



New Mexico Regulation and Licensing Department

BOARDS AND COMMISSIONS DIVISION

New Mexico Board of Podiatry

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505

(505) 476-4622 ▪ Fax (505) 476-4615

▪ www.rld.state.nm.us/podiatry

New Mexico Podiatry Board **REGULAR BOARD MEETING**

Friday April 1, 2016

Santa Fe, NM

I. CALL TO ORDER

At 1:30 p.m. the Board Chair, Dr. Janet Simon, DPM called the April 1, 2016 meeting of the New Mexico Board of Podiatry to order.

II. ROLL CALL

MEMBERS PRESENT: Dr. Janet Simon, DPM
Dr. David Schulhofer, DPM
Frank Kunc, Public Member
Judy Frakes, Public Member

MEMBERS ABSENT: Dr. Joel Wilner, DPM

STAFF PRESENT: Cynthia Graystone, Board Administrator
Marcus Erickson, Compliance Liaison
Tamara Neville, Licensing Specialist
Anita Villegas, Team Leader

OTHERS PRESENT: Mona Valicenti, Assistant Attorney General

Roll Call was taken by Cynthia Graystone and a quorum was determined present.
(Refer to sign-in Sheet for Other Guests)

III. APPROVAL OF AGENDA

Ms. Frakes made a **MOTION** to approve the agenda. Dr. Schulhofer **SECONDED** the motion which was **PASSED** by **UNANIMOUS APPROVAL**.

Amendments: None

IV. APPROVAL OF MEETING MINUTES

Approval of May 13, 2015 Regular Meeting Minutes.

Ms. Frakes made a **MOTION** to approve the minutes of the May 13, 2015 regular meeting as written. Mr. Kunc **SECONDED** the motion which was **PASSED** by **UNANIMOUS APPROVAL**.

Amendments: None

V. **New Business**

A. Ratification and approval of licensure.

Dr. Schulhofer made a **MOTION** to ratify and approve **Initial Licenses for the following:**

Angela M Fields #383

Spencer L. Mortensen # 379

Selina R. Sekulic # 381

John Paul Warrick #384

Justin A. Ward # 380

Joshua J. Marshall #385

Robert Paoletti # 382

Temporary License

Arjun Singh Sandhu #T-1557

Joseph E Bardin # T-1556

Silas O Klaver # T-1555

Marshall Graham Monson # T-1558

Eunice H Cho # T-1559

Ms. Frakes **SECONDED** the motion which was **PASSED** by **UNANIMOUS APPROVAL**

B. Review and signing if the OMA Resolution 2016

AAG Vallicenti summarized the Open Meeting Act Resolution for the Board members. Dr. Schulhofer made a **MOTION** to accept the OMA Resolution 2016 as amended **SECONDED** by Mr. Kunc the motion which was **PASSED** by **UNANIMOUS APPROVAL**.

Amendment: Language correction.

C. House Bills 277, 263, and 105 to determine how it would impact the Podiatry Act.

Discussion was held on HB 277 and HB 263. A review of the podiatry rules will be necessary to determine if new or amended language will be necessary to support the new laws on educating and regulating the prevention of opiated overdose.

HB 105 was discussed amongst the board members and Team Leader, Anita Villegas that this bill expediting licensing for endorsement or reciprocity. Applications will need to be reviewed by RLD's general counsel to determine how the licensing boards will comply.

D. Discuss level interest on PA's

Dr. Simon stated that instituting PA's would require a legislative change to the Podiatry Act for supervising Physicians Asst. Approximately 3 months ago the State Podiatry Association conducted a survey from members and received about a 10% feedback showing interest in PA's. Currently this would benefit Podiatrists that work in multi-specialty groups. There are six states in the country that have language within their Statutes that allow some level of PA assistance. Dr. Simon stated that if there was additional interest, there would have to be a Statute change.

E. Proximal Tibial Bone Graft in the Podiatry Act scope of practice?

Dr. Schulhofer spoke about the Proximal Tibial Bone Graft procedure, and referenced rule 16.21.1.8A NMAC. This surgical treatment shall include the skin and subcutaneous tissues of the thigh and all structures distal to the tuberosity of the tibia. Dr. Schulhofer asked the Board's opinion if they felt it was part of the Podiatry's Scope of Practice? Discussion was held and it was determined that this procedure isn't within the Scope of Practice. Dr. Schulhofer made a **MOTION** to send a mass e-mail to all licensees explaining that the Proximal Tibial Bone Graft is not in the Scope of Practice within Podiatry Act. Ms. Frakes **SECONDED** the motion, which **PASSED** by **UNANIMOUS APPROVAL**.

VI. EXECUTIVE SESSION

Ms. Frakes made a **MOTION** to close the New Mexico Board of Podiatry meeting and enter into Executive Session to discuss the items listed in the agenda. Pursuant to Sections 10-15-1.H(1) of the Open Meetings Act authorizing closed sessions for matters related to issuance, suspension, renewal, revocation of a license. Dr. Schulhofer **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

Board Administrator took a roll call vote to enter into Executive Session.

Roll Call Vote:

AYE - Dr. Janet Simon, DPM
AYE - Dr. David Schulhofer, DPM
AYE - Judy Frakes, Public Member
AYE- Frank Kunc, Public Member

Let the record show that at 2:18 p.m. the Board entered into closed session and the recorder has been turned off.

A. Consider Committee Recommendations:

P-13-10-01
P-14-09-02
P-15-01-MAL
P-15-01-COM
P-15-04-COM
P-15-05-COM
P-15-07-COM

Back in Open Session

Let the record show that the recorder is back on. The New Mexico Board of Podiatry is back in open session. The time was 3:00 pm Pursuant to 10-15-1 H 1 & 3 of the Open Meetings Act the matters discussed in the closed meeting were limited only to the items listed in the motion.

VII. BOARD ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

P-13-10-01

Ms. Frakes made a **MOTION** to Reject the Stipulated Agreement for case P-13-10-01. Dr. Schulhofer **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

P-14-09-02

Dr. Simon made a **MOTION** to dismiss case P-14-09-02 Dr. Schulhofer **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

P-15-01-MAL

Dr. Schulhofer made a **MOTION** to dismiss case P-15-01-MAL. Mr. Kunc **SECONDED** the motion, which was **PASSED**. 1 Abstained

P-15-01-COM

Dr. Schulhofer made a **MOTION** to dismiss case P-15-01-COM. Mr. Kunc **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

P-15-04-COM

Dr. Schulhofer made a **MOTION** to dismiss case P-15-04-COM. Mr. Kunc **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

P-15-05-COM

Dr. Schulhofer made a **MOTION** to Table the Case P-15-05-COM pending more information. Ms. Frakes **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

P-15-07-COM

Dr. Schulhofer made a **MOTION** to dismiss the case P-15-07-COM. Mr. Kunc **SECONDED** the motion, which was **PASSED** by **UNANIMOUS APPROVAL**.

VIII. PUBLIC COMMENT
No public comment.

IX. Next Meeting
August 5, 2016 in Santa Fe, New Mexico

X. ADJOURNMENT

There being no other business to come before the Podiatry Board meeting has been adjourned at 3:20 pm.

Submitted by: Cynthia Graystone 8/5/16
Cynthia Graystone, Board Administrator Date

Approved by: Janet Simon DPM 8/5/16
Janet Simon, DPM, Board Chair Date