

MINUTES BOARD OF LICENSURE OF PODIATRIC MEDICINE

07/12/2001

1:00 PM

OLR Board Room

**CHAIRMAN:**

Lawrence Crystal, D.P.M.

**MEMBERS PRESENT:**

Lawrence Crystal, D.P.M.

Roy Corbin, D.P.M.

Alan Goldenhar, D.P.M.

**MEMBERS ABSENT:**

Danforth De Sena, D.P.M.

Ron Stewart

**OTHERS PRESENT:**

Christopher Toth, D.P.M.

Dennis Smith, AAG

Elaine Thibodeau, Board Administrator

Diane Staples, Board Clerk

**CALL TO ORDER**

As Chairman DeSena could not attend due to a death in the family, Dr. Crystal called the meeting to order at 1:19 p.m.

**MINUTES**

Motion by Dr. Corbin, seconded by Dr. Goldenhar to approve the minutes from the April 5, 2001 meeting. Passed unanimously.

**ADMINISTRATOR'S COMMENTARY**

Elaine –

- Distributed copies from the OLR website listing disciplinary reports (<http://www.state.me.us/pfr/olr/avda.htm>). There are none listed for Podiatrists for the two years posted -- 2000 and 2001.
- Announced that Staff Attorney Jeff Frankel is working on a department newsletter that will be posted on the website (<http://www.state.me.us/pfr/olr/index.htm>) and disseminated by e-mail to board members.
- Reported that OL&R will be conducting across-the-board rulemaking, at some point, to implement newly-enacted Public Law 2001, Chapter 285, "An Act to Allow Boards of Professions to Grant Hardship Deferments," which permits boards to extend the time-frame within which license-holders may comply with the continuing education requirement.

- Gave a budget update; as of year-end Fiscal Year 2001, the Board's cash balance is negative \$25,294, although not all licenses have been renewed yet for June 30, 2001, the last day of the Fiscal Year, and more renewal applications are expected to arrive in the coming weeks.
- Reported that there would be a rulemaking hearing the following day to standardize the "Late Renewal" protocol among the boards by increasing the late fee from \$10 to \$50, which Podiatry already imposes, and to preclude any sanctions from the department for unlicensed practice during the ninety days following license-lapse, although the ability of third-party payors (e.g., Medicare, health insurers, employers) to withhold reimbursement to such practitioners would be unaffected.

### **ORAL EXAMS**

Christopher Toth- Dr. Corbin moved to issue a license to Dr. Toth, Dr. Goldenhar seconded. Motion passed unanimously.

### **MISCELLANEOUS**

Subpoena-Dr. Crystal passed out packets to the Board regarding the subpoenaed chart review summary of Dr. Gershman medical records. Based on the review there is not a violation of the consent agreement although the opinion of the Board is that they are prescribing these drugs for these procedures and that the records show that there may be substandard care. Dr. Corbin moved that the Board send a letter that he has complied with the consent agreement, but also send a letter of concern regarding the issues that were found in reviewing his charts involving several items involving standard of care. The Board asked Elaine to send a letter of thanks to Elizabeth Dragatsi to thank her for her help with a pain assessment review.

The Board decided to change the next meeting date from September 6 to September 13, as the members had scheduling conflicts.

#### **Election of Officers:**

- Dr. Crystal nominated Dr. DeSena to serve as Chair of the Board, and Dr. Goldenhar seconded. Motion passed unanimously.
- Dr. Goldenhar nominated Dr. Corbin to serve as the Complaint Officer and Dr. Crystal seconded. Motion passed unanimously.
- Dr. Crystal nominated Dr. Goldenhar to serve as Financial Officer and Dr. Corbin seconded. Motion passed unanimously.

Dr. Corbin moved to grant Mary Schuh a resident license and Dr. Goldenhar seconded. Motion passed unanimously.

### **ADJOURNMENT**

Dr. Corbin moved to adjourn the meeting. Dr. Goldenhar seconded the motion. Motion passed. Meeting adjourned at 4:00 p.m.

Respectfully submitted,  
Diane Staples, Board Clerk

