



Alabama State Board of Podiatry
2777 Zelda Rd
Montgomery, AL 36106
Phone: 334/420-7205 Fax: 334/263-6115
www.podiatryboard.alabama.gov

MINUTES
Board Meeting
Friday, April 17, 2015

The Alabama State Board of Podiatry met on Friday, April 17, 2015, at the Board Offices located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct business.

The meeting was called to order at 2:03 p.m. by Dr. Guasteferro, Board Vice President. The following Board members were in attendance Dr. Danalynn Guasteferro (Vice Chair), Dr. Hadryan Vaughn (member), Dr. Jamie Cleckler (member), Dr. Tommy Garnett (member), Dr. John Odle (member, and Dr. David Roberson (member). Board member not in attendance was Dr. Jay Morgan (Chair). Also in attendance were Mr. Keith E. Warren (Executive Director), Ms. Hendon Coody (Legal Counsel), and Ms. Renee' Reames (Executive Secretary to Mr. Warren). A quorum was present in order to conduct business.

Public Notice of this regularly scheduled meeting was submitted to the Secretary of State's website at www.sos.alabama.gov, in accordance with the Alabama Open Meetings Act, and published on the Board's website at www.podiatryboard.alabama.gov.

A copy of the minutes from the January 16, 2015 Board meeting was distributed to the members prior to the meeting for their review. Dr. Garnett made a motion to approve the January minutes as presented. The motion was seconded by Dr. Roberson and unanimously approved by the Board.

Mr. Warren presented the Executive Director Report to include financial information for FY 2015 (through April 14, 2015), along with the current number of licensees (#152) and the number of complaints received in FY 2015.

Mr. Warren reported that some checks that had been issued had not cleared the bank and the Board officers agreed to sign the stop payment requests at the bank immediately after the meeting.

Mr. Warren present proposed legislation that included ankle treatment (and training criteria). A copy of the proposed legislation was provided to the Board members prior to the meeting for their review. Following discussion of this proposed bill, Dr. Garnett made the motion to approve the proposed legislation as presented. The motion was seconded by Dr. Roberson and unanimously approved by the Board.

Also reviewed and discussed by the Board, was the proposed legislation that included soft tissue treatment. Dr. Garnett made a motion to approve the proposed legislation concerning soft tissue treatment. The motion was seconded by Dr. Roberson. The Board agreed that should the legislation with ankle treatment not have enough votes to pass, the soft tissue legislation would be presented as a substitute. The motion was unanimously approved by the Board.

Mr. Warren thanked Dr. Garnett and Ms. Coody for their time and effort in creating these legislative documents for the Board's consideration.

Mr. Warren reported that the Legal Services contract had expired as of March 15, 2015. Dr. Roberson made the motion to approve the Legal Services contract for the period of March 15, 2015 through March 17, 2016, with no changes from the prior year contract. The motion was seconded by Dr. Odle and unanimously approved by the Board.

Mr. Warren reported that the Rule 730-X-3-.11 Podiatry Records Required; Release of Records was published for public comment. Dr. Guasteferro opened the public hearing for discussion of this proposed Rule. Mr. Warren reported that there were no written or verbal comments from the public. Dr. Garnett made the motion to approve the proposed published Rule as a Final Rule. The motion was seconded by Dr. Odle and unanimously approved by the Board. Mr. Warren reported that the Rule would be certified and effective 35 days from the date of certification. Dr. Guasteferro closed the public hearing.

The Board discussed the dispensing of compounded medications at the Podiatry office through the Podiatrist's Controlled Substance license. It was noted that not all compound medications were considered controlled substances. The Board members acknowledged their earlier conversation about a DPM may have preference to call a specific pharmacy to fill a compound drug prescription based on the pharmacy's performance to fill the prescription as prescribed. It was the decision of the Board that in accordance with Rules 730-X-3-.07 and .08:

- a DPM was not authorized to formulate and compound prescriptions;
- a DPM was authorized to dispense compound medication, which had been compounded by a pharmacy, that was not a Controlled Substance;
- a DPM was authorized to dispense a compound medication, which had been compounded by a pharmacy, that required a Controlled Substance license if the DPM was properly licensed to do so; and
- a DPM was authorized to dispense pre-labeled compounded creams in accordance with the DPM's Controlled Substance license.

The Board further discussed the federal requirements when prescribing medication that the order contain the full name and full address of the patient, and they discussed the need for continuing education on the subject of narcotics.

Ms. Coody reported on the Supreme Court ruling in the matter to North Carolina Dental Examiners Board v. Federal Trade Commission. She explained that a determination was made that actions by the Dental Board restricted business (an anti-competitive restraint of trade) in violation of the Sherman Act and, furthermore, the Ruling required supervision by someone that is not an active market participant. She reported on the recent meeting of representatives of Alabama state boards and the staff of the Attorney General's Office about complying with the Court's Ruling.

The Board discussed recommendations for appointment to the position held by Dr. Guasteferro, which had expired. Following a review of the list of licensees, the Board recommended three licensees and asked the Executive Director to contact them about their interest in serving on the Board.

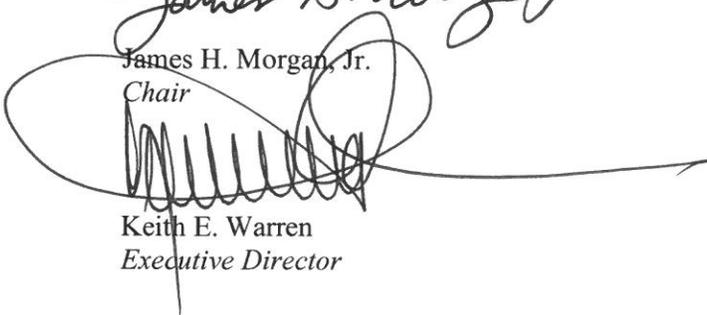
The next regularly scheduled Board meeting is scheduled July 17, 2015.

There being no further business, Dr. Odle made a motion to adjourn the meeting. The motion was seconded by Dr. Roberson and Dr. Guasteferro adjourned the meeting at 3:20 p.m.

Respectfully Submitted,



James H. Morgan, Jr.
Chair



Keith E. Warren
Executive Director

/rr