

**KENTUCKY BOARD OF PODIATRY
MEETING MINUTES
AUGUST 10, 2018**

A meeting of the Kentucky Board of Podiatry was held at the Department of Professional Licensing located at 911 Leawood Drive, Frankfort, KY 40601 on August 10, 2018.

MEMBERS PRESENT

Ann Farrer, DPM – Chair
Keith Myrick, DPM
Brad Fine, DPM
Jody Fordy, Citizen-at-Large

DEPARTMENT OF PROFESSIONAL LICENSING

Kelly Childers, Board Administrator
Isaac VanHoose, Commissioner DPL
Robin Vick, Administrative Section Supervisor
Susan Ellis, Operations Section Supervisor
Vickie Logan, Fiscal Officer
Matt Miles, IT
David Trimble, PPC OLS

MEMBERS ABSENT

William Adams, DPM

OTHERS

Shan Dutta, General Counsel, OAG
Jill Lee, OIG, CHFS

CALL TO ORDER

Ann Farrer, DPM, Chair, called the meeting to order at 10:50 a.m. Dr. Farrer welcomed the board to DPL and introduced them to their new board administrator Kelly Childers.

INTERVIEW CANDIDATES

Matthew Hamilton

MINUTES

Dr. Brad Fine moved to approve the minutes from the April 19, 2018 meeting with amendments. Motion, seconded by Dr. Keith Myrick, carried.

DPL REPORT

Commissioner VanHoose welcomed the board to DPL and made staff introductions to the board.

Dr. Farrer made a motion to transport all KY Board of Podiatry files and records and relocate them to the Department for Professional Licensing for administrative purposes. Motion, seconded by Dr. Brad Fine, carried. DPL office will handle the transfer.

FINANCIAL REPORT

The Board reviewed the April, May, June and July 2018 financial reports. Susan Ellis explained to the board how DPL calculates and runs these reports. No further action required.

Susan Ellis informed the board that all deposits received thus far were only for renewals. She is not sure what has happened with any application fees or any other fees received. Treasury office was not also not aware where they stand or that any of this was happening. Mrs. Ellis has received checks from 2017 that were never deposited. Board administrator will check lists with un-deposited checks and see if any licenses were issued.

Dr. Brad Fine made a motion to process checks, not cashing outdated checks, and for DPL to contact those candidates regarding uncashed checks. Motion, seconded by Dr. Keith Myrick, carried.

Dr. Brad Fine made a motion to allow DPL fiscal employees to request access to run online renewal reports with KY Interactive and submit deposits to treasury. Motion, seconded by Dr. Keith Myrick, carried.

The DPL fiscal office will handle the returned checks DPL has received for the KY Board of Podiatry.

Commissioner VanHoose introduced and explained the MOA for the budget for the next 2 years to the board. Under the new agreement the administrative fees for FY19/20 will be \$31,900 annually with a \$40,000 budget. Jody Forgy a motion to accept and sign the MOA for the biennium. Motion, seconded, by Dr. Keith Myrick, carried.

Matt Miles provided an IT update to the board. DPL has kept the former Podiatry Board email active and has sent an auto forward to the new board email. The board website has been updated with new and updated contact information.

Robin Vick informed the board about the online services accounts through our eservices system for our licensees and described the ease of personal information updates, verifications, renewals, and the ability to print your own certificates.

OLD BUSINESS

Shan Dutta, legal counsel, passed out a hand-out of 201 KAR 25:090 with amendments for board to review. Jill Lee with CHFS OIG was there to explain the regulation changes to the board and importance of HB 333 to help boards regulate and look for appropriate or misconduct of prescribing opioids. Dr. Brad Fine made a motion to motion to approve the discussed regulations as amended. Motion, seconded by Dr. Keith Myrick, carried.

NEW BUSINESS

Dr. Brad Fine made a motion to approve the invoice from the Association Professionals, Inc for transporting documents from Glasgow to Frankfort for \$660.58. Motion, seconded by Dr. Keith Myrick, carried.

The board requested summary of FPMB review of interstate compacts/licensing reform/ board immunity from the executive director. The executive director will e-mail a spreadsheet to the board administrator.

The board reviewed DEA seminar agenda/topic/syllabus for CME credits

The board reviewed licensing certification modifications available through DPL.

The board would like to have a statement through KPA about working with Sullivan University on an on-line certification program for all podiatric assistants taking x-rays, since anyone taking x-rays must be certified.

LEGAL REPORT

Shan Dutta submitted a letter to the board from the OAG of written notification of the termination of legal representation in the form of general counsel services to the Kentucky Board of Podiatry effective September 8, 2018. The new acting board counsel is David Trimble, attorney with the Public Protection Cabinet, Office of Legal Services.

Mr. Trimble notified the board of updates made to the Open Meeting Laws of KRS 61.826 and KRS 61.810 to now include a modification to allow for a board member(s) to participate remotely in a board meeting.

COMPLAINTS/MALPRACTICE/ADMINISTRATIVE HEARINGS

Dr. Brad Fine made a motion for the board to approve the board recommendations for the following actions. Motion, seconded by Jody Forgy, carried.

- Malpractice: 2017-M-002 – send letter and close out
- Malpractice: 2017-M-001 – confirm completed \$500 consent order - confirmed
- Malpractice: 2018-M-002 – missing info in file; is a \$230,000 settlement in-proper prescribing
- Malpractice: 2018-M-003 - \$200,000 settlement, no action taken, search databank
- Complaint: 2018-C-001 – complainant died, send letter to Dr. & close out
- Complaint: 2018-C-002 – attend an in-person board pre-approved coding seminar, minimum of 5 hours, and submit proof to the board of attendance with proof of repayment of \$339.66
- OIG Investigation of Lexington Foot & Ankle
- 2018-M-001– 12 month probation and \$500 fine with no violations/complaints during 12 month probation.

NEXT MEETING

December 7, 2018 at 9:30 am

TRAVEL AND PER DIEM

Motion was made by Dr. Ann Farrer to approve Travel and Per Diem. Seconded by Dr. Brad Fine, carried.

ADJOURN

Motion was made by Dr. Ann Farrer to adjourn the meeting at 2:45 p.m. Seconded by Dr. Brad Fine, carried.



Ann Farrer, DPM, Chair