

**Board of Registration of Podiatry
Minutes of the January 8, 2019 Public Meeting
1000 Washington Street, Boston, MA 02118
Room 1C**

Board Members Present:

LeRoy Kelley, DPM Chair
Bruce Bonnell, MD Member
Raymond Murano, DPM Secretary
Kenneth Leavitt, DPM Member

Admin. Staff Present at Various Times:

Michael Hawley, Executive Director
Sheila York, Board Counsel
Thomas Burke, Associate Exec. Director
Anne Driscoll, Investigator Supervisor

Members of the public Present:

Mark Molloy, Lynch Associates
Robert O'Leary, DPM
Michael Robinson, Esq.
Mitchell Wachtel, DPM

I. Housekeeping Matters and Evacuation Procedures

Dr. Kelley, the Board Chair, observed a quorum of board members to be present and opened the meeting at 10:00 am.

Executive Director, Michael Hawley informed attendees of the evacuation procedures.

II. Vote on Minutes:

- January 8, 2019 Meeting Minutes:
Dr. Murano moved to accept the minutes of the January 8, 2019 Board Meeting.
Dr. Bonnell seconded the motion. The motion passed unanimously.

III. New Items:

a. **Board Chair**

Nothing to report.

b. **Executive Director Report:**

- 1) Renewal update. Mr. Hawley informed the board that, as of this week, 48 licensees have allowed their licenses to expire. This far exceed the number of licensees in recent years. Over the past ten years the highest number of expirations in any given year was twenty. Mr. Hawley reported that a large number of the expirations were for licensees who reside outside of Massachusetts. He wondered whether the expirations were due in part to the MassHealth application requirement that has been placed on renewing

licensees. Mr. Hawley indicated that a few licensees had indicated that it was not worth the effort to apply to MassHealth to keep active licenses active when the licenses were not being used.

- 2) Mr. Hawley indicated that a small number of licensees returned questionnaires with answers that warrant further investigation. The questionnaires will be presented to the board in closed session at a future meeting.

c. **Board counsel, Sheila York's report to the board:**

- 1) Reciprocal application. Attorney York reported that the board had received a reciprocal licensure application from N. Yudkoff who is licensed in New Jersey. Dr. Yudkoff reported one malpractice settlement that took place thirty years ago. Attorney York indicated that the requirements for licensure in New Jersey at the time Dr. Yudkoff obtained licensure were substantially similar. The Board indicated that Dr. Yudkoff should proceed with the licensing process.

d. **Legislative update:**

- 1) John High, the Division of Professional Licensure's assistant legal counsel and director of external affairs was unable to attend the meeting and will appear at the next meeting. Attorney York gave a brief update on pending legislation including a proposed bill that would move the podiatry board under the board of registration in medicine. Attorney Molloy of Lynch Associates provided further details on proposed legislation that may impact podiatry.

e. **Open session for topics not reasonably anticipated by the chair 48 hours in advance of meeting.** – None.

V. **Investigative Session** - Closed Session pursuant to M.G.L. c. 112, Section 65C:

At 10:22 am, Dr. Kelley moved to enter investigative session [Closed Session pursuant M.G.L. c. 112, § 65C] to discuss open investigative matters: 2018-000976-it-enf and to entertain a settlement offer in case 2018-000186-it-enf. Dr. Bonnell seconded the motion. The motion passed unanimously.

At the end of the closed session, the open meeting resumed. Report of action taken during investigative session:

- 2018-000976-IT-ENF: Dismissed.
- 2018-000186-IT-ENF: Dismissed.

Dr. Kelley moved to adjourn the meeting at 10:41 am. Dr. Bonnell seconded. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Hawley". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Michael Hawley, Executive Director

List of Documents Used at the Public Meeting:

1. Agenda dated February 12, 2019
2. Draft of minutes from January 8, 2019 Podiatry Board meeting.