



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
June 7, 2024

The Alabama State Board of Podiatry held its regularly scheduled meeting on Friday, June 7, 2024. The following Board members attended the meeting: Dr. Johnnie Alston (member), Dr. Michael Hames (member), Dr. Theresa Brown (new member), Dr. Rosemarie Caillier (new member), Dr. Tomeko McPhillips (new member), Dr. Tameka Lee Sanders (new member), and Dr. Aiesha Hill (new member). 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), Mr. Brannon Littleton (CFO), Mr. Mike James (Investigator), Ms. Angela Warr (Executive Assistant) and Ms. Renee' Reames (recording secretary). The meeting was called to order by Dr. Alston at 2:05 p.m. Mr. Warren called the official member roll and indicated that a quorum of the members was present to conduct business. Mr. Warren reported that the new members had taken the oath of office following their appointment by Governor Ivey. Chairman Alston welcomed members and guests (list available in official Book of Minutes).

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

Chairman Alston presented the proposed agenda for the June 7, 2024, meeting for the Board's approval. Dr. McPhillips made a motion to approve the meeting agenda as presented. The motion was seconded by Dr. Brown and unanimously approved by the Board. Chairman Alston indicated that he would not be voting on matters before the Board, unless to break a tie vote.

APPROVAL OF MINUTES

Chairman Alston presented the February 2, 2024, Board meeting minutes for the Board's approval. A copy of the minutes was provided to the members prior to the meeting for their review. Dr. Hames made a motion to approve the February meeting minutes as presented. The motion was seconded by Dr. McPhillips and unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Warren presented the Executive Director Report, which included a report on the current number of active licenses (#163). He submitted a list of new licensees for ratification approval by the Board.

MOTION: Dr. Brown made the motion to ratify the Executive Director's approval of applications for licensure as presented to the Board. The motion was seconded by Dr. Sanders and unanimously approved by the Board.

Mr. Warren reported on the status of complaints received in FY 2024, along with a list of activities completed by the staff since the last Board meeting held in February (reports filed in official Book of Minutes). He commented on the Investigative Committee process of reviewing and resolving complaints. A summary of resolved cases for FY 2021 to-date was also presented to the Board.

Mr. Warren reported that the accounting process to transition the Board's financial records from a checkbook agency into the State's account system, STAARS, was still in process. A list of the financial transactions for the period of April 1, 2024 through May 31, 2024 was provided to the Board (report in official Book of Minutes). He reported that the Board Chairman was currently authorized to sign checks on behalf of the Board and this process would continue until the transition into STAARS was completed.

MOTION: Dr. Caillier made the motion to accept the financial report as presented. The motion was seconded by Dr. Brown and unanimously approved by the Board.

Mr. Warren distributed a copy of the Resource Manual for Alabama Regulatory Boards and Commissions, prepared by the Department of Examiners of Public Accounts, dated August 2023. He commented on the annual requirements to review Board training videos on the Examiners of Public Accounts' website and to file a Statement of Economic Interest with the State's Ethics Commission.

Mr. Warren reported on Dr. Hames and Dr. Alston's expired terms and efforts to fill those positions on the Board.

LEGAL COUNSEL'S REPORT

Mr. Seiss indicated that he had no Legal Counsel business to report to the Board at this time.

OTHER BUSINESS

Rules Committee regarding Act 2023-106: Mr. Warren reported the previous Rules Committee members had no recommendations to change the current rules of the Board by creating redundancy in restating the statute again in the rules. He reported that training for podiatric privileges would be determined by the surgical centers where ankle treatment was being performed. He inquired about the Board's interest in reconsidering this decision.

The Board discussed appointing members to the Rules Committee. Mr. Seiss commented on the Open Meetings Act pertaining to quorums and prohibiting serial meetings. He recommended that one member of the Board be appointed to the Committee.

Dr. McPhillips volunteered to serve on the Committee and the Board concurred. The Board discussed sending out additional guidance to licensees on the extended scope of practice to include the ankle and about the Board's role in the licensure process and rule promulgation. Mr. Seiss asked all members of the Board to review the Board's rules prior to the next Board meeting scheduled in July.

The Board discussed developing a list of licensees having over 10 years of experience to determine the level of training on the ankle. Also discussed was creating an attestation or certification statement by the Board denoting the licensee's residency training specific to the ankle or residency only.

Advertising Rule Inquiry: Mr. Warren commented on repealing the advertising disclaimer in the Board's rules. Mr. Seiss clarified by stating that the current disclaimer did not prevent a licensee from advertising treatment of the ankle; however, the law did require no fraudulent advertising. Mr. Seiss reviewed Rule 730-X-5-.02 and indicated that advertising complaints concerning the ankle would be reviewed on a case-by-case basis concerning violations in misleading the public. The Board reviewed an email from Dr. Eric Fillinger regarding the advertising rule and welcomed Dr. Fillinger to attend a future meeting to discuss the matter. The Board asked Mr. Warren and Mr. Seiss to draft a letter to licensees regarding this matter for the Board's review. Mr. Warren provided a copy of Rule 730-X-5-.01 entitled Definitions for the Board's review.

MOTION: Dr. Hames made the motion to repeal item (f) in Rule 730-X-5-.01. Dr. Sanders seconded the motion and unanimously approved by the Board.

Compounded Diabetic Injectables Inquiry: The Board reviewed the email inquiry regarding prescribing a compounded Semaglutide and related medications for diabetic patients to help with diabetic treatment as well as weight loss. It was the consensus of the Board that the compounded drug did not fall within the podiatric scope of practice in treating foot and ankle. Mr. Warren indicated that he would notify the licensee, submitting the inquiry, of the Board's decision.

Licensure Examination Committee: Chairman Alston removed discussion of the Licensure Examination Committee from the agenda as a matter not requiring Board discussion at this time.

RFP Specification for Administrative Services: Mr. Seiss reported that the contract for Administrative Services was scheduled to expire on September 30, 2024. He presented the Request for Proposal (RFP) specifications for administrative services for the Board's approval. Mr. Warren and staff left the meeting during Board discussions.

MOTION: Dr. Hames made the motion to approve the RFP specifications as discussed. The motion was seconded by Dr. McPhillips and unanimously approved by the Board. Mr. Seiss reported that he would submit the specifications to the State's Procurement Office to begin the process of accepting proposals for administrative services contract.

Election of Board Officer – Secretary/Treasurer: Chairman Alston reported that the floor was open to elect the Board's Secretary/Treasurer. Mr. Seiss reported that the performance of these services was provided, generally, by administrative staff. Dr. Brown volunteered to

serve in the Board position. Dr. Sanders nominated Dr. Brown as Secretary/Treasurer. The nomination was seconded by Dr. Caillier. There were no other nominations from the floor and Dr. Brown was approved by acclamation. The Board thanked Dr. Brown for her service.

ANNOUNCEMENT

Chairman Alston reported that the next meeting of the Board was scheduled for July 26, 2024, and the members concurred to meet.

ADJOURNMENT

Chairman Alston called for any new business and there was none. Dr. McPhillips made the motion to adjourn the meeting. The motion was seconded by Dr. Hames and unanimously approved by the Board. Chairman Alston adjourned the meeting at 3:26 p.m.

Respectfully Submitted,

Johnnie L. Alston, DPM
Board Chair

Keith E. Warren
Executive Director

Approved by the Board on _____ / _____ /rr