

## **Members of the Board**

Judith Manzi, DPM,  
President  
Darlene Trujillo Elliot,  
Vice President  
Maria Cadenas, MBA,  
Secretary  
Daniel Lee, DPM  
Carolyn McAloon, DPM  
Michael A Zapf, DPM

## **BOARD MEETING**

**March 12, 2021**

**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 10:05 a.m., Kathleen Cooper called roll, and a quorum was established.

MC	DE	DL	CM	JM	MZ
P	A	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.**

*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 December 11, 2020 Board Meeting Minutes.**

MC = M. Cadenas	DE = D. Elliot	DL = D. Lee
CM = C. McAloon	JM = J. Manzi	MZ = M. Zapf

LEGEND: Y: YES, N: NO, A: ABSENT, P: PRESENT, ABS: ABSTAIN, C: CONFLICT

Board Member Cadenas moved, and Board Member McAloon seconded, to accept the minutes from the December 11, 2020 Board Meeting with the updating of the Licensing Program Chair of Board Member McAloon and the Enforcement Committee Chair of Maria Cadenas. The motion carried 5-0.

MC	DE	DL	CM	JM	MZ
Y	A	Y	Y	Y	Y

V. Receive Introduction and Discussion from DCA Director Ms. Kimberly Kirchmeyer

Ms. Kirchmeyer informed the Board of the DCA's current activities which include improving client satisfaction through staff efficiencies; working together creatively and transparently to achieve goals; hiring new staff with expertise in organizational management, communications, and investigations. Ms. Kirchmeyer mentioned the need for staff and board members to complete sexual harassment training and submission of the Form 700. Additionally, Ms. Kirchmeyer mentioned that the Covid-19 pandemic has caused delays but that DCA is still looking forward to the timely completion of its goals.

VI. Receive Discussion from Mr. Russell Stoner, Executive Director of The Federation of Podiatric Medical Boards Regarding National Licensing Renewals

Mr. Russell Stoner of the Federation of Podiatric Medical Boards (FPMB) discussed current requirements for DPM licensure in California. It was mentioned that other than California, there are no other states that have the additional requirements which are present here. Although there may be value in requiring more than other states, it was mentioned that California's renewal requirements could be made consistent with all other states as that the additional stringency could perhaps be viewed as discriminatory. Board Member Manzi moved, and Board Member Zapf seconded, that the permanent license renewal for Doctors of Podiatric Medicine requirement be the completion of the following: 1. the completion of 50 hours of Continuing Medical Education; 2. the completion of all conviction disclosure questions; and 3. that all fees be paid. The motion carried 4-1.

MC	DE	DL	CM	JM	MZ
ABS	A	Y	Y	Y	Y

VII. Receive Discussion and Possible Action on Podiatric Practice Management by CPMA - Dr. Jon Hultman and Mr. Ryan Spencer

Ryan Spencer, representing the California Podiatric Medical Association (CPMA), stated that Health and Safety Code, Section 1613, prohibits discrimination where MDs, DOs, and DPMs are working in health care facilities. This would create the same nondiscrimination in the treatment of MDs, DOs, and DPMs where new legislative

proposals include MDs and DOs and could automatically include DPMs in the proposed language. Board Member Manzi moved and Board Member Cadenas seconded, a motion to reflect the same non-discriminatory language as in included in Health and Safety Code, Sec.1316, be included in the PMBC Sunset Review bill. The motion carried 5-0

MC	DE	DL	CM	JM	MZ
Y	A	Y	Y	Y	Y

VIII. Receive Discussion and Possible Action from Mr. Joseph Chin, PMBC's Legal Counsel Regarding Out of State telemedicine

Mr. Chin reported that California's current telemedicine laws do not require the licensee to be in a particular location. The important issues are the notice given to the patient, the treatment being rendered, and that the standard of care is not altered. It was discussed that the Licensing Committee will be able to look at more specifics to report back to the Board.

IX. Receive Update on PMBC's Budget and Fund Condition from Mr. Carl Beerman, DCA's Budget Office

Karen Munoz from DCA Budget Office provided the Budget and Fund Condition specifics for the Board and the information was well received by the Board.

X. Receive and Possible Action on Executive Officer's Report – Brian Naslund

A. Licensing Program Update – Carolyn McAloon, DPM

The Board received and reviewed information regarding licensing statistics, renewals, APMLE-Part-III, and the PMBC timeline.

B. Enforcement Program Update – Maria Cadenas, MBA

The report included current enforcement statistics, probation program updates, and updates to the consultant and expert program

C. Legislative Program Update – Michael Zapf, DPM

The Board received information regarding proposed legislation including AB 278, MediCal, podiatric services; AB 225, military spouses. The Board also received information regarding regulations including AB 2138 and Disciplinary Guidelines.

Board Member Zapf moved, and Board Member Manzi seconded, that the Board send a letter of support regarding AB 278, Medi-Cal, podiatric services. The motion carried 5-0.

MC	DE	DL	CM	JM	MZ
Y	A	Y	Y	Y	Y

D. Public Education Program Update – Darlene Trujillo Elliot

The Board decided to discuss the specifics of this report at the next Board Meeting in June.

E. Executive Management Update – Judith Manzi, DPM

The Board received information and discussed specifics regarding the PMBC's 2020 - 2021 Sunset Hearing Proceedings. It was mentioned that at the next Board Meeting there will be much more information and the matter will be discussed again at the next Board Meeting.

Pending Motion on Agenda Item VI revisited:

At the conclusion of discussion of agenda item VI, above, a motion was made by member Cadenas to accept the December 11, 2020 board meeting minutes. Dr. McAloon seconded the motion, but no roll call vote was not taken at that time. However, prior to the conclusion of the open session portion of the board meeting, the board found it opportune to vote on the pending motion to accept the December 11, 2020 meeting minutes. The members voted as follows to accept the December 11, 2020 meeting minutes. The motion carried in a 5-0 vote with one absence.

MC	DE	DL	CM	JM	MZ
Y	A	Y	Y	Y	Y

**Closed Session**

XI. Pursuant to Gov. Code § 11126(c)(3), the Board will meet in closed session to deliberate and vote on disciplinary matters

XII. **Open Session**

XIII. Future Agenda Items: There will be future items brought to the Board by PMBC's Committees.

XIV. Board Member Manzi moved, and Board Member Cadenas seconded, to adjourn.  
The motion carried 5.0.

MC	DE	DL	CM	JM	MZ
Y	A	Y	Y	Y	Y

MEETING ADJOURNED AT 1:05 p.m.

Approved on:

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Brian Naslund, Executive Officer