

**KENTUCKY BOARD OF PODIATRY
MEETING MINUTES
December 7, 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 December 7, 2018.

MEMBERS PRESENT

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

DEPARTMENT OF PROFESSIONAL LICENSING

Kelly Childers, Board Administrator
David Trimble, PPC OLS
Isaac VanHoose, Commissioner DPL

OTHERS

Jill Lee, OIG, CHFS
Tony Cotto, PPC OLS
Joseph Fawns, PPC Legislative Liaison

MEMBERS ABSENT

CALL TO ORDER

Ann Farrer, DPM, President, called the meeting to order at 9:45 a.m. Dr. Farrer welcomed the board to DPL while staff and guest introductions were made.

INTERVIEW CANDIDATES

- Christopher Houge
- Kinna Patel
- Christian Ball
- Dana Dober - reinstatement

MINUTES

Dr. Brad Fine moved to approve the minutes from the August 10, 2018 meeting with amendments. Motion, seconded by Dr. Keith Myrick, carried.

FINANCIAL REPORT

The board reviewed the September, October and November 2018 financial reports. The board had a few questions as to the details of the report. The board administrator will email the board an explanation of fees. The board will have a DPL fiscal representative attending the next meeting to help answer any remaining questions and concerns.

The board administrator provided a modified MOA for the budget for the next 2 years to the board. The MOA required a modification in its verbiage to include the language for HR functions. Under the agreement the administrative fees stay for FY19/20 will be \$31,900 annually with a \$40,000 budget. Dr. Farrer made a motion to accept and sign the modified MOA for the biennium. Motion, seconded, by Dr. Keith Myrick, carried.

DPL REPORT

Commissioner VanHoose introduced himself and provided no further updates from the commissioner.

The board congratulated Dr. Keith Myrick on his reappointment to the board. He will serve for a term expiring August 22, 2022.

The board administrator provided an IT update to the board reflecting the online e-services system that will be used for the podiatry license renewals in June. Jennifer Franklin submitted an email with some questions to the board and the board answered them. The board administrator will submit the answers back to Ms. Franklin regarding the back office for the podiatry renewal process.

OLD BUSINESS

LXMOS radiography, Florida and Wisconsin are the only states with these certifications. KY Board of Podiatry needs to get with KY Board of Medical Imaging and Radiography Technicians to see about getting a certificate or some sort of affordable education/training course with a college to create a limited podiatry radiology certificate/degree.

LEGAL/LEGISLATIVE REPORT

Dr. Brad Fine made a motion for the board to create a \$50 annually inactive license status fee for licensees who choose to hold an inactive status for up to five years. Motion, seconded, Dr. Keith Myrick, carried.

Tony Cotto, with PPC, came to discuss regulation changes/updates specifically relating to narcotics and reciprocity associated with the Board of Podiatry. Mr. Cotto will be working on regulation amendments and repeal for the board and hopefully be submitting updates in January to LRC committee review.

- Add annual fee for inactive license
- Add fee if not registered with KASPER
- Repeal reciprocity
- Update dispensing controlled substances

Jill Lee, with OIG, CHFS, came to educate the board on required KAR amendments to controlled substances and prescription regulations. Jill will send some information over to be possibly added to the board website and will review renewal update questionnaire after board administrator updates it make sure it follows suite to new/updated regulations.

Joseph Fawns, PPC legislative liaison, spoke with the board about legislative updates for the upcoming legislative session and discussed the pre-filed professional licensing bill.

COMPLAINTS/MALPRACTICE/ADMINISTRATIVE HEARINGS

Dr. Ann Farrer made a motion of no action necessary on all current and future malpractices cases reported to the board. Motion, seconded, Dr. Keith Myrick, carried.

- Malpractice: 2017-M-001 – confirm received \$500
- Malpractice: 2018-M-002 – missing info in file; is a \$230,000 settlement in-proper prescribing, no action
- Malpractice: 2018-M-003 – missing info; \$200,000 settlement, search databank, no action

Dr. Ann Farrer made a motion for the board to approve the board recommendations for the following actions. Motion, seconded by Dr. Keith Myrick, carried.

- 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
- Complaint: 2018-C-003 – no info
- Complaint: 2018-C-004 – no info

- Complaint: 2018-C-005 – no info

NEW BUSINESS

Dr. William Adams made a motion for the board to send Beverley a plaque thanking her for her service. Motion, seconded, Jody Forgy, carried.

Dr. William Adams made a motion to waive the licensure renewal late fee for Rick Young, DPM, due to negligence from prior board director to deposit his funds. Motion, seconded, Dr. Brad Fine, carried.

Dr. Ann Farrer made a motion to set the 2019 board meeting schedule for April 12, 2019, August 16, 2019, and December 6, 2019. Motion, seconded, Dr. Keith Myrick, carried.

The board reviewed the prescribing patterns of the following Dr.'s. Dr. Ann Farrer made a motion for the board to approve the following recommendations for the following actions. Motion, seconded, Dr. Keith Myrick, carried.

- Collin Ball, DPM – incorrect address, hold review for next meeting
- Charles Tirone, DPM – Dr. Farrer will send letter
- Mark Edmunds, DPM – BA will send letter of no disciplinary action necessary
- Heather Jones, DPM – BA will send letter of no evidence of wrong doing or improper prescribing
- CY 2018-K-001 – negligent on not knowing the law, 249 failures in a year. \$500 fine, boards needs summary on those you are prescribing for more than 3 months, register with KASPER, and expect a narcotics compliance plan.

Board administrator will scan over letter from KHEAA to Dr. Farrer and David Trimble for review.

Lexington Foot & Ankle OIG investigation had an article in the Herald Leader. Dr. Keith Myrick made a motion for the board counsel to send a letter to the OIG for the board to be notified and updated on the OIG findings of their investigation of Lexington Foot & Ankle. Motion, seconded, Dr. William Adams, carried.

NEXT MEETING

April 12, 2019 at 9:30 am and Exams at 9:00 am

TRAVEL

Motion was made by Mr. Jody Forgy to approve Travel. Motion, seconded by Dr. William Adams, carried.

ADJOURN

Motion was made by Dr. Ann Farrer to adjourn the meeting at 3:30 p.m. Motion, seconded by Dr. Keith Myrick, carried.



Ann Farrer, DPM, Chair