



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

SHELLY EDGERTON
DIRECTOR

**MICHIGAN BOARD OF PODIATRIC MEDICINE & SURGERY
April 19, 2017 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Podiatric Medicine & Surgery met on April 19, 2017 at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Kevan Kreitman, DPM, Chairperson, called the meeting to order at 9:00 a.m.

ROLL CALL

Members Present: Kevan Kreitman, DPM, Chairperson
Jay Meyer, DPM, Vice Chairperson
Vicki Anton-Athens, DPM
Cyrus Farrehi, Public Member
Zeeshan Husain, DPM
Amy Kaufman, PA
Franklin Peterson, Public Member

Members Absent: Crystal Holmes, DPM
Nathan Tallman, Public Member

Staff Present: Nakisha Bayes, Board Support, Boards and Committees Section
Kerry Przybylo, Manager, Boards and Committees Section
Andria Ditschman, Analyst, Boards and Committees Section

APPROVAL OF AGENDA

MOTION by Peterson, seconded by Anton-Athens, to approve the agenda with the following change: add Michigan Automated Prescription System (MAPS) Update as the first item of New Business.

A voice vote followed.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Farrehi, seconded by Husain, to approve the January 25, 2017, meeting minutes as written.

A voice vote followed.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

None

OLD BUSINESS

None

NEW BUSINESS

MAPS Update

Kim Gaedeke, Director of the Bureau of Professional Licensing, introduced herself to the Board.

Gaedeke reported that the MAPS update successfully launched on April 4, 2017. Additional email blasts will be sent in the upcoming weeks to encourage more users to register on the new system.

Gaedeke stated that there are currently 17,000 users on the new system. The system has a low number of prescribers registered, just over 10,000. Prior to the new system launch, over 19,000 prescribers were registered on MAPS. The Department is hoping to have more than 38% prescribers registered to the system. The statistics for old MAPS registration are inflated due to many users having multiple user-accounts. The new system allows only one account per user. The new system is more user-friendly, allowing for better password reset experiences as well as profile maintenance.

Phase 2 of the new system will involve provider score cards and integrations with EMR systems to MAPS.

Gaedeke explained that suggestions for the system are always welcome. One suggestion that the Department has received is for users to have the ability to add clinical notes to patient files. The Department is expecting to have this function available in the Phase 3 launch.

The Department is continually working on outreach to ensure that professionals are receiving the information and assistance they need for registering on the new MAPS. Gaedeke will be presenting to a family physicians group in the next several weeks. Staff will also be travelling to Traverse City to present to a rural group of professionals.

Continuing Education Program Approval – Borgess Diabetes and Endocrine Center

MOTION by Peterson, seconded by Farrehi, to approve the continuing education program for Borgess Diabetes and Endocrine Center.

A voice vote followed.

MOTION PREVAILED

Preceptorship Application – Berry Julius Byrd

MOTION by Farrehi, seconded by Peterson, to approve the preceptorship application for Berry Julius Byrd.

Discussion was held.

MOTION by Farrehi, seconded by Peterson, to withdraw the previous motion.

MOTION by Farrehi, seconded by Husain, to deny the preceptorship application for Berry Julius Byrd.

A voice vote followed.

MOTION PREVAILED

Preceptorship Application – Erica Chanea Witherspoon

MOTION by Peterson, seconded by Husain, to deny the preceptorship application for Erica Chanea Witherspoon.

A voice vote followed.

MOTION PREVAILED

Malpractice Settlements and State Disciplinary Action Discussion

Przybylo explained that insurance companies report malpractice settlements to the State. Once the settlement information is received, the State will decide whether or not it requires further investigation. Pursuant to the Public Health Code, MCL 333.16231(4), the Department shall investigate if a licensee has three or more malpractice settlements in a

period of five years OR if a licensee has one or more malpractice settlements totaling more than \$200,000 in a period of five years. There are other times where the State has discretion on whether to investigate. Generally it depends on what the underlying conduct involves.

HPRC Annual Report

Dr. Scott Hughes, the board-appointed Health Professional Recovery Committee (HPRC) representative, addressed the Board. Dr. Hughes explained the purpose of the Health Professional Recovery Program (HPRP) and how it works. Dr. Hughes also explained the monitoring process that individuals go through while in the HPRP.

Dr. Hughes reported the following 2015-2016 statistics:

745 participants were monitored. Of the participants monitored, 160 were regulatory (participants that were ordered to enter HPRP through disciplinary action) and 604 were non-regulatory (participants that entered HPRP of their own accord and not as a result of disciplinary action). Of 745 participants, 4 were from the Board of Podiatry and all 4 participants are non-regulatory. Since there are less than 10 participants from the Board of Podiatric Medicine. There is not a separate statistical report for the Board.

Medical Marihuana Discussion

Przybylo explained that, per the statute, only osteopathic and medical doctors who are licensed under parts 170 and 175 of the Public Health Code are able to prescribe medical marihuana.

Draft Rules Approval

Przybylo summarized the changes to the rules and notified the Board of some verb tense changes she will make to make the rules internally consistent.

MOTION by Peterson, seconded by Meyer, to approve the draft rules as presented and discussed.

A voice vote followed.

MOTION PREVAILED

Chair Report

Kreitman explained to the Board that there have been recent concerns in other states regarding the exposure and accountability of board members. Members of Michigan boards are protected and have qualified civil immunity as long as they are acting within the scope and authority of a board member.

Kreitman advised the Board that they should not be answering scope of practice questions. The scope of practice questions are handled by the Department or the Attorney General's Office.

Przybylo confirmed that Board members should not be answering scope of practice questions. When answering these types of questions, a Board member could inadvertently provide information that conflicts with the Department guidelines and this can be confusing to licensees. When the Department receives scope of practice questions, they reply by referencing the statute and rules that pertain to the question. If the inquirer is unable to find an answer in the statute or rules, the Department encourages the inquirer to seek legal counsel.

Department Update

Przybylo addressed the Board's inquiry from the January 25, 2017 meeting, regarding the State of Michigan's membership with the National Podiatric Medicine Board (NPMB). Przybylo reported that applicants have to pay a fee to have their scores sent to the State, regardless of the membership. The State of Michigan's membership with the NPMB will be considered at the renewal date, as membership does not appear to provide benefits to the Board. Przybylo thanked the Board for raising the issue.

Przybylo notified the Board of several staffing changes. Cheryl Pezon, JD, is now the Deputy Director of the Bureau of Professional Licensing. Kerry Przybylo, JD, is now the Manager of the Boards and Committees Section. Andria Ditschman, JD, is now the Board Analyst for the Michigan Board of Podiatric Medicine & Surgery.

Przybylo introduced Ditschman to the Board.

Przybylo thanked the Board for the timeliness in responding to meeting attendance e-mails. Their responses are very helpful to ensuring Board Support has quorum prior to the meeting.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held July 26, 2017 at 9:00 a.m. in the Ottawa Building, 611 W. Ottawa Street, Conference Room 4, Upper Level Conference Center, Lansing, Michigan.

ADJOURNMENT

MOTION by Anton-Athens, seconded by Meyer, to adjourn the meeting at 10:33 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on: July 26, 2017.

Prepared by:
Nakisha Bayes, Board Support
Bureau of Professional Licensing

April 20, 2017