

OPEN MEETING MINUTES
State Board of Podiatric Medicine
Conference Call

August 8, 2007 – 6:30 p.m.
Division of Professional Registration
3605 Missouri Blvd.
Jefferson City, Missouri

The conference call meeting of the Missouri State Board of Podiatric Medicine was called to order via conference call by Jeffrey Appleman, DPM, President at 6:30 p.m. on Wednesday, August 8, 2007 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Roll Call

Board Members Present

Jeffrey Appleman, DPM, President, via conference call
Harry John Visser, DPM, Vice-President, via conference call
Terrence Klamet, DPM, Secretary
Lorene Van Dam, DPM, Member, via conference call
Lois Riney, Public Member

Staff Present

Becky Dunn, Executive Director
Pamela Schnieders, Administrative Assistant
Tabatha Lenzini, Licensing Technician
David Barrett, Board's Legal Counsel

Approval of Agenda

Motion was made by Dr. Klamet and seconded by Lois Riney to approve the open agenda as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

Approval of Minutes

October 7, 2006 Open Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the October 7, 2006 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

December 13, 2006 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the December 13, 2006 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

December 21, 2006 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the December 21, 2006 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

January 17, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the January 17, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

February 8, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the February 8, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

February 21, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the February 21, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

February 28, 2007 Open Conference Call Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the February 28, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

March 26, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the March 26, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

April 9, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the April 9, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

April 21, 2007 Open Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the April 21, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

May 1, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the May 1, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

May 14, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the May 14, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

June 12, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the June 12, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

June 22, 2007 Open Mail Ballot Meeting Minutes

Motion was made by Lois Riney and seconded by Dr. Visser to approve the June 22, 2007 open meeting minutes as submitted. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

Executive Director's Report

Becky Dunn reported on the FY2007 Financial Statement as of May 31, 2007

	Year-To-Date	Projected	Remaining
FY 2007 Beginning Fund Balance	\$199,663.64		
Revenue	6,421.60	8,515.00	2,093.40
Expense and Equipment	15,986.68	21,681.00	5,694.32
Total Transfers	40,213.26	50,027.64	9,814.38
Ending Fund Balance	149,885.30	134,750.19	

Legal Counsel Update

David Barrett had nothing to report at this time.

Proposed Regulations/Statutes

The following proposed and amended rules will be printed in the August 15, 2007 *Missouri Register*. Comments from the public regarding these rules must be received by September 14, 2007.

- 20 CSR 2230-1.010 General Organization
- 20 CSR 2230-1.020 Board Member Compensation
- 20 CSR 2230-2.010 Application for Licensure by Examination
- 20 CSR 2230-2.020 Professional Conduct Rules
- 20 CSR 2230-2.021 Advertising Regulation
- 20 CSR 2230-2.023 Infection Control
- 20 CSR 2230-2.050 Reciprocity
- 20 CSR 2230-2.065 Temporary Licenses for Internship/Residency

Division Legislative Overview

- **2007 Legislative Session** – The board reviewed an overview of Division's legislative package passed by the Missouri General Assembly.

- **2008 Legislative Session** – A motion was made by Dr. Klamet and seconded by Dr. Visser, directing the Executive Director to provide a legislative proposal to the division for consideration to include the request for hiring outside legal counsel for the State Board of Podiatric Medicine. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

St. Luke's Hospital Medical Staff Development Policy-Edward Stein DPM Letter

February 2007, the board reviewed a letter received from Edward S. Stein, DPM, concerning podiatric privileges at St. Luke's Hospital, in St. Louis, keeping Podiatrist off staff, and not sending the necessary information to make staff membership available to Podiatrist. Dr. Stein feels this is discriminatory against podiatrist as a group, and may fall under certain federal and state guidelines of restraint of trade. The board wrote a letter to David P. Krajcovic, MD, Department of Surgery, St. Luke's Hospital, addressing the issues rose in the letter and requested they explain their position relating to podiatric privileges at the hospital. April 2007, the board reviewed the response received from Gary Olson, President & Chief Executive Officer of St. Luke's Hospital, explaining the policies St. Luke's follows when considering applicants for positions on its medical staff. St. Luke's medical staff is governed by its Medical Staff Bylaws, Medical Staff Development Plan and Medical Staff Development Policies. Various medical specialties are divided into three (3) groups. Podiatrist are classified as a Category 3 specialty consisting of those specialties for which new applications will not be accepted and are therefore closed to new members. When a specialty is classified as Category 3, the medical staff has determined that the services that could potentially be provided by such practitioners are adequately provided by current medical staff members. Per the direction of the board, the Executive Director shared the letter received from St. Luke's Hospital with Edward S. Stein, DPM. For informational purposes, the board responded to St. Luke's Hospital requesting clarity of how the medical specialties are divided into the three category groups. The board's interest is 1)What medical specialties are in each of the categories at the present time? 2)How often does the hospital conduct its review process? 3)Is the review process open to the public? and 4)When is the next review process scheduled to begin? Members of the board may be interested in attending future open meeting, as well as know when the application process will again be open for consideration.

The board reviewed the response received from Gary Olson, relating to the board's inquiries about the categorization of the various medical specialties at St. Luke's Episcopal-Presbyterian Hospitals. This letter was provided for informational purposes. The board will send a letter prior to the next meeting to see if changes occurred in the categorization of the various specialties.

Task Force on Misuse, Abuse, and Diversion of Prescription Drugs

The board reviewed the minutes from the February 14, 2007 and May 23, 2007 Missouri Task Force on Misuse, Abuse and Diversion of Prescription Drugs meetings. The next meeting is scheduled for August 22, 2007 at 10:30a.m at the Division of Professional Registration.

NPDB-HIPDB Data Bank News

The board reviewed the National Practitioner Data Bank – Healthcare Integrity and Protection Data Bank, July 2007, Newsletter. This was provided for informational purposes.

Missouri Podiatric Medical Association's Annual Meeting

The Missouri Podiatric Medical Association's 2007 Annual Scientific Meeting will be held October 12-14, 2007 at the Doubletree Hotel (Westport Plaza) in St. Louis. If members of the board are interested in attending the annual meeting, contact the board office as soon as possible.

The board received a letter from Perry Geistler, DPM, President of the Missouri Podiatric Medical Association indicating that due to the increased rates by the Council of Podiatric Medical Education, the Association voted not to renew their relationship with the Council. Dr. Geistler is requesting the board sponsor continuing medical educational credits for their October 2007 meeting. The board directed the Executive Director to write a letter to Dr. Geistler, asking they submit the paperwork necessary for Board Review of Continuing Medical Education, and the board would waive the \$25 Fee.

Council on Licensure, Enforcement and Regulation

The Council on Licensure, Enforcement and Regulation Annual Conference, will be held September 6-8, 2007, in Atlanta, Georgia. If members of the board are interested in attending the annual meeting, contact the board office as soon as possible.

Conferences/Training

The Division of Professional Registration will be hosting a Board Member Orientation & Update, September 26, 2007 at the Capitol Plaza Hotel & Convention Center, Jefferson City. All members of the board are encouraged to attend the Orientation.

Open Discussion – Dialogue with General Public Attending Open Session

Continuation and/or Completion of any Unfinished Open Session Business

Dr. Klamet indicated the Federation of Podiatric Medical Boards will hold its Annual Meeting on August 16, 2007 at the American Podiatric Medical Association meeting located in Philadelphia, Pennsylvania.

Closed Meeting

A motion was made by Lois Riney and seconded by Dr. Klamet to move into closed session and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from the closed meeting be closed pursuant to Section 610.021 Subsection (14) and 620.010.14 Subsection (7) RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure; Section 610.021 Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; Section 610.021 Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency; Section 610.021 Subsection (13) RSMo for making performance ratings pertaining to individual employees; Section 610.021 Subsection (7) RSMo for reviewing testing and examination materials; Section 610.021 Subsection (14) and Section 620.010.14 Subsection

(5) RSMo for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees; and Subsection of 610.021 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition.

Adjournment

A motion was made by Dr. Klamet and seconded by Lois Riney to adjourn. Motion carried with Dr. Appleman, Dr. Visser, Dr. Klamet, Dr. Van Dam and Lois Riney voting in favor with no votes in opposition. The meeting adjourned at 8:10 p.m. on Wednesday, August 8, 2007.

Executive Director: _____

Approved by the Board on: _____

Meeting Notice

State Board of Podiatric Medicine Conference Call

**August 8, 2007 – 6:30 p.m.
Division of Professional Registration
3605 Missouri Blvd.
Jefferson City, Missouri 65109**

The Missouri State Board of Podiatric Medicine will be meeting on August 8, 2007 beginning at 6:30 p.m. Notification of special needs as addressed by the American with Disabilities Act should be forwarded to the State Board of Podiatric Medicine, P. O. Box 423, 3605 Missouri Boulevard, Jefferson City, Missouri 65102 or by calling (573) 751-0873 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

Except to the extent disclosure is otherwise required by law, the State Board of Podiatric Medicine is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14(7) RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

Attachment

cc: David Broeker and Janice Sloca

**OPEN AGENDA
State Board of Podiatric Medicine
Conference Call**

**August 8, 2007 – 6:30 p.m.
Division of Professional Registration
3605 Missouri Blvd.
Jefferson City, Missouri**

Call to Order

Roll Call

- 1. Approval of Agenda**
- 2. Approval of Minutes**
 - **October 7, 2006 Open Meeting Minutes**
 - **December 13, 2006 Open Mail Ballot Meeting Minutes**
 - **December 21, 2006 Open Mail Ballot Meeting Minutes**
 - **January 17, 2007 Open Mail Ballot Meeting Minutes**
 - **February 8, 2007 Open Mail Ballot Meeting Minutes**
 - **February 21, 2007 Open Mail Ballot Meeting Minutes**
 - **February 28, 2007 Open Conference Call Meeting Minutes**
 - **March 26, 2007 Open Mail Ballot Meeting Minutes**
 - **April 9, 2007 Open Mail Ballot Meeting Minutes**
 - **April 21, 2007 Open Meeting Minutes**
 - **May 1, 2007 Open Mail Ballot Meeting Minutes**
 - **May 14, 2007 Open Mail Ballot Meeting Minutes**
 - **June 12, 2007 Open Mail Ballot Meeting Minutes**
 - **June 22, 2007 Open Mail Ballot Meeting Minutes**
- 3. Executive Director's Report**
- 4. Legal Counsel Update**
- 5. Proposed Regulations/Statutes**
- 6. Division Legislative Overview**
 - **2007 Legislative Session**
 - **2008 Legislative Session**
- 7. St. Luke's Hospital Medical Staff Development Policy-Edward Stein DPM Letter**
- 8. Task Force on Misuse, Abuse, and Diversion of Prescription Drugs**
- 9. NPDB-HIPDB Data Bank News**

10. Missouri Podiatric Medical Association, October 11-13, 2007, St. Louis, Missouri
11. Council on Licensure, Enforcement and Regulation Annual Conference, September 6-8, 2007, Atlanta, Georgia
12. Conferences/Training
13. Open Discussion – Dialogue with General Public Attending Open Session
Continuation and/or Completion of any Unfinished Open Session Business

Closed Meeting. The Board will move into closed session pursuant to Section 610.021 Subsection (14) and 620.010.14 Subsection (7) RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure; Section 610.021 Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; Section 610.021 Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency; Section 610.021 Subsection (13) RSMo for making performance ratings pertaining to individual employees; Section 610.021 Subsection (7) RSMo for reviewing testing and examination materials; Section 610.021 Subsection (14) and Section 620.010.14 Subsection (5) RSMo for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees; and Subsection of 610.021 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings.

Adjournment