



New Mexico Regulation and Licensing Department
BOARDS AND COMMISSIONS DIVISION
NM Board of Podiatry

Toney Anaya Building ▪ 2550 Cerrillos Road ▪ Santa Fe, New Mexico 87505
(505) 476-4955 ▪ Fax (505) 476-4645 ▪ www.rld.state.nm.us/podiatry

July 23, 2010

Regulation and Licensing Department,
Toney Anaya Building, Hearing Room 2

MINUTES

I. Call to Order:

Dr. Janet Simon, Chair 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., Chair
Leo Garza, Public Member, Vice Chair
Douglas Gillis D.P.M., Professional Member
Judy Frakes, Public Member

Others Present:

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

Absent: Angela Drury, D.P.M., Professional Member

Chair Simon took roll call and a quorum was determined present.

II. APPROVAL OF AGENDA

A **MOTION** was made by Chair Simon to add the follow applicants under ratification of licenses; Mark A. Gerig, and Chad Squire for a temporary license. These individuals are working at the VA hospital and Anthony Innocenzi, Podiatrist (reciprocity).

SECONDED by Dr. Gillis. **MOTION PASSED UNANIMOUSLY**

A **MOTION** was made by Mr. Garza to approve the Regular Board Meeting Agenda as amended. **SECONDED** by Dr. Gillis. **MOTION PASSED UNANIMOUSLY**

III. NEXT MEETING DATE

**NM Board of Podiatry
Minutes
March 12, 2010**

A rule hearing and regular board meeting will be held on January 28, 2011 in Albuquerque. It will be held at the Regulation & Licensing Department in the main conference room.

IV. APPROVAL OF MINUTES

MOTION was made by Mr. Garza to approve the minutes of March 12, 2010. **SECONDED** by Judy Frakes. **MOTION PASSED UNANIMOUSLY.**

V. OLD BUSINESS

History and Physicals

Attorney Andrea Buzzard stated that although the statute doesn't mention History and Physicals in the context of the practice of podiatry, the taking an adequate of History and Physical of a patient may be within the scope of practice as it is necessary to the competent practice of podiatry.

This topic was prompted by a licensee who requested a statement from the board indicating that history and physicals were within the scope of practice.

A **MOTION** was made by Dr. Gillis to approve a letter be written and sent out substantiating that the taking of history and physicals is within the scope of practice of Podiatry. Chair Simon to draft a letter which will be sent to the licensee and the hospital that requested it on behalf of the licensee. **SECONDED** by Mr. Garza. **MOTION PASSED UNANIMOUSLY.**

Hyperbaric Chambers – Dr. Gillis to contact the UHMS and find out whether they have some criteria regarding certification for a practitioner, actual equipment and locations.

A **MOTION** was made by Mr. Garza to amend proposed rule change as follows:

16.21.1.8

E. A podiatric physician shall be recognized and permitted to supervise and administer hyperbaric oxygen following the published recommendations of the Undersea and Hyperbaric Medical Society, Inc. (UHMS) and within the credentials and bylaws of the facility that operates the hyperbaric unit with the following stipulation; prior to administering hyperbaric oxygen, a podiatric physician must have on file with the New Mexico Board of Podiatry documentation certifying compliance with the above requirements.

SECONDED by Dr. Gillis. **MOTION PASSED UNANIMOUSLY.**

NM Board of Podiatry
Minutes
March 12, 2010

RLD board office to determine if cost of fees would cover the cost of the board:

\$50.00 – Initial HBO Certificate Registration

\$25.00 – Certificate Renewal Fees

VI. NEW BUSINESS

Parental Responsibility Act – RLD is requesting that boards adopt a rule regarding the parental responsibility act, there is already an act in place that requires boards to deny or not re-new a license if an individual is not in compliance with their child support. What we have done in the past, if someone shows up on our certified list we receive, we bring it to the board and the board has to vote to issue an NCA. RLD would like each board to include propose something into the rule at the next rule hearing and enter to into a joint powers agreement with RLD which will allow the department to process the NCA. They have 30 days to get in compliance, if not they do not comply or come up with an agreement with the Human Services Department, RLD will issue a Notice of Contemplated Action. The respondent would still have an opportunity to have a hearing. If there is a hearing the board will have the final decision.

A **MOTION** was made by Dr. Gillis to adopt the Open Meeting Resolution. **SECONDED** by Mr. Garza. **MOTION PASSED UNANIMOUSLY.**

A **MOTION** was made by Dr. Gillis to delete jurisprudence test A (true and false exam) and accept exam B as the jurisprudence exam. **SECONDED** by Mr. Garza. **MOTION PASSED UNANIMOUSLY.**

NM Board Rule for Medical Corporations Licensing Process – Podiatry is not covered in the patient compensation fund and Podiatrists have separate mal-practice insurance. No action taken.

Temporary license – overview of applicant process by board administrator. Chair Simon would like update some rules at the next rule hearing. Board to review applications and submit any changes to Board Administrator. Expiration date will be added to temporary license application.

Ratification of Licensee

Podiatrists

1. Jonathan Williamson
2. Raymond DuRussel
3. Felipe Ruiz
4. Anthony Innocenzi

NM Board of Podiatry
Minutes
March 12, 2010

Temporary Licenses

1. Namjong S. Lee
2. Travis T. Hampton
3. Brandon Wilde
4. Mark A. Gerig
5. Chad Squire

A **MOTION** was made by Ms. Frakes to ratify licenses. **SECONDED** by Mr. Garza. **MOTION PASSED UNANIMOUSLY.**

A **MOTION** was made by Mr. Garza to approve application for Mr. Hazini pending submission of social security number. **SECONDED** by Dr. Gillis. **MOTION PASSED UNANIMOUSLY.**

Board to add a rule which requires applicants to update the board with your current information.

VII. EXECUTIVE SESSION

Mr. Garza made **MOTION** that the meeting of the New Mexico Board of Podiatry be closed while the Board enter into Executive Session to discuss licensing matters with the authority for closing being § 10-15-1 H.(1). **SECONDED** by Ms. 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	Absent
Ms. Judy Frakes, Public Member	Aye
Dr. Douglas Gillis,	Aye

Back to Open Session 3:21 p.m.

Complaint Committee Recommendations

#P-MAL-10-02 - Dismiss due to no violation of act or rule
#P-MAL-10-01 – Dismiss due to no violation of act or rule
#10-04-03 – Dismiss due to no violation of act or rule
#10-05-02 – Dismiss due to no violation of act or rule

A **MOTION** was made by Ms. Frakes to accept complaint committee recommendations. **SECONDED** by Mr. Garza. **MOTION PASSED UNANIMOUSLY.**

New Mexico Regulation and Licensing Department
BOARDS AND COMMISSION DIVISION

