

MINUTES BOARD OF LICENSURE OF PODIATRIC MEDICINE

07/01/2004

1:00 PM

OLR Board Room

CHAIRMAN:

Shannon Meredith, D.P.M.

MEMBERS PRESENT:

Shannon Meredith, D.P.M.

Jil Beaupain, D.P.M.

Roy Corbin, D.P.M.

Ron Stewart

Danforth DeSena, D.P.M.

MEMBERS ABSENT:

OTHERS PRESENT:

Diane Staples, Board Clerk; Penny Vaillancourt, Board Administrator; Ruth McNiff, A.A.G.

CALL TO ORDER

Shannon Meredith called the meeting to order at 1:15 p.m.

MINUTES

Dr. DeSena asked questions whether the actions requested in the minutes had been taken care of regarding communication with the commissioner, associations, and licensees. Penny Vaillancourt responded to these issues. The Commissioner and the Podiatry Association received an update, however the letter has not been sent to licensees. A motion was made by Mr. Stewart and seconded by Dr. DeSena to approve the minutes from the April 1, 2004 meeting. Motion passed unanimously.

ADMINISTRATOR'S COMMENTARY

Penny Vaillancourt reported that Commissioner Robert Murray left the department as he was appointed to serve as a district judge in Penobscot County and that Christine Bruenn, is serving as Acting Commissioner until a new commissioner is appointed and confirmed.

Penny Vaillancourt presented a financial update to the board for FY'04.

Penny Vaillancourt reminded the board that the next legislative session was approaching and that she will keep the board apprised in legislative developments that either directly impact the board or the profession.

CHAIRMAN'S REPORT

Dr. Meredith announced that the association is in the process of drafting a legislative bill regarding the issue of Podiatry assistants.

ORAL EXAM

Amanda Matz: Dr. Corbin moved and Dr. Beaupain seconded to approve Amanda Matz for a Maine Podiatric license. Motion passed unanimously.

MISCELLANEOUS

Anne Head joined the board to discuss the issue of Podiatric assistants at the board's request. The board wanted further clarification regarding the role of the department and how the issue will be communicated to the current Acting Commissioner and new commissioner – once named and appointed. Ms. Head explained to the board that she is currently collecting legislative proposals for the next legislative session and will forward this particular issue to the new commissioner. She further explained that the legislative process to add a new license category to an existing statute is a lengthy process. The deadline for submitting legislative proposals to the Governor's Office for this department is in October. Anne Head indicated that she has started the legislative proposal process, which includes researching and gathering information that the Commissioner's Office needs to review and evaluate this specific proposal.

Dr. Beaupain has been notified by the hospital that a history and physical has to be ready seven days in advance and indicated that hospitals are now requesting that it be rechecked 24 hours ahead of time. The other board members agreed that this must be a hospital policy that is not state policy.

COMPLAINT OFFICERS REPORT

POD-028: Former patient alleged unprofessional conduct by a podiatrist as a result of delayed appointments, diagnosis, and referral for treatment. Former patient also displeased with charges incurred for x-rays to be sent to new podiatrist.

Vote: Dr. Desena moved and Dr. Beaupain seconded to dismiss the complaint as there was no evidence of misconduct in the investigation materials. Motion passed with 4 in favor and 1 recusal (Dr. Corbin).

POD-029: Patient alleged unprofessional conduct as a result of unsanitary conditions and billing practices. complained of a growth, diagnosis of a wart, and was cut out.

Vote: Dr. Beaupain moved and Mr. Stewart seconded to dismiss the complaint as there was no evidence in the investigation materials substantiating either unsanitary conditions or unprofessional billing practices. Motion passed with 4 in favor and 1 recusal (Dr. Corbin).

POD-030: Dr. Meredith recused herself from this complaint. Dr. DeSena stepped in as acting chair. Patient alleged unprofessional behavior regarding billing issues, staff training of billing procedures regarding

reimbursement issues, and confidentiality. The patient's also indicated that she was upset that her medical records were released to the board as part of the investigation without her consent.

Vote: Dr. Beaupain moved that the complaint be dismissed as there was no evidence that there was unprofessional behavior regarding billing practices and reimbursement issues, but issue a letter of guidance to the licensee regarding the need to educate staff regarding confidentiality and release of records without patient consent. Dr. DeSena seconded the motion. The motion passed with 3 in favor and 2 recusal (Dr. Corbin/Dr. Meredith).

Discussion/Action-HIPDB Malpractice Payment Report:

Dr. Beaupain moved and Mr. Stewart seconded the motion to go into executive session for the purpose of discussing a medical malpractice payment report. Motion passed unanimously. Dr. Corbin moved and Mr. Stewart seconded to come out of executive session. Motion passed unanimously. Dr. DeSena stated that the board discussed a matter and has decided to take no action regarding this matter.

ADJOURNMENT

Dr. Beaupain moved to adjourn the meeting. Mr. Stewart seconded the motion. Motion passed unanimously.

Respectfully submitted,
Diane Staples, Board Clerk