

FLORIDA BOARD OF PODIATRIC MEDICINE GENERAL BOARD MEETING

DRAFT MINUTES

October 1, 2021 at 9:00 A.M. EST



Joseph Strickland, DPM, Chair

Janet E. Hartman, Executive Director

MEETING CALLED TO ORDER by Dr. Mark Block, Vice-Chair @ 9:00 A.M.

Roll Call Conducted by Mrs. Janet Hartman

BOARD MEMBERS PRESENT

Mark S. Block, DPM – Vice Chair
Soorena Sadri, DPM
Robert Morris, PhD

BOARD MEMBERS NOT PRESENT

Joseph Strickland, DPM – Chair – Excused Absence

BOARD STAFF PRESENT

Janet Hartman, Executive Director
Eric Pottschmidt, Program Operations Administrator
Kisha Johnson, Regulatory Specialist II, Team Lead

BOARD COUNSEL PRESENT

Christopher Dierlam, Assistant Attorney General

DEPARTMENT OF HEALTH COUNSEL PRESENT

Matt Witters, Senior Attorney

REVIEW AND APPROVAL OF MINUTES – July 9, 2021

Motion to approve the July 9, 2021 minutes passed unanimously.

PROSECUTOR’S REPORT

Complaint Inventory as of September 20, 2021:

Number of complaints under review by a department prosecutor:	0
Number of complaints drafted for probable cause:	3
Number of complaints where probable cause has been found:	2
Number of complaints with an appeal pending:	0
Number of complaints in a hold status:	0
Number of complaints awaiting a final order:	0
<u>Other (Intake and Re-opened cases/supplementals):</u>	<u>0</u>
TOTAL Complaint Inventory:	5

Number of Complaints Older Than One Year:

Year Case Opened:	
2019:	1
<u>2020:</u>	<u>1</u>
TOTAL:	2

After discussion, the following action was taken:

Motion: by Dr. Block to allow PSU to continue to prosecute one year and older cases.
Second: by Dr. Morris
Vote: Passed Unanimously

APPLICATION REVIEW (TS – 4:00 Minutes)

Evan Vieira, Podiatric Physician

Dr. Vieira was not present and was not represented by counsel. Dr. Vieira's application was before the board due to failure to disclose criminal history on his application for a DWAI Alcohol offense.

After discussion, the following action was taken:

Motion: by Dr. Block to require Dr. Vieira to appear at one of the next two board meetings to clarify the incident.
Second: by Dr. Sadri
Vote: Passed Unanimously.

Xanel Pinheiro-Aquino, Certified Pod X-Ray Assistant

Xanel Pinheiro-Aquino was present and was not represented by counsel. Xanel Pinheiro's application was before the board for criminal history related to a drug/pharmaceutical offense.

Xanel Pinheiro-Aquino addressed the Board with the circumstances of her offense.

After discussion, the following action was taken:

Motion: by Dr. Block to approve the application.
Second: by Dr. Morris.
Vote: Passed Unanimously.

Lamarcia Davis, Certified Pod X-Ray Assistant

Lamarcia Davis was present and was not represented by counsel. Lamarcia Davis's application was before the Board for failing to disclose criminal history on her application related to grand theft and fraud related offenses.

Lamarcia Davis addressed the Board with the circumstances of her offenses.

After discussion, the following action was taken:

Motion: by Dr. Block to approve the application.
Second: by Dr. Sadri.
Vote: Passed Unanimously.

REPORTS (TS – 18:30 Minutes)

Chair's Report – Nothing to report.

Executive Director's Report

Renewal Update was provided by Mrs. Hartman. Renewal cycle will open November 1, 2021 and conclude on 3/31/2022.

The Financial Report will be added to the posted draft minutes of this meeting for public disclosure.

Mrs. Hartman briefly commented on 64B18-17.005, F.A.C. Continuing Education Requirements After Initial Licensure, wherein, new podiatric physicians are required to attend a board meeting within 24 months of their initial licensure where disciplinary proceedings are being heard. As there have been little to no discipline cases to be heard, new physicians are concerned about how this will affect their renewal if they are unable to complete this requirement. For those in this situation, Mrs. Hartman encouraged them to contact the board office where we will assist them in addressing with the Board.

Board Counsel Report (TS – 21:15 Minutes)

64B18-14.002, F.A.C. Disciplinary Guidelines

After discussion, the following action was taken.

Motion: by Dr. Block to approve the changes as discussed.
Second: by Sadri
Vote: Passed Unanimously

There was not public comment presented.

SERC Questions

- Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?
- Should a violation of this rule or any part of this rule be designated as a minor violation?
- Would a Sunset provision be applicable to this Rule?

Motion: by Dr. Block to vote in the negative for all SERC questions.
Second: by Dr. Morris
Vote: Passed Unanimously

Annual Regulatory Report – No discussion

Rules Report – Discussed as noted in the report.

Committee Reports

Disciplinary Compliance – Dr. Strickland – Nothing to report.
Legislative – Dr. Strickland - Nothing to report.
Malpractice Committee – Dr. Block - Nothing to report.
Probable Cause Panel – Dr. Block - Nothing to report.
Residency Program – Dr. Sadri - Nothing to report.
CE Committee – Dr. Sadri - Nothing to report.
Rules – Dr. Sadri - Nothing to report.
Budget – Robert Morris, Ph.D. - Nothing to report.
Unlicensed Activity – Robert Morris, Ph.D. - Nothing to report.

RATIFICATIONS

Licenses Issued.

Motion: by Dr. Block to ratify Profession 2101 – Podiatric Physician.

Second: by Dr. Morris

Vote: Passed Unanimously

Motion: by Dr. Block to ratify Profession 2105 – Podiatric X-Ray Assistant.

Second: by Dr. Morris

Vote: Passed Unanimously.

OLD BUSINESS/NEW BUSINESS – No old or new business.

NEXT MEETING DATE – In process of finalizing the Requests for Quotes.

PUBLIC COMMENTS

Dr. Anwar requested clarification during previous discussion regarding 64B18-17.005, F.A.C. Continuing Education Requirements After Initial Licensure and requested contact information.

Mr. Jason Winn, on behalf of the Florida Podiatric Medical Association (FPMA), commented and offered his assistance in getting information out to the new licensees regarding 64B18-17.005, F.A.C. Continuing Education Requirements After Initial Licensure.

Dr. Block offered closing statement expressing thanks and appreciation for the hard work of the Board members and staff.

Motion: by Dr. Block to adjourn the meeting.

Second: by Dr. Morris

Vote: Passed Unanimously.

ADJOURNMENT @ 9:48 A.M.