



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

STEVE ARWOOD
DIRECTOR

**MICHIGAN BOARD OF PODIATRIC
MEDICINE AND SURGERY
MEETING OF APRIL 24, 2013**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Podiatric Medicine and Surgery met in regular session on April 24, 2013 at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Louis Geller, DPM, Chairperson called the meeting to order at 9:10 a.m.

ROLL CALL

Members Present: Louis Geller, DPM, Chairperson
Cyrus Farrehi, Public Member
Scott Hughes, DPM
Joni James, PA-C
Harry Kezelian, DPM
Kevan Kreitman, DPM
Charles Morris, Public Member
Franklin Peterson, Public Member

Members Absent: Vicki Anton-Athens, DPM

Staff Present: Amy Schneider, Secretary, Policy, Rules and Board Support Section
Norene Lind, Board Manager, Policy, Rules and Board Support Section
Kelly Hugh, Policy Analyst, Policy, Rules and Board Support Section
Joe Campbell, Director, Enforcement Division
Lidia McGee, Enforcement Analyst, Enforcement Section
Eric St. Onge, Assistant Attorney General
Tim Andrews, Manager, Program Operations Unit

Others Present: Nancy Short, Governor Snyder's Appointments Office

APPROVAL OF MINUTES

MOTION by Morris, seconded by Peterson, to approve the minutes of the January 23, 2013, meeting as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Morris, seconded by James, to approve the agenda with the following deletion: Item C. "Election of Vice Chair" under New Business.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Chad Miles Hammack, DPM – Petition for Reinstatement

MOTION by Morris, seconded by Hughes, to grant the Petition for Reinstatement with limitations and probationary conditions in the matter of Chad Miles Hammack, DPM.

Petitioner's license shall be limited for a minimum period of two (2) years with the following terms:

- 1) Petitioner shall not prescribe schedule 2 controlled substances.
- 2) Petitioner shall work under direct, on-site supervision by a Board-approved Podiatrist.

Petitioner shall also be placed on a concurrent probation with the following terms:

- 1) Petitioner shall enter into a disciplinary HPRP monitoring agreement.
- 2) Petitioner shall complete seventy-five (75) hours of CE in category 1 and twenty-five (25) CE hours at a hands-on workshop. This CE shall not apply in computing Petitioner's current CE requirements for license renewal.
- 3) MAPS shall be generated on a quarterly basis by a Board-designated person; and the Board-approved supervisor shall submit quarterly reports.

Petitioner's license shall be automatically reclassified to an unlimited license, provided the Petitioner has complied with all terms of the Order.

Discussion was held.

A roll call vote followed: Yeas: Farrehi, Hughes, James, Kezelian,
Kreitman, Morris, Peterson, Geller

MOTION PREVAILED

OLD BUSINESS

None

NEW BUSINESS

Continuing Education Waiver Request – David L. Tomczak, DPM

Tim Andrews, Program Operations Manager, directed the Board members to the application for waiver of continuing education requirement submitted by David L. Tomczak, DPM

MOTION by Peterson, seconded by Farrehi, to deny the continuing education waiver request in the matter of David L. Tomczak, DPM.

Discussion was held.

A roll call vote followed: Yeas: Farrehi, Hughes, James, Kezelian,
Kreitman, Morris, Peterson, Geller

Administrative Rules

Hugh provided Board members with a January 23, 2013 "Podiatric Medicine and Surgery General Rules" draft and provided a verbal overview of the same. Board members requested amendments to the draft regarding licensure by endorsement and specialty certifications that would satisfy CE requirements.

MOTION by Kreitman, seconded by Morris, to approve the draft Podiatric Medicine and Surgery General Rules, with amendments.

Discussion was held.

A roll call vote followed: Yeas: Farrehi, Hughes, James, Kezelian,
Kreitman, Morris, Peterson, Geller

Controlled Substances Advisory Committee (CSAC) Update

Kreitman provided the Board with an overview of recent activities by the CSAC. He reported that the CSAC is reviewing the medical marijuana law (Public Initiative of 2008) and the challenges podiatrists face regarding potential drug interactions.

Department Update

Lind asked staff and Board members to introduce themselves. She was obliged.

Geller noted that Kezelians' term will end on June 30, 2013, and he thanked Kezelian for his service on the Board. Kezelian thanked the Board for the opportunity to serve.

Lind updated the Board on the proposed license fee increases. She stated the Bureau will research the investigation and disciplinary costs associated with each professional license and include the information with the disciplinary documents that are provided to the Disciplinary Subcommittees (DSCs). The Department expects that the DSC will consider these costs when assessing fines. Lind shared the current fee structure for all Boards.

PUBLIC COMMENT

At Kezelian's request, St. Onge and Campbell clarified the protocols Board members should follow if they are contacted by licensees requesting to discuss pending disciplinary matters. Campbell also clarified when information is made public regarding disciplinary matters. Lind distributed a flowchart entitled, "Allegations-Investigations-Enforcement" for Board members to review.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held July 24, 2013 at 9:00 a.m. in the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 4, Lansing, Michigan.

ADJOURNMENT

MOTION by James, seconded by Morris to adjourn the meeting at 10:50 a.m.



Louis J. Geller, DPM, Chairperson

7/24/13

Date Minutes Approved



Amy Schneider, Board Secretary

4.24.13

Date Minutes Prepared