Alabama State Board of Podiatry
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The Alabama State Board of Podiatry met in a regularly scheduled meeting on April 24, 2026, at ASBOP offices at 400 South Union Street, Montgomery, Alabama. Those present were Vice Chair Aisha Hill, Dr. Benjamin Werner, Dr. Johnnie Alston, Dr. Rosemarie Caillier, Board Attorney Benjamin Seiss, Executive Director Patrick McWhorter, Administrator Randy Barrows, and Financial Manager Gary Dopson. A quorum was present.

APPROVAL OF MINUTES AND AGENDA

Dr. Hill acted as chair of the meeting in the absence of Dr. McPhillips, who was traveling and unable to attend. Roll call was held with 5 members present, 3 absent. Meeting agenda and minutes from the previous Board meeting on January 23, 2026, was reviewed and approved by a motion made by Dr. Caillier, seconded by Dr. Alston, all 5 members voting in favor by roll call. Members were reminded of what they need to do to submit travel expenses.

REPORTS OF CHAIR AND EXECUTIVE DIRECTOR

The Chair made a few comments as her report. Executive Director McWhorter thanked the Board for the opportunity to manage the Board. He discussed several issues he has learned of already, including the number of counties in Alabama not currently being served by a Podiatrist. He mentioned there is federal funding available to assist in attracting new people to the field and promised to map out the locations of all practicing Podiatrists and work with the association to discuss a potential strategy for review by the Board.

He also informed the Board that their firm has just gained access to the state financial accounting system. And discussed the state's records retention program requirements. They are working with the state's official repository, AL Department of Archives and History, to comply with all laws and requirements. McWhorter assured the Board that it would be their practice to distribute all materials from the agenda at least a week prior to the Board meetings so members could be fully informed prior to needing to make decisions.

FINANCIAL REPORT

The financial report was presented by McWhorter, Barrows and Dopson. McWhorter provided an update that his staff had discovered $27,127.00 in funds that were left in the 2025 fiscal year, which would have lapsed into the General Fund. The State Finance Department approved moving those funds into the FY27 budget, thus saving them for future use by the Board. That increased the current available balance to $101,962.90. A breakdown of spending for the fiscal year was provided. Motion was made by Dr. Werner, seconded by Dr. Caillier to approve the financial report. Roll call vote was 5-0.

LEGAL COUNSEL REPORT

Ben Seiss, Board Counsel from the Attorney General's Office, presented a final report on complaint POD 2026-004, recommending dismissal of the complaint. Dr. Caillier moved to agree and dismiss, seconded by Dr. Werner. Roll call vote approved unanimously.

OTHER BUSINESS

Background Checks

The Board discussed the possible need of requiring background checks as a condition of licensure. Dr. Werner stated that he had just completed the licensure process in Florida, and a background check was required. Members asked staff to review and report back to the Board what other states do in this regard as well as the length of time to obtain a background check. Staff mentioned using a service called Know My Hiring, which would allow applicants to pay for and submit background checks directly to the board. This would avoid the ALEA requirement of coming to Montgomery for fingerprints and has a quicker turnaround time. It was suggested that the Board would have to establish clear disqualifying criteria for various offenses and proposed either requiring new applicants to have a background check or implementing a renewal requirement for existing licenses. Further, staff will research whether background checks could be implemented through rule changes or whether it will require legislative action to implement.

Smith Warren Board of Adjustment Claim

Attorney Seiss presented a claim by the previous Board administrator in the amount of $23,500.00 for services rendered in providing management during the time period when the Board had no contract. Dr. Werner moved to approve the payment subject to the new administrator's verification that no overlapping payments had been made during the time. Dr. Alston seconded the motion. Unanimously approved by roll call vote.

New Board Member Nominations

Dr. Werner's appointment was approved by Governor Ivey, and he has taken his seat on the Board. Dr. Alston's term in office expired March 26, 2024, so a new name will need to be presented to the Governor for appointment. Dr. Caillier is reaching out to the state association, and the Board requested staff to send an email to all licensees notify them of the open position and invite them to apply. Also, it was noted that Dr. Brown's appointment expires May 8, 2026. So that seat will need a replacement as well.

Board mentioned the difficulty of complying with the requirements in state law, prohibiting a Board member from serving more than one consecutive term. Also there appears to be some confusion as to the length of a term when a Board member is replaced after serving past the term for that seat. With the limited number of licensed Podiatrists available, staff and legal counsel were asked to investigate whether those restrictions might be changed by the Legislature.

Board Compensation

The Board had previous conversations regarding whether the compensation received ASBOP is in line with similar state occupational licensing boards. McWhorter provided a snapshot of similar boards' compensation showing that ASBOP payments are in line with those Boards. No further action taken. McWhorter also promised to seek advice and clarification of Board terms from the Governor's legal counsel and appointments director.

Controlled Substance License

The Board discussed what appears to be discrepancies between state and federal requirements regarding controlled substance licenses and DEA numbers. Federal law requires a DEA number to issue a controlled substance license, while state practice previously required a controlled substance number before issuing a DEA number. It was proposed to remove the DEA number requirement from the state application process and update the application forms accordingly. The board decided to maintain minimal fees for controlled substance licenses to prevent over-prescription issues. A motion to approve was made by Dr. Werner, seconded by Dr. Alston. Roll call vote approved unanimously.

Email About Good Feet Store

Attorney Seiss provided information from an email complaining that Good Feet Stores are practicing podiatry without licenses. Seiss noted that there had been financial difficulties and licensing challenges with the prosthetics board. The board discussed two main issues. First, they addressed concerns about unlicensed podiatry practice by companies like Good Feet, noting existing legal exceptions for fitting and selling orthotic devices. Seiss suggested he respond to the complainant that legislative changes would be needed to address these practices rather than board action.

OTHER BUSINESS

The Board discussed the problem of a prospective licensee who is in the country on an H-1B visa that is about to expire. She is requesting the Board allow her to take the licensing exam early so that it can be completed before the visa expires in June. The Board instructed staff to verify exam administration procedures with the previous administrative staff before moving forward with this request. Dr. Caillier made a motion to allow this DPM student to take the licensing exam early. Dr. Alston provided a second, and by roll call the motion was approved unanimously.

There being no further business before the Board, motion was made by Dr. Werner, seconded by Dr. Alston to adjourn.

Tomeko McPhillips, DPM

Board Chair