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FLORIDA | Board of Podiatric Medicine

DRAFT MINUTES

February 3, 2015

Teleconference



Chet Evans, M.S., D.P.M.
Chair

Mark S. Block, D.P.M.
Vice-Chair

Adrienne Rodgers, BSN, J.D.
Executive Director

47
48

1 **General Board Business started: 1:03 p.m.**

- 2
3 I. The meeting was called to order by Dr. Evans, Chair, at approximately 1:03 p.m. Those present for all or part of the meeting
4 included the following:
5

6 **MEMBERS PRESENT:**

7 Chet Evans, M.S., D.P.M., Chair
8 Mark S. Block, D.P.M.
9 Melvin Price, D.P.M.
10 Joseph Strickland, D.P.M.
11 Robert Morris, Ph.D.
12 Scott Koppel, D.P.M., Vice Chair
13 James Pearce, B.B.A., M.B.A.
14

STAFF PRESENT:

Adrienne Rodgers, Executive Director
Joseph Lesho, Program Operations Administrator
Jose Montalvan, Regulatory Supervisor/Consultant
Savada Knight, Regulatory Specialist II
Kelly Woodard, Regulatory Specialist II

15 **BOARD COUNSEL:**

16 Mary Ellen Clark, Senior Assistant Attorney General
17 Office of Attorney General
18

19 **PROSECUTION COUNSEL:**

20 Yolanda Y. Green, Assistant General Counsel and Section Manager
21 Department of Health, Office of the General Counsel
22

23 **COURT REPORTER:**

24 No court reporter was present
25

26 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from*
27 *this meeting can be found online: <http://floridaspodiatricmedicine.gov/>*
28

29 **General Board Business started at 1:06 p.m.**

30
31 **II. APPLICANTS PRESENTED FOR BOARD REVIEW:**

- 32
33 1. John DeStephano, D.P.M.
34 Dr. DeStephano was present and not represented by counsel.
35

36 Dr. DeStephano's application was before the Board due to discipline of his New York license. The discipline stemmed from
37 Applicant forging the signature of another podiatrist on a prescription form. Applicant received 2 years of probation
38 commencing in 2013 and ending in February 2015, and a stayed suspension of his license.
39

40 Discussion:

41 Applicant stated it was a bad judgment and had admitted to the residency program that it happened. He stated the probation
42 ends in February 2015.
43

44 Dr. Evans asked if the Board could approve the application with the probation in New York still open, and when the license
45 would become effective if approved today. Ms. Clark responded that the license would become immediately effective. Dr.
46 Evans asked if a conditional license could be issued. Ms. Clark suggested delaying the matter to the March 2015 meeting as
47 Dr. DeStephano had waived his 90-day rights under s. 120.60(1), F.S.
48

49 Action taken:

50 Motion to defer consideration to the March board meeting and app provide evidence from New York that all conditions of
51 probation have been met made by Dr. Evans, seconded by Dr. Koppel. Dr. Koppel and Mr. Pearce asked if Dr. DeStephano's
52 appearance could be waived. Dr. Evans amended his motion to excuse Dr. DeStephano's appearance, seconded by Dr.
53 Koppel.
54

54 Vote: 7 ayes / 0 opposed; motion carried
55

- 56 2. John P. Miketa, D.P.M.
57 Dr. Miketa was present and was not represented by counsel.
58

1 Dr. Miketa's application was before the Board due to documentation received that reflects a Medical Malpractice indemnity
2 in the amount of \$500,000 was paid in 1998. A diabetic patient treated for a foot ulcer developed complications from the
3 antibiotic prescribed.
4

5 Discussion:

6 Ms. Clark advised the Board that the Board should approve for the background history only since Dr. Miketa's application
7 was incomplete until the Medical Errors requirement was fulfilled.
8

9 Action taken:

10 Motion to approve the medical malpractice in the Applicant's background history and to allow the Applicant to move
11 forward with his application made by Dr. Morris, seconded by Dr. Pearce.
12

13 3. Nimesh Patel, D.P.M.

14 Dr. Patel requested that his application be tabled until the next meeting due to his retention of new counsel. Dr. Block asked
15 if engagement of counsel was due to the ongoing criminal action. Ms. Clark explained the history of Dr. Patel's licensure,
16 why the application was now before the Board, and in what context Dr. Patel retained counsel for this matter. Dr. Price asked
17 if the non-renewal could be reversed. Ms. Clark stated that Dr. Patel was coming before the Board based on a new application
18 and not his non-renewal. Dr. Evans asked if the terms of the Final Order would have to be complied with. Ms. Clark advised
19 that the Board could consider renewing the conditions if it approved the application for licensure.
20

21 V. NEXT MEETING – March 27, 2015 – Orlando

22 Ms. Rodgers asked the board to consider adding meeting dates in order to avoid the need for setting interim meeting due to
23 90-day issues and provided the following dates for the Board's consideration.
24

25 PCP:

26 February 23 through 25

27 June 18 or 19

28 September 17 or 18

29 Dec 17 or 18

30 Board:

31 March 27 Orlando

32 June 19 (teleconference)

33 August 7 or 24 through 28 (teleconference)

34 October 22, 23 or 30 OR Nov 19 or 20 (Live)
35

36 **General Board Business concluded at 1:30 p.m.**

37 Motion to adjourn made by Dr. Morris and seconded by Dr. Pearce.