

TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

DATE: April 16, 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
Kathryn Riffe, DPM
Lawrence Burns, DPM
Karl Fillauer, CPO
Karen Garner, Citizen Member

BOARD STAFF

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

Dr. Long, Chair, called the meeting to order at 9:05 a.m. A quorum was present.

Minutes

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the February 4, 2009 Board meeting minutes as written. The motion carried.

Conflict of Interest

Mr. Bozarth reviewed the conflict of interest and encouraged all Board members to sign the policy.

Agreed Citation

Dr. Somers made a motion, seconded by Dr. Riffe, to accept the agreed citation for **Yong S. Suh, DPM**, who failed to obtain the required continuing education hours for the 2006-2007 audit. The motion carried.

Office of General Counsel Report

Mr. Bozarth said the rules pertaining to a fee decrease are in review at the Attorney General's Office.

Dr. Riffe made a motion, seconded by Dr. Somers, to approve the letter Mr. Bozarth wrote to Dr. Haverly regarding podiatrists giving physicals and histories in a hospital setting. The motion carried.

Mr. Bozarth said there are not orders of compliance for today's meeting.

Applicant Interviews

Mr. Fillauer made a motion, seconded by Dr. Somers, to accept **Wendy Truett's** ABC certified and issue her a license as a pedorthists. The motion carried.

Investigative Report

Ms. Stone said there are two (2) complaints against podiatrists, two (2) against orthotists, two (2) against prosthetists and five (5) against pedorthists.

Monitored Practitioners Report

Ms. Stone said one practitioner had their license revoked and one is currently on probation.

Administrative Report

Mr. Hill said there are 229 licensed podiatrists, 105 licensed podiatric s-ray operators, 175 licensed orthotists, 146 licensed prosthetists and 80 licensed pedorthists.

Mr. Hill said of the ten (10) podiatrists audited for October/November 2008, eight (8) were compliant and two (2) were not. Mr. Hill said of the eight (8) podiatric x-ray operators audited, six (6) were compliant and two (2) were not.

Rule Amendments

The Board discussed an amendment to Rule 1155-2-.08(4)(a)(b), which is the time limit for effectiveness of exam scores, to clarify that the test score for Part III of the NBPME examination which was taken more than five (5) years before applying for licensure in Tennessee will be considered by the Board on a case by case basis.

The Board recognized John Williams of the Tennessee Podiatric Medical Association, who discussed the Board's housekeeping bill should be approved by the end of next week.

Review Applications

Dr. Riffe made a motion, seconded by Dr. Somers, to approve **Jessie Bradley, DPM**, for licensure. The motion carried.

Dr. Somers made a motion, seconded by Dr. Riffe, to approve **Ryan Chatelain, DPM**, for licensure. The motion carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve **Michelle McCrumb, DPM**, for licensure. The motion carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the following podiatric x-ray operators for licensure:

Tina Goostree
Taraneh Kapadia
Erin Miller
Angie Natal
Donna Summers
Erica Williams

The motion carried.

Dr. Riffe made a motion, seconded by Mr. Fillauer, to approve the following prosthetist for licensure:

Jeremy Farley

The motion carried.

Newly Licensed

Dr. Burns made a motion, seconded by Dr. Somers, to approve the following podiatrists for licensure:

Ryan Chatelain
Michelle McCrumb
David Smith
John Throckmorton

The motion carried.

Dr. Riffe made a motion, seconded by Ms. Garner, to approve the following podiatric x-ray operators for licensure:

Tina Goostree

Erin Miller
Angie Natal
Donna Summers
Erica Williams

The motion carried.

Dr. Somers made a motion, seconded by Dr. Riffe, to approve the following prosthetist for licensure:

Jason Ramsey

The motion carried.

Dr. Riffe made a motion, seconded by Mr. Fillauer, to approve the following pedorthists for licensure:

Brad Bullock
Misty Shelby

The motion carried.

Correspondence

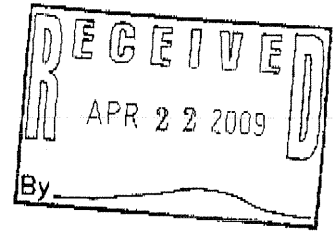
None

Other Board Business

The Board discussed requiring background checks for reinstated licensees. Dr. Somers made a motion, seconded by Mr. Fillauer, to amend the rules to require a criminal background check and data base check for applicants who reinstate their licenses after being in an inactive status for one or more years. The motion carried.

With no other Board business, Dr. Somers made a motion, seconded by Dr. Burns, to adjourn at 10:21 a.m. The motion carried.

Approved by the Board of Podiatric Medical Examiners on this the 29th day of July 2009.



STATE OF TENNESSEE
DEPARTMENT OF HEALTH
BUREAU OF HEALTH LICENSURE AND REGULATION
DIVISION OF HEALTH RELATED BOARDS
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TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

April 16, 2009

D.E. Haverly, D.P.M.
Tennessee Foot & Ankle Surgeons, Inc.
P.O. Box 32607
Knoxville, Tennessee 37930

Re: Request for advisory ruling

Dear Dr. Haverly:

This letter is written in response to your February 2, 2009, letter a copy of which is enclosed. As you know the practice of podiatry in Tennessee is limited to the treatment of the ailments of the foot and ankle extending no higher than the distal tibial metaphyseal flair. In your letter you inquire whether the Tennessee Board of Podiatric Medicine's ("Board") rules allow a podiatrist licensed in Tennessee to perform a history and physical examination prior to performing a podiatric surgery.

The statutory and regulatory provisions governing the practice of podiatry in Tennessee allow a podiatrist to perform appropriate histories and physicals where such histories and physicals are provided in order to examine, diagnose, or treat medically, mechanically, or surgically, an ailment of the human foot, ankle and soft tissue structures extending no higher than the distal tibial metaphyseal flair.

According to TENN. CODE ANN. § 63-3-202(b)(2), this advisory ruling has no precedential value for any other inquiry or future contested case that may come before the Board.

On behalf of the Board I thank you for your inquiry.

Sincerely,

Chairperson

Tennessee Board of Podiatric Medical Examiners

cc: James Hill, Administrator, Tennessee Board of Podiatric Medical Examiners

*Tennessee Department of Health Mission:
To promote, protect and improve the health of persons living in, working in, or visiting the State of Tennessee.*