



## **Members of the Board**

Judith Manzi, DPM, President  
Darlene Trujillo Elliot, Vice President  
Maria Cadenas, MBA, Secretary  
Carolyn McAloon, DPM  
Neil B. Mansdorf, DPM  
Michael A Zapf, DPM

## **BOARD MEETING**

**September 13, 2019**

**Department of Consumer Affairs  
1<sup>st</sup> Floor – Hearing Room  
2005 Evergreen St.  
Sacramento, CA 95815  
Board Hearing Room**

Action may be taken on any item listed on the agenda.

Agenda items may be taken out of order for meeting efficiency.

## **MINUTES**

### **OPEN SESSION**

#### **I. Call to Order & Establishment of Quorum.**

Board Member Manzi called the meeting to order at 10:04 a.m., Kathleen Cooper called roll, and a quorum was established.

MC	DE	NM	JM	CM	MZ
P	P	P	P	P	P

#### **II. President's Welcome.**

Board Member Manzi welcomed the Board Members, staff, and all attendees.

#### **III. Public Comments on Items Not on the Agenda.**

There were no comments from the public.

*Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Government Code Sections 11125, 11125.7(a).)*

#### **IV. Review and Approve June 7, 2019 Board Meeting Minutes.**

Board Member Mansdorf moved, and Board Member Zapf seconded, to accept the minutes from the September 13, 2019 Board Meeting. The motion carried 6-0.

MC = M. Cadenas	DE = D. Elliot	NM = N. Mansdorf
JM = J. Manzi	CM = C. McAloon	MZ = M. Zapf

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

- V. Receive Update from Department of Consumer Affairs (DCA), Budget Office on Budget, Fund Condition and possible Budget Impacts from the Increase of Attorney General's Rates – Mr. Carl Beermann, Associate Budget Analyst.

Mr. Beermann stated that the expected impact to PMBC from the increases in the Attorney General's Office rates will be approximately \$57,000 to \$75,000 annually. PMBC is currently structurally imbalanced in that it is spending more than it is bringing in and the diminishing fund condition needs to be addressed. The temporary increase in fees helps but will not solve the problem. Mr. Beermann also stated that PMBC's fund needs to be supplemented.

- VI. Receive Update on PMBC's Fees Study -- Mr. Jeff Mikles, PMP, Monetary Resource Group.

Mr. Mikles explained the details of the PMBC Fee Study he conducted. He stated that PMBC receives almost all of its income from licensing fees. PMBC's expenditure data is estimated and not a final accurate number. Departmental services and enforcement costs are estimated based on trends and should be close to accurate. These expenditures are not within the control of PMBC.

Mr. Mikles explained the differences between DCA's estimates for PMBC's fund condition and his projections and estimates for PMBC's fund condition. He explained various scenarios and outlined the advantages of a fee increase that will allow PMBC to have a fund condition of at least 12-months in reserve in the coming years.

The discussion included the proposed fees described in the Fee Study and concluded that a fee increase would not reasonably be considered a barrier to podiatric medical licensure in California as licensees typically earn enough to be able to pay the proposed fees. Additionally, it was mentioned that where there is a small licensee base, licensing fees tend to be higher than where there is a larger number of licensees because the cost to support an independent licensing board, such as PMBC, is spread over a smaller number of licensees.

- VII. Discussion and possible action relating to updates from DCA Budget Office and Fee Study.

Board Member Manzi moved and Board Member Zapf seconded that PMBC adopt a financial policy to achieve a minimum of a 12-month reserve in the PMBC Fund Condition. The motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

Board Member Mansdorf moved and Board Member Cadenas seconded a motion to investigate achieving a 12-month reserve over a 24 to 36-month period with licensing fees to be the same for both new licensees and renewals. The motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

#### VIII. Executive Officer's Report – Brian Naslund

##### A. Licensing Program Update – Judith Manzi, DPM

The Board reviewed and discussed the Licensing Program Report as presented by Judi Manzi, DPM and Andreia Damian, Licensing Coordinator. Topics discussed included licensing statistics, the American Podiatric Licensing Exam Part III, residency program approval process and the PMBC approval process.

##### B. Enforcement Program Update – Neil Mansdorf, DPM

The Board reviewed and discussed the Enforcement Program Report as presented by Neil Mansdorf, DPM. Case times have significantly increased; staffing issues at the Medical Board (MBC) and Division of Investigation (DOI) were mentioned as possible reasons for these increases.

Board Members discussed and reviewed the podiatric medical consultant and expert applications. Board Member Mansdorf moved and Board Member McAloon seconded a motion to approve a consultant, Karen Wrubel, DPM as a consultant and Frank Case, DPM as an expert for PMBC. Motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

##### C. Legislative Program Update – Michael Zapf, DPM

The Board reviewed and discussed the Legislative Program Report as presented by Michael Zapf, DPM and Kathleen Cooper.

The Board reviewed and discussed the legislation that has already been enrolled which included AB 5 (Gonzalez) Workers Status: Employees and Independent Contractors; AB 678 (Flora) MediCal: Podiatric Services; and SB 425 (Hill) Health Care Practitioners:

Licensee's File: Probationary Physician's and Surgeon Certificate: Unprofessional Conduct. AB 407 (Santiago) Fluoroscopy and Radiography Permit or Certification and Continuing Education: Exceptions has been put on the suspense calendar and there will be a chance next year to have this proposal become law.

**D. Public Education Update – Darlene Elliot**

The Board reviewed and discussed the Public Education Program Report as presented by Darlene Elliot. The Spring/Summer 2019 issue of Footnotes has been sent for printing and should be released soon. Among the possible future topics that were mentioned included the diagnosis and treatment of diabetes, vascular issues, wound care, amputation prevention, heel pain, podiatric medical visits via telephone, sports activities, well-fitting shoes, helpful foot products, and the aging foot from childhood to senior years.

As to the name change from Board of Podiatric Medicine to the Podiatric Medical Board of California, there have been direct outreach efforts to communicate with licensees and stakeholders. The communications have involved the PMBC's website, newsletter, list serves, and social media. These efforts will continue.

**E. Executive Management – Judith Manzi, DPM**

The Board reviewed and discussed the Public Education Program Report as presented by Judith Manzi and Brian Naslund.

As to the Board's Administrative Manual, Board Member Manzi moved and Board Member Mansdorf seconded to change the name of the Board from Board of Podiatric Medicine / BPM to Podiatric Medical Board of California / PMBC anywhere the name or acronym appears in the Administrative Manual. Motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

The Board also discussed the change in the law, which now requires each board to have at least two meetings per year. This was changed from the requirement of having at least three meetings per year.

The Board discussed the election of officers. It was stated that the elections did not necessarily have to occur at the last meeting of the year and that the Administrative Manual should be changed to reflect that the elections could occur at any meeting during the year.

The Board discussed the terms for officers, and it was stated that a two-year term may serve the Board better than a one-year term.

Board Member Cadenas moved and Board Member Elliot seconded to amend the Administrative Manual to state that there be at least two board meetings per year; that officer terms be two-years, effective the first meeting of the year and that officer elections may take place at any time during the year. The motion carried 4-2.

MC	DE	NM	JM	CM	MZ
Y	Y	N	Y	Y	N

Board Member Cadenas moved and Board Member Manzi seconded, that the current officers and committee terms be extended for one year.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

Board Member Cadenas moved and Board Member Elliot seconded to remove language that refers to delegation of authority to the Executive Committee. The motion carries 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

Board Members discussed future Board Meeting dates and locations. For 2020: March 6<sup>th</sup> in Southern California; June 5<sup>th</sup> in Sacramento; September 18<sup>th</sup>, and December 11<sup>th</sup> in Sacramento. Committee Meetings will be on February 12<sup>th</sup>; May 13<sup>th</sup>; August 19<sup>th</sup>; and November 18<sup>th</sup>.

The Sunset Review Report is due on December 1, 2019. It is currently in progress and is expected to be sent to Board Members for review shortly.

Board Member Manzi moved and Cadenas seconded to approve the Executive Officer's Report. The motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

- IX. Future Agenda Items: Residency and fellowship review; the initial procedures for podiatric cases and how MBC works pursuant to the shared services agreement; and a discussion about PMBC and the impact of diabetes in California.

X. Adjournment

Board Member Manzi moved and Board Member Mansdorf seconded to adjourn the meeting. Motion carried 6-0.

MC	DE	NM	JM	CM	MZ
Y	Y	Y	Y	Y	Y

MEETING ADJOURNED AT 12:51 p.m.

Approved on: December 6, 2019

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Brian Naslund, Executive Officer