

**Board of Registration of Podiatry
Minutes of the May 14, 2019 Public Meeting
1000 Washington Street, Boston, MA 02118
Room 1C**

Board Members Present:

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

Admin. Staff Present at Various Times:

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

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 10:02 am.

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

II. Vote on Minutes:

- March 12, 2019 Meeting Minutes:
Dr. Murano moved to accept the minutes of the March 12, 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) ADA accommodation request approved: Mr. Hawley indicated that the board received an applicant request for ADA accommodations on the board's jurisprudence exam. The request was based on proper medical documentation and Mr. Hawley gave PCS approval to grant the accommodations.
- 2) PCS list of outstanding applications: Mr. Hawley reported that PCS has begun to produce a list (monthly) of applications that they have received and that have not yet been completed. Board staff will review the list for any issues or delays that can be resolved.
- 3) Updated licensure application: Mr. Hawley reported that he and board counsel have completed a review and revision of the board's licensure

application and are in the process of asking PCS to update their web site with the new application and instructions.

- c. **Board counsel, Sheila York's report to the board:** Update on proposed regulation change: Deletion of Section 4.02(2) regarding hydrocodone-only extended release medications. Attorney York indicated that the proposed regulation change is in the approval process. Once the approval is obtained, a public hearing must be held. If there is time, the hearing may be held at the next board meeting. However, it is not necessary to hold the hearing at a board meeting. So the hearing may be held during the summer when the board does not meet.
- d. **Discussion:** The board briefly reviewed a professional discipline announcement from the state of Kansas Board of Healing Arts against a podiatrist who failed to complete CMEs for a number of years and who falsely reported having completed them. The penalty was suspension of the podiatrist's license. The board noted the seriousness of such a violation and discussed conducting an audit for the last year's renewals.
- e. **Open session for topics not reasonably anticipated by the chair 48 hours in advance of meeting.** – Mr. Hawley reported that board staff had received a request for reinstatement. The board provided guidance to board staff on how to proceed with the reinstatement.

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

At 10:29 am, Dr. Kelley moved to enter investigative session [Closed Session pursuant M.G.L. c. 112, § 65C] to discuss the following disciplinary cases: 2019-000176-it-enf and 2019-000341-it-enf. Dr. Bonnell seconded the motion. The motion passed unanimously.

At 10:46 am Dr. Leavitt recused himself from discussion of the two cases and left the meeting.

At the end of the closed session, the open meeting resumed.

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

PD 2019-000176-it-enf	Dismissed
PD 2019-000341-it-enf	Referred to the office of prosecutions

Dr. Kelley moved to adjourn the meeting at 10:56 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 long horizontal stroke at the end.

Michael Hawley, Executive Director

List of Documents Used at the Public Meeting:

1. Agenda dated May 14, 2019
2. Draft of minutes from March 12, 2019 Podiatry Board meeting.
3. Printout of web posting of podiatry discipline from *The Hutchinson News*, dated 4/12/19