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BOARD OF PODIATRIC MEDICINE
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Board of Podiatric Medicine
Public Meeting Minutes
Millbrae, California
September 30, 2005

A public meeting of the California Board of Podiatric Medicine (BPM) was held September 30, 2005 in the Poplar Room of the Westin Hotel San Francisco Airport, 1 Old Bayshore Highway, Millbrae. Due notice had been sent to all known interested parties.

1. Call to order/Member roll call

President Cheng called the meeting to order at 8:00 AM. A quorum was established with the following Members present:

Raymond K. Cheng, AIA
 Aleida Gerena-Rios
 Michael J. Levi, D.P.M.
 Robert N. Mohr, DPM
 Hienvu C. Nguyen, D.P.M.

Mr. Cheng welcomed Dr. Nguyen and Dr. Levi, Governor Schwarzenegger's most recent appointees to the Board, and swore Dr. Levi into office. Dr. Nguyen had already been sworn in.

2. Public Hearings on Disciplinary Reconsiderations

Mr. Cheng turned the gavel over to Administrative Law Judge Amanda Behe for the following hearings:

- a. In the Matter of the Accusation and Petition to Revoke Probation against **Steven H. Savran, DPM (E-2891)** following granting of Petition of Reconsideration filed by Attorney General
- b. In the Matter of the Accusation against **David Kile Jenne, DPM (E-3917)** following granting of Petition of Reconsideration filed on behalf of respondent

**"Boards are established to protect the people of California."
 Section 101.6, B&P Code**

1
2 Neither Dr. Savran nor Dr. Jenne appeared, and Dr. Savran was not represented by counsel. Russell
3 Iungerich appeared as counsel for Dr. Jenne, whose hearing commenced at 8:08 AM. Deputy
4 Attorney General E.A. Jones appeared in the Savran case, as Deputy Attorney General Samuel
5 Hammond did in the Jenne matter. The later hearing began at 8:34 AM.
6

7 At 9:15 AM, the Board went into closed session pursuant to Government Code §11126(c)(3). It
8 returned to open session at 10:20 AM. President Cheng announced that the Board had reached its
9 decision in both matters.
10

11 12 **3. Approval of Minutes** 13

14 Ms. Gerena-Rios moved and Dr. Levi seconded approval of the January 28 and August 26
15 minutes as drafted. The motion passed 5-0.
16

17 18 **4. Public Hearing on Proposed Amendment to Regulations** 19

20 Following a public hearing at which there was no testimony, Ms. Gerena-Rios moved and Dr.
21 Nguyen seconded approval of revisions to Section 1399.710 of Title 16, Division 13.9, Article
22 11 (Disciplinary Guidelines). The motion passed 5-0. The Board requested that staff provide a
23 clean, up-to-date copy of the *Manual of Disciplinary Guidelines* at or before the December 2
24 Board Meeting.
25

26 27 **5. Strategic Plan** 28

29 The Board reviewed the *Strategic Plan* to provide guidance to staff in preparing a draft revision
30 for action at the December 2 Board Meeting.
31

32 President Cheng suggested the Board's Public Outreach Committee discuss options for advising
33 licensees of disciplinary updates, such as significant changes in the *Manual of Disciplinary*
34 *Guidelines*.
35

36 Dr. Nguyen suggested looking at what information is provided to new licensees and said he
37 would work with staff in this regard.
38

39 The Board also requested that staff advise licensees when the U.S. Centers for Medicare &
40 Medicaid Services' 42 CFR Part 482 [CMS-3122-P] goes into effect regarding DPMs
41 performing history and physical examinations.
42

43 44 **6. Additional Public Comments** 45

46 Donald E. Elvander, DPM, Emeritus Member of the Shriners Hospital for Children--Northern
47 California Board of Governors, invited BPM to hold its December 2 meeting in the Shriners'
48 Sacramento facility.
49

50 J. Brian Warne, DPM, Vice President of the California Podiatric Medical Association,
51 commented on BPM's good communication with its licensees, CPMA Board and CPMA's
52 component societies around the state.

1
2 Mikia Wallis, a law student with the Center for Public Interest Law (CPIL), University of San
3 Diego, also attended to monitor BPM and summarize its proceedings for CPIL's *California*
4 *Regulatory Law Reporter*.

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7 **7. Adjournment**

8

9 Having completed all business, the Board then adjourned at 11:50 AM.

10

11

12 Prepared by Jim Rathlesberger
13 and submitted to the Board for approval at its December 2, 2005 meeting.

14

15 APPROVED:

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18 Raymond K. Cheng, AIA
19 President, Board of Podiatric Medicine