

**Board of Registration of Podiatry**  
**Meeting held by video conference and phone**  
**DATE: February 8, 2022**  
**Public Session Minutes**

A public meeting of the Massachusetts Board of Registration in Podiatry (“the Board”) was held remotely by video conference and telephone pursuant to Chapter 20 of the Acts of 2021: An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency signed into law on June 16, 2021.

**Board Members Present by Phone/Video:**

LeRoy Kelley, Chair  
Raymond Murano, DPM Secretary  
Harry Schneider, DPM  
Felix Martinez, PhD Public Member

**Admin. Staff Present by Phone/Video:**

Sheila York, Board Counsel  
Thomas Burke, Executive Director

**Members of the Public Present by Phone/Video:**

Mark Molloy

**I. Housekeeping Matters and Evacuation Procedures**

Dr. Kelley, the Board Chair, observing a quorum of board members to be present via phone or computer audio, opened the meeting at 10:03 AM.

Evacuation procedures not required since meeting was held remotely.

**II. Vote on Minutes:**

- November 9, 2021 Public Meeting Minutes:  
**Dr. Murano moved to accept the public minutes of the November 9, 2021 Board Meeting as amended. Dr. Schneider seconded the motion. The motion passed by roll call vote: Dr. Murano – “Yes”; Dr. Schneider – “Yes”; Dr. Martinez – “Yes”; Dr. Kelley – “Yes”.**

**III. New Items:**

- **Board Chair**  
No discussion.
- **Deputy Commissioner of Boards, Esther Laine report to the board:**  
Executive Director Thomas Burke reported the CME approval update to the Board. Read and filed.

- **Board counsel, Sheila York’s report to the board:**
  - i. Attorney York reported that that the Department of Public Health (“DPH”) has issued a policy implementing updates to G.L. c. 111, s. 228, which require that certain health care practitioners notify patients how much the patient will pay for planned hospital stays, medical procedures, health care services, and referrals based on the patient’s specific health insurance plan. Podiatrists are currently not subject to these new statutory requirements. However, they should be aware of these new requirements that may impact processes within the medical settings where the podiatrist works.
  - ii. Attorney York stated that the Board was recently asked whether a podiatrist must provide written notification to patients before the podiatrist leaves a practice. The regulations do not require written notification to a patient when a podiatrist leaves or retires from a practice. However, the podiatrist must ensure that patient records will be maintained in compliance with Board regulations. Podiatrists who leave their practice should notify their patients that they are leaving the practice and provide guidance on how the patient can find other providers in the area.
  - iii. Attorney York notified the Board that the proposed FY22 supplemental budget, H. 4345, would extended authorization for remote public meetings until July 15, 2022. This authorization was previously set to expire on March 31, 2022. If the authority to meet remotely is extended, the Board would still be able to choose to meet in person.

**IV. Board Business:**

- i. FPMB 2021 Newsletter 4Q  
Received. No discussion.

**V. Compliance Monitoring**

- i. Moharan: The board reviewed Dr. Moharan’s eighth compliance monitoring report.  
**Dr. Murano moved to accept the report. Dr. Schneider seconded. The motion passed by roll call vote: Dr. Murano – “Yes”; Dr. Kelley – “Yes”; Dr. Martinez – “Yes”; Dr. Schneider – “Yes”.**

**VI. Board Discussion.**

- i. Update on Proposed Regulations – No report.

**VII. Open session for topics not reasonably anticipated by the chair 48 hours in advance of meeting.**

None

**VIII. Investigative Matters and Settlement Offers - [Closed Session Pursuant to M.G.L. c. 112, § 65C]:**

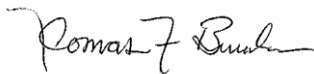
**At 10:16 a.m., Dr. Kelley moved to exit open session and enter in Closed Session pursuant to G.L. c. 112, §65C, and stated that the Open Meeting would not resume. Dr. Schneider seconded the motion. The motion passed by roll call vote: Dr. Murano – “Yes”; Dr. Kelley – “Yes”; Dr. Martinez – “Yes”; Dr. Schneider – “Yes”.**

During the closed session, the Board took the following actions:

- 2021-000042-IT-ENF – Dismissed.
- Sky Spa – Referred to Investigations
- 2022-000025-IT-ENF – Referred to prosecutions

**At 10:41 am, Dr. Murano moved to adjourn the public meeting. Dr. Schneider seconded. The motion passed by roll call vote: Dr. Murano – “Yes”; Dr. Kelley – “Yes”; Dr. Schneider – “Yes”; Dr. Martinez – “Yes”.**

Respectfully submitted,



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Thomas F. Burke, Executive Director

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

1. Agenda February 8, 2022 meeting
2. November 9, 2021 draft Public Minutes
3. FPMB 2021 Newsletter 4Q
4. Moharan correspondence dated Dec. 9, 2021 (protected medical data redacted)