I. CALL TO ORDER
At the Board Chair, Dr. Janet Simon, DPM called the October 21, 2014, meeting of the New Mexico Board of Podiatry to order.

II. ROLL CALL

MEMBERS PRESENT: Janet Simon, DPM
David Schulhofer, DPM
Joel Wilner, DPM
Frank Kunc, Public Member

MEMBERS ABSENT: Judy Frakes, Public Member

STAFF PRESENT: Cynthia Graystone, Board Administrator
Elisa Salazar, Compliance Liaison
Lorie Wrobel, Division Director

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

Frank Kunc, Public Member made a MOTION to approve the agenda. Dr. Joel Wilner SECONDED the motion which was PASSED by UNANIMOUS APPROVAL.
Amendments: None

IV. APPROVAL OF MEETING MINUTES

Approval of May 23, 2014 Regular Meeting Minutes.
Dr. David Schulhofer, Professional Member made a MOTION to approve the minutes of the May 23, 2014 regular Meeting as written/amended. Frank Krunc Public Member SECONDED the motion which was PASSED by UNANIMOUS APPROVAL.
Amendments: None
V. New Business

New Mexico Veterans Health Care Project:
The Board discussed the issues involved in participating in the New Mexico Veterans Health Care Project. Board members decided to table this survey until more information can be obtained.

Jurisprudence exam review:
Draft questions were submitted by Dr. Simon to replace questions that were inconsistence and many applicants were missing the same questions. This draft of new questions will replace questions. A MOTION was made by Dr. Joel Wilner, Professional Member to accept the new Jurisprudence exam questions SECONDED by Dr. David Schulhofer, Professional Member, and MOTION PASSES

Ratify revised license application:
A new updated license application with a few more informational questions added was reviewed by the board. A MOTION was made by Dr. Joel Wilner. Professional Member to accept the new license application. SECONDED by Frank Kunc, Public Member. MOTION PASSES.

Presentation of case #12-07-04, 12-07-05 by Molly Schmidt-Nowara:
Ms. Schmidt-Nowara an attorney for Dr. Joel Wilner submitted a letter to the board appealing to the board that RLD remove the disciplinary action summary from the board’s website. Ms. Schmidt-Nowara stated there was no admission of guilt with these cases, also during this time Dr. Wilner was going through personal issues and was seeking grief counseling. Since this time there has been no other concerns on Dr. Wilner’s license. After much discussion the board decided to work on policy as to what will be posted on the board’s website and reported to the National Data Bank concerning settlements agreements.
A MOTION was made by Dr. David Schulhofer to request from RLD that cases #12-07-04, #12-07-05 be removed from the website. SECONDED by Mr. Frank Kunc, Public Member. MOTION PASSES.

Ratification and approval of licensure:
Dr. David Schulhofer, Professional Member made a MOTION to ratify and approve Initial Licenses for the following:

Dominick Olivo
Zackary B Gangwer
Christina L. Garvin

Temporary
Stephanie M. Parks

Dr. Joel Wilner, Professional Member SECONDED the motion which was PASSED by UNANIMOUS APPROVAL

VI. EXECUTIVE SESSION

Dr. Janet Simon made a MOTION that the New Mexico Board of Podiatry close this meeting in order to 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. David Schulhofer, Professional Member 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 - Dr. Joel Wilner, DPM
AYE - Frank Kunc, Public Member

Let the record show that at 10:55a.m. the Board entered into closed session and the recorder has been turned off.

Consider Committee Recommendations:

P-13-11-01
P-14-03-01
P-14-04-02
P-14-05-01
P-14-09-01

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 11:17a.m. 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

Dr. Joel Wilmer, Professional made a MOTION to Combine cases P-13-11-01 and P-14-05-01 and send to the Attorney General’s Office for the issuance of a Notice of Contemplated Action for the following violations 16.21.11.10 B. "Unprofessional conduct" means, but is not limited to:
(24) Has failed to furnish the board, its investigators or its representatives with information requested by the board or the committee in the course of an official investigation; a pre-settlement agreement to include a fine of $500.00 and must respond to complaint within 30 days of receipt. Not responding will lead to suspension of license and other fines. Hearing officer over this case will be Dr. Janet Simon. SECONDED by Dr. David Schulhofer, Professional Member. MOTION PASSES.

A MOTION was made by Dr. Joel Wilner to Dismiss Case# P-14-03-01 with no violations of the act or rules. SECONDED by Dr. David Schulhofer, Professional Member. MOTION PASSES.

A MOTION was made by Dr. David Schulhofer, Professional Member to dismiss case# 14-04-02 no action taken. SECONDED by Dr. Joel Wilner, Professional Member MOTION PASSES.
A MOTION was made by Dr. Joel Wilner, Professional Member to table case#14-09-01 for more information. SECONDED by Dr. David Schulhofer, Professional Member. MOTION PASSES.

VIII. PUBLIC COMMENT

No public comment.

Determine Next Meeting Date

April 17, 2015 Santa Fe, New Mexico

IX. ADJOURNMENT

There being no other business to come before the Podiatry Board meeting has been adjourned at 11:45 a.m.

Submitted by: ___________________________ Date

Cynthia Graystone, Board Administrator

Approved by: ___________________________

Janet Simon, DPM, Board Chair Date