



# New Mexico Regulation and Licensing Department

## BOARDS AND COMMISSIONS DIVISION

### NM Board of Podiatry

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March 12, 2010

Regulation and Licensing Department,  
Toney Anaya Bldg., Rio Grande Room

### MINUTES

#### I. Call to Order:

Leo Garza, Public Member, called the regular Meeting of The New Mexico Board of Podiatry to order at 1:10 p.m.

#### **Roll Call:**

#### **Board Members Present:**

Janet Simon, D.P.M. Vice-Chair (Telephone)  
Angela Drury, D.P.M., Professional Member  
Judy Frakes, Public Member  
Leo Garza, Public Member

#### **Others Present:**

Pauline M. Varela, Board Administrator  
Amanda Storie, Team Leader  
Andrea Buzzard, Asst. Attorney General  
Cynthia Graystone, Compliance officer

**Absent:** Douglas Gillis D.P.M., Professional Member

Ms. Varela, Board Administrator, took roll call and a quorum was determined present.

#### II. APPROVAL OF AGENDA

A **MOTION** was made by Dr. Drury to approve the Regular Board Meeting Agenda. **SECONDED** by Judy Frakes **MOTION PASSED UNANIMOUSLY**

#### III. APPROVAL OF MINUTES

**MOTION** was made by Dr. Drury to approve the minutes of October 2, 2009 as corrected. **SECONDED** by Judy Frakes **MOTION PASSED UNANIMOUSLY**.

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authority for closing being § 10-15-1 H.(1). **SECONDED** by Judy Frakes. **MOTION PASSED UNANIMOUSLY.**

**Roll Call Vote:**

Dr. Janet Simon (Chair)	Aye
Mr. Leo Garza, Public Member (Vice Chair)	Aye
Dr. Angela Drury, Professional Member	Aye
Ms. Judy Frakes, Public Member	Aye
Dr. Douglas Gillis,	Absent

**Back to Open Session 2:46 p.m.**

**VI. EXECUTIVE SESSION**

**MOTION** was made by Mr. Garza to come out of executive session pursuant to Sections 10-15-1-H (1) of the Open Meetings Act. The matters discussed in the closed session were limited to the items listed on the agenda. **SECONDED** by Dr. Drury. **MOTION PASSED UNANIMOUSLY.**

**EXECUTIVE SESSION BOARD ACTION**

**MOTION** was made by Dr. Drury to dismiss P-COM-09-03, P-COM-09-04 and P-COM-10-01-02 based on no violation of act or rules. **SECONDED** by Ms. Judy Frakes. Dr. Simon abstained. **MOTION PASSED UNANIMOUSLY.**

**MOTION** was made by Mr. Garza to offer early resolution agreement for P-COM-09-12-05 prior to an NCA action and if an agreement is not reached an NCA will be issued. A hearing officer be assigned by the Chair. **SECONDED** by Dr. Drury. Dr. Simon abstained. **MOTION PASSED UNANIMOUSLY.**

**MOTION** was made by Mr. Garza to offer early resolution agreement for P-COM-09-12-06 prior to an NCA action and if an agreement is not reached an NCA will be issued. A hearing officer be assigned by the Chair. **SECONDED** by Dr. Drury. Dr. Simon abstained. **MOTION PASSED UNANIMOUSLY.**

**MOTION** was made by Mr. Garza to offer early resolution agreement for P-COM-10-01-01 prior to an NCA action and if an agreement is not reached an NCA will be issued. A hearing officer be assigned by the Chair. **SECONDED** by Dr. Drury. Dr. Simon abstained. **MOTION PASSED UNANIMOUSLY.**

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**IV. NEW BUSINESS**

Election of New Officers

- Board Chair - Dr. Drury nominated Dr. Simon as Chair. No other nominations.

**MOTION** was made by Judy Frakes to approve nominee for Chair by acclamation. Dr. Simon as Board Chair. **SECONDED** by Dr. Drury **MOTION PASSED UNANIMOUSLY.**

- Vice Chair - Dr. Simon nominated Mr. Leo Garza. No other nominations.

**MOTION** was made by Judy Frakes to approve nominee for Vice Chair, **SECONDED** by Dr. Drury **MOTION PASSED UNANIMOUSLY.**

Selection of Application, Rules and Compliant Committee Members

Chair Simon appointed the following people to serve on the following committees.

- Application Approval Committee – Dr. Simon
- Rules Committee – Dr. Gillis
- Complaint Committee – Dr. Drury

Board Administrator

Pauline Varela, Board Administrator – Due to department restructuring, Ms. Varela will be the Board Administrator for the Podiatry Board.

Adopt New Mission Statement

**MOTION** was made by Dr. Drury to approve Board of Podiatry Mission Statement, **SECONDED** by Mr. Garza **MOTION PASSED UNANIMOUSLY.**

Review Scope of Practice

Dr. Simon will provide additional information for discussion to Ms. Buzzard.

**V. EXECUTIVE SESSION**

Dr. Drury made **MOTION** that the meeting of the New Mexico Board of Podiatry Examiners be closed while the Board enter into Executive Session to discuss licensing matters with the

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**VII. OLD BUSINESS**

- Compliance Procedures – No Action
- Review hyperbaric treatment proposed rule – No Action

Ratify Approval Licensure

**MOTION** was made by Dr. Drury to ratify the first applicant and a license be granted and no action be taken on DuRussel until all the information is submitted. **SECONDED** by Ms. Frakes  
**MOTION PASSED UNANIMOUSLY.**

Jonathan Williamson - ratified  
DuRussel Temporary License will be issued after – no action

**VIII. DATE AND TIME OF NEXT MEETING**

The next meeting will tentatively be held on July 23rd, 2010 at 1:00 p.m. at the Toney Anaya Building, Santa Fe, NM.

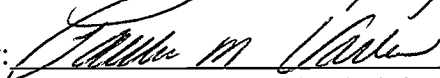
**IX. PUBLIC COMMENT**


**X. ADJOURNMENT**

The meeting was adjourned at 3:11 p.m.

**MOTION** was made by Mr. Garza to adjourn the meeting. **SECONDED** by Dr. Drury.  
**MOTION PASSED UNANIMOUSLY.**

These Minutes were approved at the July 23, 2010 Board Meeting.

Submitted by:  7/23/10  
Pauline Varela, Board Administrator Date

Approved by:  7/23/10  
Dr. Janet Simon, Chair Date