



Alabama State Board of Podiatry
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MINUTES
Board Meeting
October 20, 2023

The Alabama State Board of Podiatry held its regularly scheduled meeting on Friday, October 20, 2023. The following Board members were in attendance at the meeting: Dr. Angela Hampton (member), Dr. Paul Ciavarelli (member), Dr. Johnnie Alston (member), and Dr. Michael Hames (member attending virtually). Board members absent were Dr. Jeffrey Dull (Board Chair), Dr. Maurice Wainwright (Vice Chair), Dr. Robson Araujo (Secretary/Treasurer). The meeting was held at the Board's office located at 2777 Zelda Road in Montgomery, Alabama and others in attendance were Mr. Keith Warren (Executive Director), Mr. Ben Seiss (Assistant Attorney General/Board Counsel), Ms. Hope Childers (Board Administrator), Ms. Karen Harlow (Legal Assistant) and Ms. Renee' Reames (recording secretary). The meeting was called to order by Dr. Alston at 2:06 p.m. Mr. Warren called Board member roll and indicated that a quorum of the members was present to conduct business.

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

APPROVAL OF AGENDA

Dr. Alston presented the proposed agenda for the October 20, 2023, meeting for the Board's approval. Dr. Hampton made a motion to approve the meeting agenda as presented. The motion was seconded by Dr. Ciavarelli and, following a roll call vote, the motion was unanimously approved by the Board. Dr. Alston indicated that he would be voting on matters before the Board.

APPROVAL OF MINUTES

Dr. Alston presented the July 14, 2023, Board meeting minutes for the Board's approval. A copy of the minutes was distributed to the members prior to the meeting for their review. Dr. Hampton made a motion to approve the July meeting minutes as presented. The motion was seconded by Dr. Ciavarelli and, following a roll call vote, the motion was unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Warren presented the Executive Director Report, which included financial information for the period ending September 30, 2023, as an interim report pending the close of the 13th accounting period for FY 2023. Dr. Hampton made the motion to accept the financial report as presented. The motion was seconded by Dr. Hames and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren reported on the current number of licensees (#159), along with one retired licensee and 5 licensees with inactive licenses (copy of report in official Book of Minutes). He presented a list of expired licenses as of October 1, 2023, and reminded the members that renewal of licenses was in the delinquent period and the last date to renew licenses was October 31st.

Mr. Warren reported on the status of complaints received in FY 2022 and FY 2023, and he also presented a list of activities completed by the staff since the last Board meeting held in July (copy of report in official Book of Minutes).

The Board discussed posting notification on the Board's website of the Board member terms and vacancies should a licensee be interested in serving on the Board. Mr. Warren reminded the members about the online registration process on Governor's website to indicate interest in being appointed to the Board.

LEGAL COUNSEL'S REPORT

Mr. Seiss presented the Legal Counsel Report. He reported on the recommendations of the Investigative Committee regarding the following complaint cases:

Case 2021-007 – the IC reported that Board approval of a CE course, as indicated in the consent agreement, was pending. Dr. Hames made the motion to approve *Podiatry.com* as a board-approved CE provider. The motion was seconded by Dr. Hampton and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

Dr. Hampton made the motion to approve *PBI Education.com* as an approved CE provider. The motion was seconded by Dr. Hames, and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

Case 2022-006 – the IC reported that a response from the Respondent had not been received. Dr. Hampton made the motion to offer one final consent agreement to the Respondent, and to set the matter for a hearing if the Respondent did not respond within seven (7) days. The motion was seconded by Dr. Hames, and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

Case 2023-001BR – the IC recommended the Board approve the consent agreement that had been signed by the Respondent and the fine had been paid by the Respondent. Dr. Hames made the motion to approve the consent agreement as presented. The motion was seconded by Dr. Hampton and, following a roll call vote, the motion was

unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

Case 2023-006 – the IC recommended to issue a letter of concern to the Respondent regarding patient care. Dr. Hampton made the motion to approve the IC’s recommendation to issue a letter of concern. The motion was seconded by Dr. Hames, and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli and Dr. Alston abstaining from the vote.

Cases 2023-007 - the IC recommended the case be dismissed for lack of Board jurisdiction. Dr. Hampton made the motion to approve the IC’s recommendation to dismiss Case 2023-007. The motion was seconded by Dr. Hames, and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

Case 2023-008 - the IC recommended the case be dismissed for lack of Board jurisdiction. Dr. Hampton made the motion to approve the IC’s recommendation to dismiss Case 2023-008. The motion was seconded by Dr. Hames, and, following a roll call vote, the motion was unanimously approved by the Board, with Dr. Ciavarelli abstaining as a member of the committee.

OTHER BUSINESS

Scope of Practice – Mr. Warren provided the members a copy of the memorandum to licensees regarding the new scope of practice to include the ankle (copy available in official Book of Minutes and Board’s website).

Rules Committee Report – Mr. Seiss reported that the Rules Committee had met to discuss modifications to the Board’s rules to include the ankle in the licensees’ scope of practice. The Board clarified that ankle surgeries would occur in hospitals or surgical centers. Dr. Hampton made the motion to start the rule-making process of amending the Board’s rules to include the ankle. The motion was seconded by Dr. Ciavarelli and, following a roll call vote, the motion was unanimously approved by the Board.

Mr. Warren indicated that he would present at the next Board meeting a draft of the proposed rule changes.

The Board discussed podiatrists’ supervising physician assistants. Dr. Hampton made the motion to start the rule-making process to allow licensees to supervise physician assistants. The motion was seconded by Dr. Ciavarelli and, following a roll call vote, the motion was unanimously approved by the Board.

The Board also discussed nurse practitioners and these discussions were tabled to a future meeting.

The Board discussed training being offered and obtained during a podiatrist’s residency program that was not a standard practice in residency programs offered in the past.

Dr. Ciavarelli made the motion to establish a rule requiring licensees to obtain the necessary certificates of training to provide the expanded scope of practice to include the ankle. The motion was seconded by Dr. Hampton and, following a roll call vote, the motion was unanimously approved by the Board.

The Board discussed the disclaimer of services outlined in the Board's rule 730-X-5-.01(2)(f). Dr. Hampton made the motion to repeal rule 730-X-5-.01(2)(f) regarding the disclaimer of services. The motion was seconded by Dr. Ciavarelli and, following a roll call vote, the motion was unanimously approved by the Board.

Annual Election of Officers - Dr. Hampton nominated the following slate of officers as of October 20, 2023, to include Dr. Alston as Board Chair, Dr. Hames as Board Vice Chair and Dr. Ciavarelli as Board Secretary/Treasurer. The nomination was seconded by Dr. Hames and, with no other nominations from the floor, the motion was approved by acclamation.

Proposed 2024 Board Meeting Calendar - Mr. Warren presented a list of dates in 2024 for the Board to meet and conduct business. Following discussion of the proposed meeting dates, it was the consensus of the members that the Board meet on February 2, April 26, July 26 and October 25, 2024.

ANNOUNCEMENT

Dr. Alston reported that the next meeting of the Board was scheduled for February 2, 2024.

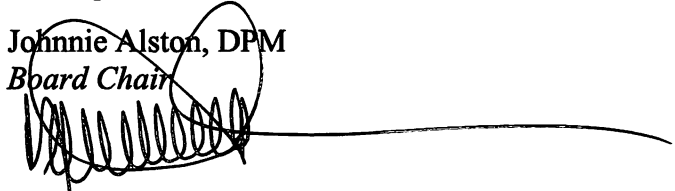
ADJOURNMENT

Dr. Alston called for any new business and there was none. Dr. Hames made the motion to adjourn the meeting. The motion was seconded by Dr. Hampton and, following a roll call vote, the motion was unanimously approved by the Board. Dr. Alston adjourned the meeting at 2:50 p.m.

Respectfully Submitted,



Johnnie Alston, DPM
Board Chair



Keith E. Warren
Executive Director

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