

NEVADA STATE BOARD OF PODIATRY

BOARD MEETING MINUTES OF August 9, 2021

1. *Call to order, roll call of members, and establish quorum.*

The meeting was called to order at 5:31 p.m. by President Dr. Kenneth Jarvis.

Board Members present: Dr. Kenneth Jarvis, President

Dr. Kathyryne Glantz, Vice-President

Dr. Christine Clark, Secretary/Treasurer;

Dr. Denise Tropea-Kelly, Board Member;

Non-Members present: Carolyn J. Cramer, Esq., Executive Director; Richard Dreitzer, Esq. Board Counsel

Absent: None

Members of the public present: None

2. *Public comment.* No members of the public present at this time.

3. *Review and approve the June 7, 2021 Board of Podiatry meeting minutes.*

Motion to approve the June 7, 2021 meeting minutes as written made by Vice-President Dr. Glantz

Second to motion Board Member Dr. Tropea-Kelly;

Motion passes unanimously

4. *Review and approve the June 22, 2021 Board of Podiatry meeting minutes.*

Motion to approve the June 22, 2021 meeting minutes as written made by Secretary/Treasurer Dr. Clark

Second to motion Vice-President Dr. Glantz;

Motion passes unanimously

5. *Review and approve the financial status of the Board for June and July 2021.*

The report was given by Secretary/Treasurer Dr. Clark on the financial activities and questions were taken from the Board Members regarding the review of the financial activity memo and financial statements. Secretary/Treasurer Dr. Clark reported that the checking account balance was \$ 2,027.00 and the money market was \$135,514.76. All bills have been paid. In today's mail was a check for \$300.00 paid by the former executive director for restitution, approximately \$24,650 remains. Secretary/Treasurer Dr. Clark recommended that \$10,000 be transferred to meet the Board's expenses.

Motion to approve the finances of the Board for June 2021 and July 2021 made by Secretary/Treasurer Dr. Clark;

Second to motion Vice-President Dr. Glantz;

Motion passes unanimously

Motion to approve the transfer of \$10,000 from the money market to the checking account made by President Dr. Jarvis;
Second to the motion Secretary/Treasurer Dr. Clark;
Motion passes unanimously

6. Review and discuss activities of the Board office and all matters relating thereto.

Executive Director Cramer indicated the following had occurred since the last Board Meeting:

- There are 166 active podiatric physicians. Five new podiatric physician licenses have issued since the last Board meeting. One active application is pending.
- There are 55 active podiatry hygienists. Six new podiatry hygienist licenses have issued. Eight active applications are pending.
- No complaints have been received.

On August 2, 2021 Dr. Tropea-Kelly and Executive Director Cramer completed her board orientation. A copy of the written materials was included in the Board Book. The topics of the orientation maybe included in brief training topics to be presented in Board meetings in the future.

The NCJIS update was also included as this will impact the Board application process in 2023 so this will need to be addressed in the future.

7. Review, discussion and potential action regarding the implementation of the contract with Certemy.

Executive Director Cramer gave a brief update and timeline for the implementation of the Certemy contract and the next renewal season.

This was a report only.

8. Review, discuss, and potential action regarding the Medicaid reimbursement issue.

Executive Director Cramer asked that the Board members give some thought as to what they would like to accomplish with this issue as it relates to Nevada. The wider issue appears to be addressed by the Federation of Podiatric Medical Boards to which this agency is a member and the American Podiatric Medical Association. If the Board is to address this issue specific direction needs to be given to the Government Affairs team. Vice-President Dr. Glantz stated that if there is a law in Nevada that requires podiatry physicians to be reimbursed the same as other medical professionals who bill for the same services and the same codes. Vice-President Dr. Glantz recalled that in Virginia, California and Texas there have been activities to address the fee parity issue. Executive Director Cramer asked that the matter be referred back to Staff to research the last official activity of the Board with regard to this issue. Vice-President Dr. Glantz wanted to know what efforts the Board could take to address the present laws on fee parity in Nevada. After some discussion, Mr. Dreitzer suggested that the matter be referred back to Staff for him to take a look and see if anything could be done.

Matter referred back to Staff to see what could be done to be brought back to the Board at a later date.

9. Review, discussion and potential action for compliance with NRS 622.234 and all matters related thereto.

Executive Director Cramer reminded the Board Members that the Board still needed to come into compliance with NRS 622.234. Presently approximately half of the financial records have been scanned. Executive Director Cramer asked if Secretary/Treasurer Dr. Clark would still be willing to perform the task. Executive Director Cramer asked if Board Member Dr. Tropea would be willing to volunteer to perform the NRS 622.234 review.

Motion to accept Board Member Tropea-Kelly as an additional volunteer to complete the NRS 622.234 review made by Vice-President Dr. Glantz;
Second to the motion President Dr. Jarvis;

Motion passes unanimously

10. Review, discussion and potential action regarding the scope of practice for a podiatry physician in the performance of laser hair removal, tattoo removal, laser vein treatments, body contouring machines and other aesthetic modalities to the lower extremity and up to what anatomic level can a podiatry physician perform these treatments or supervise a properly trained and licensed health provider.

President Dr. Jarvis introduced the item and stated that he was somewhat in favor of the allowing podiatric physicians to engage in more cosmetic procedures that were somewhat not the traditional scope of practice of a podiatric physician but are reflective of the current challenges of the modern practice. Vice-President Dr. Glantz thought that some of the procedures such as laser vein treatments and hair removal would be within the present scope of practice if it was the lower leg. Board Member Dr. Tropea-Kelly concurred that the anatomic level should be the lower leg also. As the discussion went on it became obvious that the matter needed to be reviewed by Mr. Dreitzer for legal implications.

Motion to continue for legal input made by Vice-President Dr. Glantz;
Second to the motion Secretary/Treasurer Dr. Clark;

Motion passes unanimously

11. Review, discussion and potential action whether a podiatry physician in the performance of in-office procedures or injections can use a device that administers a 50/50 mixture of Oxygen and Nitrous Oxide otherwise known as "Pro-Nox".

President Dr. Jarvis introduced the question and Vice-President Dr. Glantz stated that she needed a lot more information about Pro-Nox and its use in podiatry before she could discuss the topic. Board Member Dr. Tropea-Kelly voiced similar concerns about the use of Pro-Nox.

Motion to continue for staff to get more information on Pro-Nox made by Dr. Tropea-Kelly;
Second to the motion Secretary/Treasurer Dr. Clark;

Motion passes unanimously

12. Review, discussion and potential action whether there are any physical standards for the rooms where podiatry physician performs hammer toes, ingrown toes, soft tissue mass removals, arthroereisis, and tontomy without sedation.

President Dr. Jarvis lead off the discussion of the item, with Vice-President Dr. Glantz quickly recommending that Staff direct the podiatric physician who is asking the question to contact his malpractice carrier for further direction before coming to the Board to ask for guidance. The Board members declined to address the question until after the podiatric physician has asked for guidance from his malpractice carrier.

13. Future agenda items.

- a. Review and approve August 9, 2021 Board meeting minutes.
- b. Review and discuss financial status of the Board and all matters relating thereto.
- c. Review and discuss activities of the Board office and all matters relating thereto.
- d. Review and discuss special session.
- e. Review and discuss implantation of Certemy contract.
- f. Review and discuss whether Board member must be in active practice to serve on the Board.

Motion to approve items a through f made by Secretary/Treasurer Dr. Clark;
Second to motion Vice-President Dr. Glantz;
Motion passes unanimously

14. Discussion, possible decision on date of next Board meeting.

The next Board meeting is scheduled for October 4, 2021 at 5:30 p.m. in Reno, Nevada with the next tentative meeting date approved November 15, 2021 at 5:30 p.m.

Motion to approve the date of the next meeting made by Board Member Dr. Tropea-Kelly;
Second to the motion Secretary/Treasurer Dr. Clark;
Motion passes unanimously

15. Public Comment. No members of the public present at this time.

16. Attorney-client meeting.

Richard Dreitzer, Board Legal Counsel, did not see a need to close the meeting at this time.

17. Adjournment.

Motion to adjourn the meeting of the Nevada State Board of Podiatry at 6:58 p.m. made by Vice-President Dr. Glantz;
Second to motion President Dr. Jarvis;
Motion passes unanimously