview to the Dec 10th interviews. Matthew Enzeiler seconded the motion and the motion carried.

SETTLEMENTS/JUDGEMENTS REPORT

Matthew Enzeiler moved to table review of the settlements/judgments listed in the October 2019 – December 2019 report. Thomas Childress seconded the motion and the motion carried

Matthew Enzeiler moved for Board Counsel August Pozgay to review the settlements/judgments listed in the January 2020 – December 2020 report and the second settlement listed in the April 2021 – June 30, 2021 report. Keith Myrick seconded the motion and the motion carried.

The board discussed and Keith Myrick moved there is nothing to review for the settlements/judgments report from January 2021 – March 2021. Matthew Enzeiler seconded the motion and the motion carried.

Keith Myrick moved to table review of the first settlement listed in the April 2021 – June 2021 report. Matthew Enzeiler seconded the motion and the motion carried.

CLOSED SESSION

Keith Myrick moved to enter closed session at 10:53am pursuant to KRS 61.810(j) to deliberate regarding individual adjudications in complaints 2019BOD00001, 2021BOD00001, 2021BOD00002, CHFS letter, and Humana for non-payment of services. Matthew Enzeiler seconded the motion and the motion carried.

At 11:31am Matthew Enzeiler moved to end closed session. Keith Myrick seconded the motion and the motion carried. No final actions were taken during closed session.

COMPLAINTS/MALPRACTICE/ADMINISTRATIVE HEARING

Keith Myrick moved in the matter of 2019BOD00001 to send a letter to licensee: 1) the fine stands; and 2) to request more information with possible disciplinary action if a response is not received before the next board meeting. Matthew Enzeiler seconded the motion and the motion carried.

Keith Myrick moved in the matter of 2021BOD00001 to continue the board investigation for review at the December board meeting. Matthew Enzeiler seconded the motion and the motion carried.

Keith Myrick moved to dismiss complaint 2021BOD00002 and for Board Counsel August Pozgay to draft a dismissal letter. Thomas Childress seconded the motion and the motion carried.

Matthew Enzeiler moved to initiate a board complaint for the CHFS letter and to notify the CHFS Inspector General of the complaint. Keith Myrick seconded the motion and the motion carried.

Regarding Humana non-payment of services, Thomas Childress moved for the board to bring this issue to the trade association KPMA to look into how many people are affected. Matthew Enzeiler seconded the motion and the motion carried.

NEXT MEETING

December 10th, 2021

PER DIEM

There was no Per Diem to review

ADJOURN

A motion was made by Keith Myrick to adjourn the meeting at 11:38am. Matt Enzweiler seconded the motion, and the motion carried.

A handwritten signature in blue ink, consisting of a large, stylized 'K' followed by a horizontal line and a small flourish.

Keith Mynick, DPM, President/Chair
