

Friday, March 4, 2016 10:00 AM

MINUTES

Regular Board Meeting
California Board of Podiatric Medicine
6001 Bristol Parkway, Suite 100
Culver City, CA 90230
Webcast: <http://thedcapage.wordpress.com/webcasts/>

Called to Order & Quorum Established at 10:04 AM

Board Members Present

John Y. Cha, DPM, President
Michael A. Zapf, DPM Vice President
Kristina M. Dixon, MBA
Darlene Trujillo Elliot
Neil Mansdorf, DPM
Judith Manzi, DPM
Melodi Masaniai

Staff

Jason S. Campbell, JD, Executive Officer
Kia-Maria Zamora, Acting Secretary

Board Counsel

Gary Duke, Esq.



“Boards are established to protect the people of California.” – Bus. & Prof. Code §101.6

AGENDA ITEMS

1. Called to Order & Quorum Established

JC	KD	NM	MM	JM	DTE	MZ
P	A	P	P	P	P	P

2. Chair’s **Welcome and Report.**

JC	KD	NM	MM	JM	DTE	MZ
P	A	P	P	P	P	P

3. **STATEMENT on public comment and PUBLIC COMMENT on items not on the agenda.**

JC	KD	NM	MM	JM	DTE	MZ
P	A	P	P	P	P	P

(AGENDA ITEM TAKEN OUT OF ORDER TO ACCOMMODATE MEMBERS)

5. RECEIVED Oral Reports of Committees for the February 10, 2016 meetings.

- **Licensing Committee report received:**

- Licensing program update heard, received and recommended to the board
- Committee Chair Masaniai desires to have a CPMA member present at next committee meeting for feedback on Board Fee Audit Study and the board proposed fee structure

- **Enforcement Committee report received:**

- The statistics show BPM desk investigation backlog due to staffing issues at the Medical Board of California (MBC)
- Backlog has been slowly clearing since MBC hiring of Julie Brown and should be back to normal soon
- Complaint data has been fairly consistent
- Disciplinary data shows no new cases at the Attorney General (AG) and two cases just closed with a vote pending on a third
- Enforcement statistics overall show consistency in year-over-year comparisons with average days to complete investigations down by 20%

JC = J. Cha	KD = K. Dixon	NM = N. Mansdorf	MM = M. Masaniai
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LEGEND: Y = YES, N = NO, A = ABSENT, P = PRESENT, ABS = ABSTAIN, C = CONFLICT

- Probation Cost Recovery at \$12,000 so far into the year
- AB 1352 went into effect this year and will apply to licensees for removal of a guilty plea if a treatment program is completed
- AB 179 offers protection to licensees against sexual misconduct violations for treating a spouse

(AGENDA ITEMS TAKEN OUT OF ORDER TO FACILTATE MEETING EFFICIENCY)

10. APPROVED:

Non-substantive change without regulatory effect to section Title 16, C.C.R., section 1399.696(c)(61) of Podiatric Medicine Regulations recognizing authority to issue Citations and Fines for failure to produce documents.

JC	KD	NM	MM	JM	DTE	MZ
Y	A	Y	Y	Y	Y	Y

- **Public Education/Outreach Committee report received:**

- Reviewed responses of the Executive Officer on various subjects inquired of by stakeholders
- Statistics are also provided for summary of subjects
- There are a couple issues that can be addressed including response concerning Split Thickness Skin Grafts (STSG)
- Committee Chair Manzi believes that the present STSG opinion is a departure from the past reading of law and not an expansive interpretation
- Committee Chair Manzi expressed appreciation for the Executive Officer’s thoroughness in addressing inquiries
- Committee Chair Manzi expressed the opinion that Semmes-Weinstein Foot Screening can be performed by unlicensed individuals
- CURES website now lists podiatry and podiatric medicine degree when registering which simplifies the process
- Every doctor of podiatric medicine with a DEA registration certificate must register by July 1, 2016
- BPM newsletter is being worked on

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4. **APPROVED AS CORRECTED Minutes of the Regular Board Meeting held November 4, 2016, to reflect:**

- A. The member who speaks on behalf of a committee during oral reports given; and
- B. The correct intent of the EEO survey which was to increase the diversity within the BPM expert/consultant pool
- C. Completed sentence structures under the narratives for the Enforcement and Legislative Committee oral reports

JC	KD	NM	MM	JM	DTE	MZ
Y	Y	Y	Y	Y	Y	Y

6. **RECEIVED Executive Officer’s Report.**

A. Quarterly Budget Update – Kathleen Cooper

i. FY 15/16 Quarter 2 Summary

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

B. Enforcement Program Update – Bethany DeAngelis

- i. Enforcement Statistics
- ii. Probation/Cost Recovery Recoupment Status Update
- iii. Supplementary EEO Survey information

C. Licensing Program Update – Kia-Maria Zamora

- i. Licensing Statistics
- ii. NBPME (APMLE) Exam Part III Results
- iii. Implementation Plan for newly passed Legislation affecting Licensing including:
 - a. AB 1352
 - b. SB 560
 - c. AB 179
 - d. AB 333
- iv. BreEZe System Update
 - a. Release 2 Deployment
 - b. BreEZe Versa-Online Implementation Update

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D. Legislative Program Update – Kathleen Cooper

- i. Legislative Day – November 13, 2015
- ii. Program Activities and Legislative Matrix

AB 12 (State government: administrative regulations: review), AB 21 (Medical marijuana: cultivation licenses), AB 270 (Specialized license plates, diabetes awareness), AB 572 (Diabetes prevention: treatment), AB 611 (Controlled substances: prescriptions: reporting), AB 623 (Abuse-deterrent opioid analgesic drug products), AB 750 (Business and professions: licenses), AB 890 (Anesthesiologist Assistants), AB 1060, AB 1351, AB 1352, SB 396, SB 467, SB 482, SB 643

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

E. Public Outreach Update – Jason S. Campbell

- i. Administrative Summary
- ii. Stakeholder Inquiries & Responses of the Executive Officer
- iii. Website Statistics
- iv. Website Redesign Update
- v. Legislative Outreach Update
- vi. CURES Update – AB 679

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

7. 2016 COMMITTEE APPOINTMENTS

- Appointment of Board Member Trujillo Elliot as Co-Chair of the Public Education Committee to replace Board Member Masaniai

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P	P	P	P	P	P	P

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8. DISCUSSED AND PREPARED for **2016 Sunset Review Hearing** scheduled before the Joint Committee on Wednesday, March 9, 2016.

- President Cha, Board Member Dixon and Executive Officer Campbell selected to present
- Speaking points will be drafted for participating speakers

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

9. DISCUSSED AND CONSIDERED of the **Board of Podiatric Medicine quarterly newsletter** – Jason S. Campbell

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

(AGENDA ITEMS TAKEN OUT OF ORDER TO FACILTATE MEETING EFFICIENCY)

11. RECEIVED REPORT on response recommended by BPM Counsel regarding **public comment received from Joseph Elfelt** on November 13, 2015.

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

- **Legislative Committee report received:**
 - Committee Chair Dixon reports the committee has been performing outreach in preparation for the 2016 Sunset Review
 - Committee Chair Dixon indicates that the plan is to continue outreach efforts in June

JC	KD	NM	MM	JM	DTE	MZ
P	P	P	P	P	P	P

12. APPROVED:

A. RECOMMENDATION to accept Legislative Committee recommendation for **support of AB 572 as amended by Zapf** to request that the California Podiatric Medical Association also extend their support.

JC	KD	NM	MM	JM	DTE	MZ
Y	Y	Y	Y	Y	Y	Y

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B. RECOMMENDATION to accept Legislative Committee recommendation for **support of AB 1174** as currently drafted.

JC	KD	NM	MM	JM	DTE	MZ
Y	Y	Y	Y	Y	Y	Y

13. EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDATION to approve the ~~Board Administrative Procedures Manual~~ as amended.

APPROVED:

Dixon Motion to defer further consideration and adoption of the Board Administrative Procedure Manual until final comprehensive legal review by BPM Legal Counsel

JC	KD	NM	MM	JM	DTE	MZ
Y	Y	Y	Y	Y	Y	Y

14. DISCUSSED AND CONSIDERED possible positions on the Medical Board of California's (MBC) **legislative proposal to be removed as the board responsible for issuing certificates to practice podiatric medicine, and to remove the Board of Podiatric Medicine** from under the jurisdiction of the MBC.

Mansdorf Motion to direct the BPM Executive Officer to meet with MBC Executive Director, respective board leadership and counsel for discussion of possible alternatives and/or solutions

JC	KD	NM	MM	JM	DTE	MZ
Y	Y	Y	Y	Y	Y	Y

15. SUGGESTIONS of **agenda items for future meetings.**

- Evaluation of the Executive Officer

Zapf Motion to direct the Enforcement Committee to Review the BPM Policies Concerning Experts and Consultants

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Y	Y	Y	Y	Y	Y	Y

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MEETING ADJOURNED AT 1:17pm

Prepared by: Kia-Maria Zamora

Approved on:

Kia-Maria Zamora, Acting Board Secretary

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