

**BOARD OF PODIATRIC MEDICAL EXAMINERS  
OPEN SESSION MEETING  
MINUTES**

**January 10, 2013  
Room 110**

The Open Session meeting of the Maryland Board of Podiatric Medical Examiners (Board) was held on Thursday, January 10, 2013, in Room 110, 4201 Patterson Avenue. The meeting was called to order at 1:10 P.M., by Board President Dr. Tanya Sellers-Hannibal.

Additionally, Board members present included: Drs. Jay LeBow, Craig Friedman, and Zachary Chatter. Public members of the Board present were Jay Boyar, EdS and Barbara Crosby, RN, BSN. Board member, Todd Harrison, D.P.M., was not present.

Staff present: Richard Bloom, AAG, Board Counsel, Eva Schwartz, Executive Director, Sheri Henderson, Administrative Officer and Elizabeth Amspacher, Licensing Coordinator.

Guests present: Richard Bloch., Maryland Podiatric Medical Association (MPMA), Paula Hollinger, DHMH, Sharon Bloom, DHMH, and Harold Glazer, D.P.M., visiting Maryland licensed podiatrist.

**A. MINUTES:**

**1. Approval of minutes from December 13, 2012, Meeting.**

The minutes of the December 13, 2012 meeting were approved as submitted.

**B. OLD BUSINESS:**

**1. Developing a committee to work on podiatric residency program by meeting with Dr. Jay Perman, President, University of Maryland, Baltimore**

Board President Dr. Tanya Sellers-Hannibal, D.P.M., informed the Board that Jerry Katz, D.P.M., President of Maryland Podiatric Medical Association (MPMA), has agreed to attend the meeting at the University of Maryland Baltimore about developing a podiatric residency program. Also attending will be Jay LeBow, D.P.M., Board Vice President, Enzo Leone, D.P.M. MPMA Vice President, Paula Hollinger, DHMH, and Richard Bloch, MPMA Executive Director. A date has not been set.

**2. Groupon**

Richard Bloom, AAG, Board Counsel, informed the Board of different ways to handle the Groupon issue including; banning Groupon altogether under the fee splitting regulations or creating advertising guidelines for podiatrists when using Groupon. A committee was created by the Board to better address the Groupon issue and explore solutions. The members of the committee are Drs. Jay LeBow,

Craig Friedman, Zachary Chattler, and Barbara Crosby, RN, BSN. The committee will hold its first meeting on February 14, 2013 at 12:30 pm.

**3. Advertising by a Podiatric office of availability of cosmetology procedures**

Vice President, Jay LeBow, D.P.M., presented the Board with an advertisement of a podiatrist advertising for cosmetic services in their office. The Board questions to what extent any professional health care provider can advertise for services outside of their own scope of practice. The Board considered requesting an opinion from the Attorney General and move the subject to the Executive meeting.

**C. NEW BUSINESS:**

**1. 2013 Legislative Bills**

The Board was presented with SB 56-Unauthorized Institutions of Postsecondary Education, SB 44-Occupational and Professional Licensing-Military Training and Military Spouses, HB 16-State Government-Administrative Procedure Act, and HB 59-Dedicated State Funds Protection Act which are going to be introduced to the General Assembly. The Board was also given a copy of the Health Care Practitioners-Dispensing Drugs at Facilities and Clinics that Specialize in Medical Cases Reimbursable by Workers' Compensation Insurance and Health Care Practitioners-Annual Inspections for Dispensing Prescribers draft bills.

**2. Review for eligibility for FULL License:**

- a. Annell Tucker, D.P.M.**
- b. Sandra Kohler, D.P.M.**

The Board decided to move the topic to the Executive meeting.

**3. MPMA Proposed Legislation:**

- a. Changing of Scope of Practice of Podiatry to remove the "acute ankle wording"**

Richard Bloch., Maryland Podiatric Medical Association (MPMA), informed the Board that the MPMA has been doing a lot of work gathering sponsors to re-introduce the bill to change the scope of practice for podiatrists regarding acute ankle fractures. Negotiations are in progress.

- b. X-ray Bill to allow a grace period for 20 days of corrective action before imposing fines**

Richard Bloch., Maryland Podiatric Medical Association (MPMA), informed the Board that the X-ray Bill that will allow a grace period for 20 days of corrective action before imposing fines will also be reintroduced this legislative session.

**c. Chiropractors will join in this Bill**

The Board was informed that the Board of Chiropractors will also be included as supporting the X-ray Bill.

**4. FYI- Topics Quarterly Newsletter Volume 27/No. 4 Winter 2012 from Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC Tab C**

The Board received the Topics Quarterly Newsletter Volume 27/No. 4 Winter 2012 from Gordon, Feinblatt, Rothman, Hoffberger & Hollander, LLC for informational purposes.

**D. OTHER:**

**1. Budgetary Explanation**

Richard Bloch., Maryland Podiatric Medical Association (MPMA), informed the Board that there has been talk of the dues for Ambulatory Service Centers being increased from \$700.00 to \$4,000.00 for every three years; the fees would be going into the General Fund.

**2. Anti-Fungal Prescriptions**

Eva Schwartz, Executive Director, informed the Board that podiatrists can not dispense prescription anti-fungal medicine without a dispensing permit. Anti-fungals available over the counter are not subject to a dispensing permit requirement.

**With no further business, the meeting was adjourned at 2:10 p.m.**

CLOSED SESSION: Pursuant to Maryland State Government Annotated "10-501 et seq." the Board unanimously approved a motion to close its meeting at 2:10 p.m., in room 110 for the purpose of complying with the Maryland Medical Practice Act that prevents public disclosures about particular proceedings or matters.

Respectfully submitted,

Jay H. Boyar, Secretary/Treasurer

