

## TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

**DATE:** February 4, 2009  
**TIME:** 9:00 A.M., CST  
**LOCATION:** Health Related Boards  
Poplar Room  
227 French Landing  
Nashville, TN 37243

### **BOARD MEMBERS**

**PRESENT:** David Long, DPM, Chair  
Paul Somers, DPM  
Lawrence Burns, DPM  
Kathryn Riffe, DPM  
Karen Garner, Citizen Member  
Karl Fillauer, CPO

### **STAFF**

**PRESENT:** James Hill, Board Administrator  
Elizabeth Miller, Director  
Shiva Bozarth, Advisory Attorney  
Barbara S. Maxwell, Administrative Director

Dr. Long, Chair, called the meeting to order at 9:00 a.m. A quorum was present.

### **Minutes**

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the minutes as corrected. The motion carried.

### **Conflict of Interest**

Mr. Bozarth reviewed the amended Conflict of Interest asking the Board members to sign the conflict of interest upon review.

### **Office of General Counsel Report**

Mr. Bozarth stated that there is one continuing education violation to be presented to the Board, and a rulemaking hearing will be conducted at today's meeting.

### **Investigative Report**

Ms. Stone stated that there are nine (9) open complaints against podiatrists, four (4) against orthotists, three (3) against prosthetists and five (5) against pedorthists.

### **Monitored Practitioners**

Ms. Stone is monitoring two (2) practitioners, one (1) who is on probation and one (1) whose license was revoked.

### **Financial Report**

The Report indicates that \$142,868.43 was transferred to the State's General Fund leaving the Board with a surplus balance of \$20,385.18.

### **Administrative Report**

There are 237 active podiatrists (206 reside in TN), 102 active podiatric x-ray operators (96 reside in TN), 176 active orthotists (148 reside in TN), 146 active prosthetists (122 reside in TN), and 78 active pedorthists (75 reside in TN).

### **Rulemaking Hearing Regarding Reduction in Renewal Fees**

Amendments to rule 1155-2-106(4)(c) and rule 1155-4-.09(2) will reduce the podiatry renewal fee from \$450 to \$350 and reduce the orthotists, prosthetists and pedorthists renewal fee from \$300 to \$200.

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve the amendments. A roll call vote was conducted and all Board members voted in the affirmative.

### **Review/Approve Applications for Podiatrists, X-Ray Operators, Orthotists, Prosthetists and Pedorthists**

Dr. Somers made a motion, seconded by Dr. Riffe, to approve **Dr. John Throckmorton, DPM**, to sit for the jurisprudence examination. The motion carried.

Dr. Riffe made a motion, seconded by Dr. Burns, to approve **Dr. David Smith, DPM**, for licensure by reciprocity. The motion carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve **Amanda Ashworth** for licensure as an x-ray operator. The motion carried.

Mr. Fillauer made a motion, seconded by Dr. Riffe, to approve **Leigh Miller** for licensure as an x-ray operator. The motion carried.

Dr. Riffe made a motion, seconded by Mr. Fillauer, to approve **Theresia Vanhorn** for licensure as an x-ray operator. The motion carried.

Dr. Somers made a motion, seconded by Dr. Riffe, to approve **Jessica Williford** for licensure as an x-ray operator. The motion carried.

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve **Jason Ramsey** for licensure as a prosthetist. The motion carried.

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve **Misty Shelby** for licensure as a pedorthist. The motion carried.

Dr. Burns made a motion, seconded by Mr. Fillauer, to request that **Wendy Truette** appear before the board at its next meeting with her ABC certificate. The motion carried.

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve **Brad Bullock** for licensure as a pedorthist. The motion carried.

### **Review/Ratify Newly Licensed Practitioners**

Dr. Riffe made a motion, seconded by Dr. Somers, to approve the following newly licensed practitioners:

#### Podiatrist

**Rachna Gupta**

#### X-Ray Operators

**Amanda Ashworth**

**Leigh Ann Miller**

**Melanie Potter**

**Jessica Williford**

#### Orthotist

**Joseph Hoffert**

**Keith Wilson**

#### Prosthetist

**Rachel Priddle-Johnson**

**Joseph Hoffert**

**Keith Wilson**

The motion carried.

### **Ratify Closed Files**

Dr. Somers made a motion, seconded by Dr. Burns, to ratify the following closed files:

#### **X-Ray Operator**

**Nina Whiddon**

#### **Orthotists**

**Jerry Ellis**  
**Phillip Graves**  
**Ronald Poland**  
**William Pudifin**

#### **Prosthetists**

**Thomas Baker**  
**Pedro Diaz**

The motion carried.

### **Review Correspondence**

The Board reviewed correspondence from **Vincent Longobardo, DPM**, requesting a waiver of the \$100 civil penalty fee for failing to comply with the continuing education requirements. Mr. Bozarth said it appeared that Dr. Longobardo had completed the required continuing education hours but did not submit copies of his continuing education hours in a timely manner. Dr. Burns made a motion, seconded by Dr. Somers, to uphold the Board's initial decision to assess Dr. Longobardo a \$100 civil penalty. The motion carried.

The Board reviewed correspondence from **D. E. Haverly, DPM**, regarding podiatrists conducting history and physicals on patients in a hospital setting. The Board asked Mr. Williams of the Tennessee Podiatric Medical Association to provide Mr. Bozarth the memorandum he issued upon review of the rules and statutes by hospitals and surgical center for discussion at the next Board meeting.

### **Schedule 2010 Board Meeting Dates**

The Board scheduled the following 2010 dates to conduct Board meetings:

**February 3, 2010**  
**May 5, 2010**  
**August 4, 2010**  
**November 10, 2010**

### **Election of Officers**

Dr. Somers made a motion, seconded by Dr. Riffe, to re-elect Dr. Long as president. The motion carried.

Dr. Burns made a motion, seconded by Dr. Somers, to nominate Dr. Riffe as secretary. The motion carried.

With no other Board business to discuss, Ms. Garner made a motion, seconded by Dr. Burns, to adjourn at 11:00 a.m. The motion carried.

**Approved by the Board of Podiatric Medical Examiners on this the 16th day of April 2009.**