

MINUTES BOARD OF LICENSURE OF PODIATRIC MEDICINE

December 2, 2004

1:00 PM

OLR Board Room

CHAIRMAN:

Shannon Meredith, D.P.M.

MEMBERS PRESENT:

Shannon Meredith, D.P.M.

Roy Corbin, D.P.M.

Ron Stewart

Danforth DeSena, D.P.M.

Jil Beaupain, D.P.M.

MEMBERS ABSENT: None

OTHERS PRESENT:

Colleen Eugley, Board Clerk; Penny Vaillancourt, Board Administrator; Dennis Smith, A.A.G., and Anne Head, Director

CALL TO ORDER:

Dr. Shannon Meredith called the meeting to order at 1:30 p.m. Ron Stewart Dr. Roy Corbin seconded

MINUTES:

A motion was made by Ron Stewart and seconded by Dr. Jil Beaupain to approve the minutes from the September 9, 2004 meeting.

Vote: 4 - In Favor

NEW APPLICANTS - Review of Applications

Dr. Leon Hickey – sat and passed state exam

Dr. Bert Mason – sat and passed state exam

Discussion with Dr. Hickey:

Dr. Hickey practiced in New Hampshire for 33 years and wants to practice in Kennebunk. He disclosed that there was a malpractice suit filed against him that was dismissed 6-8 years ago. The scope of practice is the same in NH, ankle and below. Dr. Meredith brought up the assistant issue and what they can and cannot do in the office.

Roy Corbin made a motion to approve Dr. Hickey's application; Jil Beaupain seconded the motion.

Vote: 5 - In Favor

Discussion with Dr. Mason:

Dr. Mason practiced in Kentucky at a military hospital. He has been working at Togus for four years. The law didn't require him to have a license in Maine to work at the facility, so long as he is actively licensed in another state. Dr. Mason disclosed that there was a malpractice suit in Kentucky that was filed three years after a procedure. He indicated that the case was settled. The board informed Dr. Mason that H&P are not part of a licensed podiatrist scope of practice in Maine.

Dr. Roy Corbin made a motion to approve Dr. Mason's application; DR. Jil Beaupain seconded the motion.

Vote: 5 - In Favor

DIRECTOR'S COMMENTARY

Dr. Brad Samojla, Maine Foot & Ankle Society, and Dan Walker – representing the Maine Foot & Ankle Society attended and participated in a discussion of the association's draft legislation clarifying the statutory authority to the use of "podiatry assistants."

After a thorough discussion and review of the draft legislation, the bill will authorize podiatrists' use of assistants under control & supervision of podiatrists. Podiatrist would be present for certain activities but would not have to be for other activities. The bill would require the board to go to rulemaking to identify the education, training, and examination necessary of individuals seeking approval from the board as podiatry assistants. An emergency preamble will be added to expedite the issue.

ADMINISTRATOR'S COMMENTARY:

Penny Vaillancourt introduced Colleen Eugley as Acting Board Clerk. She also updated the board on the state's present hiring freeze and the travel restrictions, including both in-state and out-of-state travel. The board was also presented with a financial update.

CHAIRMAN'S REPORT:

Nothing to report

COMPLAINT OFFICER'S REPORT:

POD-032:

A licensed podiatrist treating alzheimer's patient at home. The patient's daughter has power of attorney. The daughter has mentioned her mother's having a "pedicure" several times. The licensee is upset with the term "pedicure", and he didn't finish treatment because he felt he was treated unprofessionally. He had the patient sign a form stating that what he's doing is not pedicures and a 30-day notice on stopping treatment. The daughter was not happy with the doctor's conduct.

Jil Beaupain stated the doctor's expertise seems fine.

Jil Beaupain made a motion to dismiss with a letter of guidance (inappropriate communications/remarks); Shannon Meredith seconded.

Vote: 4 - In Favor - 1 recused (Dr. Corbin)

MISCELLANEOUS:

Dr. Corbin presented the board with information regarding the identification of sedation materials based upon correspondence the board received last summer. The board could not formally respond to the inquiry at that time, and had requested additional information from the individual regarding specific types of sedation. No reply from the individual has been received to date. No further action needed by the board at this time.

ADJOURNMENT

Dr. Roy Corbin moved to adjourn the meeting. Dr. Shannon Meredith seconded the motion. The motion was approved unanimously at 4:23 PM.

The next regular meeting is scheduled for April 7, 2005.

Respectfully submitted,
Colleen Eugley, Acting Board Clerk