

**Board of Registration of Podiatry  
1000 Washington Street, Boston, MA 02118  
Minutes of November 10, 2015**

**Members Present:**

Dr. Raymond Murano, Chair  
Dr. Kenneth Leavitt, Member  
Dr. LeRoy Kelley, Member

**Administrative Staff Present:**

Ann-Margarette Barry, Executive Director  
Ann Driscoll, RN, Investigative Supervisor  
Sheila York, Board Counsel

Dr. Murano, the Chair, opened the meeting at 10:02am.

Executive Director Ann Barry informed attendees of the evacuation procedures and location of the restrooms.

**Vote on Minutes of September 8, 2015:** A motion to approve the minutes was made by Dr. Kelley, seconded by Dr. Murano, and unanimously adopted by the Board.

**A motion to suspend the public meeting and enter closed session under G.L. c. 112, s. 65C for the purpose of discussing investigative matters: PD-15-010 (MC) and Insurance Notification – MW, was made by Dr. Kelley, seconded by Dr. Leavitt, and unanimously adopted by the Board.**

Public Session resumed.

**Report of Actions taken in Closed Investigative Conference:**

**Complaints:**

- (a) **PD-15-010 (MC):** A motion to dismiss the case was made by Dr. Kelley, seconded by Dr. Murano and unanimously adopted by the Board.
  
- (b) **Insurance Notification – MW:** The Board instructed Investigator Driscoll to request more information from MW.

**A motion to suspend the public meeting and enter Executive Session – Closed Session under MGL ch. 30A, Section 21(a)(7) to comply with MGL ch. 4, Section 7, para. 26(c) was made by roll call vote.**

Dr. Raymond Murano – yes  
Dr. Kenneth Leavitt– yes  
Dr. LeRoy Kelley– yes

**Update from the Office of Investigations, Chief Investigator Chris Carroll and Assistant Chief Investigator Sarah Wilkinson:** None

**Executive Director, Ann Barry’s Report to the Board:**

- (a) **Board 2016 meeting calendar:** The Board adopted the 2016 calendar as amended.
- (b) **Elections:** A motion to nominate Dr. Kelley as Chair was made by Dr. Murano, seconded by Dr. Leavitt and unanimously adopted by the Board. A motion to nominate Dr. Murano as Secretary was made by Dr. Leavitt, seconded by Dr. Kelley and unanimously adopted by the Board.

**Board Counsel, Sheila York’s Report to the Board:**

- (a) **Regulation Review for Executive Order 562:** Board Counsel discussed with the Board potential changes to sections 2 thru 6 of the Board’s regulations. The changes that were agreed upon by the Board after discussion included removing outdated language, extending the duration of the limited license, and clarifying reinstatement and continuing education requirements. A motion to adopt the proposed changes as amended as the Board’s proposed regulations was made by Dr. Murano, seconded by Dr. Kelley, and unanimously adopted by the Board. Board Counsel will complete the forms necessary to submit the proposed changes as part of the EO 562 regulation review process and keep the Board updated on the status.
- (b) **Update on pending legal matters:**
  - 1. **Email from Dr. David Tarr, dated October 8, 2015, regarding confidentiality requirements:** The Board received an email from Dr. Tarr regarding the reporting of drug usage by patients to law enforcement. Attorney York read the Board her response to Dr. Tarr’s email, which explained that the Board cannot provide the comprehensive legal advice that Dr. Tarr is seeking and pointed him to the Board regulation which requires confidentiality of patient medical information to the extent required by law. She asked if the Board had any further response. The Board agreed with Attorney York’s prior response and instructed her to reiterate to Dr. Tarr that the Board cannot provide legal advice but that podiatrists are expected to comply with Board regulations and use sound professional judgment.

**Correspondence:**

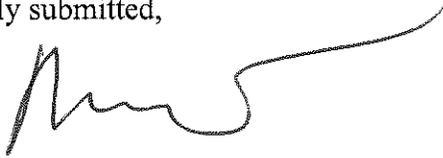
- (a) **Letter from Dr. James Anderson, dated September 17, 2015, regarding request for temporary permit for substitute podiatrist:** Executive Director Barry reported that, on October 5, 2015, the Board issued a temporary permit number to a substitute podiatrist, Dr. Paul Kanter (Permit # PD-002-T).
- (b) **Letter from Dr. Kim Weeber, dated September 10, 2015, regarding acupuncture:** Dr. Weeber applied for an acupuncture license and the Acupuncture Board stated to her that Dr. Weeber may not practice acupuncture under her podiatry license. Dr. Weeber sought a legal opinion from the Board as to whether a podiatry license authorizes the use of acupuncture. Attorney York must complete more research on the matter.

**List of Documents Used at the Public Meeting:**

1. Agenda dated November 10, 2015
2. Minutes dated September 8, 2015
3. 2016 Board calendar meeting dates
4. Proposed Regulatory Amendments to 249 CMR 2.00 to 7.00

Dr. Murano made a motion to adjourn the meeting at 11:25am, seconded by Dr. Kelley and unanimously adopted by the Board.

Respectfully submitted,



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Dr. Raymond Murano, Chair  
Podiatry Board

**Board of Registration of Podiatry**  
**1000 Washington Street, Boston, MA 02118**  
**Executive Minutes of November 10, 2015**

**Members Present:**

Dr. Raymond Murano, Chair  
Dr. Kenneth Leavitt, Member  
Dr. LeRoy Kelley, Member

**Administrative Staff Present:**

Ann-Margarette Barry, Executive Director  
Ann Driscoll, RN, Investigative Supervisor  
Sheila York, Board Counsel

**Executive Session – Closed Session under MGL ch. 30A, Section 21(a)(7) to comply with MGL ch. 4, Section 7, para. 26(c) – Request to exempt continuing education due to medical illness (WJ)**

The Licensee, Dr. Wendell Wallace-Juedes, requested an extension of time to complete his continuing education due to his cancer diagnosis and treatment. The Licensee provided medical documentation from his doctor.

Thereafter, a Motion was made by Dr. Murano, seconded by Dr. Leavitt to allow the Licensee to renew his license and complete the continuing education by October 1, 2016 (30 hours: 15 hours for 2015 and 15 hours for 2016). The vote results were as follows:

Dr. Raymond Murano – yes  
Dr. Kenneth Leavitt– yes  
Dr. LeRoy Kelley– yes

A motion to exit Executive Session was made by Dr. Murano, seconded by Dr. Leavitt and unanimously adopted by the Board. The vote results were as follows:

Dr. Raymond Murano – yes  
Dr. Kenneth Leavitt– yes  
Dr. LeRoy Kelley– yes

**List of Documents Used at the Executive Session:**

1. Medical letter from Dr. David Shepro

Respectfully submitted,

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Dr. Raymond Murano, Chair  
Podiatry Board