

NEVADA STATE BOARD OF PODIATRY

BOARD MEETING MINUTES OF January 22, 2024

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

The meeting was called to order at 5:32 p.m. by Vice-President Dr. Katheryne Glantz

Board Members present:

Dr. Christine Clark, Secretary/Treasurer;

Dr. Jerry Henry, Board Member;

Dr. Jameson Noorda; Board Member

Non-Members present: Carolyn J. Cramer, Esq., Executive Director; Richard Dreitzer, Esq. Board Counsel; Dr. Pardis Kelly; Dr. Layne Dameron and Dr. Spencer Pickett

Absent: Dr. Melanie Minarik, Board Member

Members of the public present: None

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

3. *Review and approve the November 13, 2023 Board of Podiatry meeting minutes.*

Motion to approve the November 13, 2023 meeting minutes made by Secretary/Treasurer Dr. Clark;

Second to motion Board Member Dr. Henry;

Motion passes unanimously

4. *Review and approve the financial status of the Board for November and December 2023*

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 and Executive Director Cramer reported that the Wells checking account balance was \$196,445.30 and the Nevada State Bank account was closed. All bills have been paid. The profit and loss report shows the excess revenue of \$11,886.27.

Motion to approve the finances of the Board for November and December 2023 was made by Board Member Dr. Henry;

Second to the motion Board Member Dr. Noorda;

Motion passes unanimously

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

Executive Director Cramer indicated the following had occurred since the last meeting:

- There are 168 active podiatric physicians. Two new licenses have issued. Eight applications are under active review. Six applications have been received since the last meeting
- There are 47 active podiatry hygienists. Four new licenses have issued. One new application is pending.
- Three complaints have been received.

In December one podiatry hygienist renewed late.

Board Member Dr. Jameson Noorda completed his board orientation on January 18, 2024 via Zoom. Board staff participated in the FPMB Community of Practice Session meeting on January 18, 2024. The discussion topic was Board structure and composition.

This was a report only.

6. Review, discuss and potential action on the scope of practice for the use of cold lasers by podiatric physicians to treat the lower leg, foot, and knee

Executive Director Cramer opened the discussion as it was stated in the meeting materials. Dr. Pardis Kelly, DPM was the requestor of the item and she was available to explain her issue to the Board. Vice-President Dr. Glantz made the first comment that the use of cold lasers in her opinion was allowed under NRS 635.085 as an approved physical therapy modality. Secretary/Treasurer Dr. Clark stated that was her understanding as well. The next issue that was discussed was the physical use of the device. Vice-President Glantz opined that the below the hip was under the statute as the statute uses foot and leg but cautioned that to be certain in the approved use to keep the treatment to the knee and lower leg. Dr. Kelly thanked the Board for its insight. Board Member Dr. Henry reminded Dr. Kelly to contact her malpractice provider to make sure her use of cold laser therapy was a covered procedure.

Motion to allow the use of cold lasers as a physical therapy modality within the scope of practice made by Vice-President Dr. Glantz;

Second to the motion Secretary/Treasurer Dr. Clark;

Motion passes unanimously

7. Review, discussion, potential action, on the issue of the Nevada State Board of Pharmacy requiring Nevada podiatric physicians to have MDEG license for providing MDEG goods to their patients and billing insurance.

Executive Director Cramer opened the discussion with a brief back explanation on how the Board became involved in the question posed by the requestor. The requestor, Dr.

Layne Dameron, recalled his use of DME in Kansas and Arizona prior to coming to Nevada and how the use of DME was regulated in those states. Dr. Dameron gave the Board his explanation on his office's telephone call with a representative of the State Board of Pharmacy and how concerning that was. Vice-President Dr. Glantz gave her understanding of how DME was used by podiatry physicians and how the statutes and regulations regarding MDEG wholesalers by the Nevada State Board of Pharmacy was confusing and troubling. Secretary/Treasurer Dr. Clark stated that her practice she has always just billed Medicare and not had a MDEG license with the Nevada State Board of Pharmacy. Board Members Drs. Noorda and Henry also questioned the necessity of a MDEG license as they do not have such a license. Dr. Pardis Kelly joined in and gave information on how to get signed up with Medicare so that DME supplies are covered by Medicare. Dr. Dameron thanked the Board members and believed that he had the information he needed to contact Medicare without any further action or intervention necessary from the Board.

No further action was taken.

8. Review, discuss, and possible action on whether the DEA-mandated eight hours of CME on opioid use and abuse can be used as Nevada CME.

Executive Director Cramer introduced the item based on practitioners who have been calling and emailing asking whether the new DEA mandated eight units of CME can be used by the practitioners to fulfill their statutory required fifty units of CME with four units of the fifty being used to fulfill their controlled substance units. The Board members discussed the new requirement made by DEA and noted that these units could be used for the four controlled substance units that are required to be taken if the DPM has a Nevada controlled substance registration with the Nevada Board of Pharmacy and the left over four units could be used to make up the general 46 units of the Board.

Motion to allow the eight units of DEA CME taken by Nevada DPM to be used as a part of the 50 units of CME made by Board Member Dr. Henry;

Second to the motion Board Member Dr. Noorda;

Motion passes unanimously

9. Future agenda items.

- a. Review and approve January 22, 2024 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 report from staff on committee for scope of practice review;
- e. Review, discuss and approve new board officers.

- f. Review, discuss and approve new contract for Government Affairs.
- g. Review, discuss and approve new contract for Board Counsel

Motion to approve items a through a-g made by Vice-President Dr. Glantz;

Second to motion Board Member Dr. Henry;

Motion passes unanimously

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

The next Board meeting is scheduled for March 18, 2024 at 5:30 p.m. in Reno, Nevada and by Zoom, with the next tentative meeting date to be June 17, 2024 at 5:30 p.m.

Motion to approve the date of the next meeting made by Vice-President Dr. Glantz;

Second to the motion Secretary/Treasurer Dr. Clark;

Motion passes unanimously

11. Public Comment. Dr. Pardis Kelly thanked the Board for their work.

12. Attorney-client meeting.

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

13. Adjournment.

Motion to adjourn the meeting of the Nevada State Board of Podiatry at 6:30 p.m. made by Board Member Dr. Noorda;

Second to motion Vice-President Dr. Glantz;

Motion passes unanimously