

FLORIDA BOARD OF PODIATRIC MEDICINE GENERAL BOARD MEETING

DRAFT MINUTES

February 21, 2022 at 5:00 P.M. EST



Mark S. Block, DPM, Chair

Kimberly Marshall, Executive Director

MEETING CALLED TO ORDER @ 5:02 p.m.

Roll Call Conducted by Kimberly Marshall, Executive Director

BOARD MEMBERS PRESENT

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

BOARD MEMBERS NOT PRESENT

Joseph Strickland, DPM, Chair - Excused Absence

BOARD STAFF PRESENT

Kimberly Marshall, Executive Director
Eric Pottschmidt, Program Operations Administrator

BOARD COUNSEL PRESENT

Christopher Dierlam, Assistant Attorney General

APPLICATION REVIEW

Jay D. Bienenfeld, D.P.M.- Rule 64B18-11.002, F.A.C. Examination for Licensure

Jay D. Bienenfeld, D.P.M. was present and did not have legal representation.

Christopher Dierlam presented a summary of application and recent Florida Administrative Code language changes that related to the continued review of Dr. Bienenfeld’s Petition for Variance or Waiver as it related to the request to waive the requirement for passing Part I of the examination.

During the January 27, 2022 general board meeting, Dr. Bienenfeld’s Petition for Variance or Waiver of Rule 64B18-11.002, F.A.C. to waive the requirement of taking Part III of the examination was approved by the Board. However, it was later discovered that, while all parts in Part I of the examination were passed except for the biochemistry part, the National Board of Podiatric Medical Examiners confirmed that back in 1990, all parts were required to be passed in order to receive an overall passing score for Part I.

Application documents revealed that the State of New York had waived the requirement for Part I in lieu of passing the NYS Practical Examination, and as such, Dr. Bienenfeld was able to practice in New York for many years and has done so with a relatively unblemished record.

Application documents also noted that per Section 461.006(2)(b), F.S., referenced in part... *“If the applicant has failed to pass the examination after five attempts, she or he is no longer eligible to take the examination”*, which disqualified Dr. Bienenfeld from taking the examination any further to pass the biochemistry part of Part I.

Dr. Block noted for the record that the decision of the outcome of this application does not set a precedence for other cases, and that all future cases will be reviewed on an individual case-by-case basis on their own merits.

After discussion, the following action was taken:

Motion: by Dr. Block to grant Dr. Bienenfeld's Petition for Variance or Waiver.

Second: by Dr. Sadri

Vote: Passed Unanimously

PUBLIC COMMENTS – No public comments.

ADJOURNMENT @ 5:15 p.m.