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FLORIDA | Board of Orthotist and Prosthetists

DRAFT MINUTES (Telephone Conference)

April 22, 2016

- Tommy Chmielewski, LPO, Chair**
- Brett Saunders, CPO, FAAOP Vice-Chair**
- Anthony B. Spivey, DBA
Executive Director**

1 **I. CALL TO ORDER (Roll Call) Board came to order at 9:10 due to technical difficulties in logging in.**

2 Board Members Present:

3 Tommy Chmielewski, LPO, Chair
4 Brett Saunders, CPO, FAAOP Vice-Chair
5 Ruphlal R. Golljar, CPO, MA
6 George H. Meyer, Jr.

Staff Present:

Dr. Anthony B. Spivey, Executive Director
Kellee Crowson, Regulatory Specialist II
Melinda Simmons, Senior Health Budget Analyst
Bridget McDonnell, Assistant General Counsel

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9 Office of the Attorney General
10 Robertn Milne, Assistant Attorney General

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12 **II. APPROVAL OF MINUTES: Started at 9:15 and ended at 9:20**

13 **a. January 29, 2016 – Teleconference Call**

14 Mr. Chmielewski noted a change in required in the “Board Action” section; Rule 64B14-2.015
15 should be listed as Rule 64B14-2.**0015** and Rule 64B14-2.2002 should be listed as Rule 64B14-
16 **2.002**. No further corrections to the draft minutes were noted. Mr. Chmielewski motioned to
17 approve the minutes and Mr. Gooljar seconded the motion.

18 Action: 4 yeas/ 0 opposed. Motion passes.

19 **III. RESIDENCY EXTENSION REQUEST Started at 9:20 and ended at 9:30**

20 **a. Orthotist-**

21 **i. Lakesha Johnson – present and not represented by counsel.**

22 Ms. Johnson informed the board she requesting an extension because she had a high-
23 risk pregnancy that prevented her from working a regular schedule and she recently
24 returned to work in March 2016 after an absence from the profession beginning in
25 2015. After confirmation from board counsel, the board understood they could grant an
26 additional extension to Ms. Johnson. Mr. Saunders motioned to approve the application
27 request and Mr. Gooljar seconded the motion.

28 Action: 4 yeas/ 0 opposed. Motion passes.

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30 **IV. RATIFICATION Started at 9:30 and ended at 9:35**

31 **a. Licensure**

32 **i. Orthotists/Prosthetists - Mr. Chmielewski motioned/ Mr. Saunders seconded**

33 **ii. Prosthetists - Mr. Chmielewski motioned/ Mr. Saunders seconded**

34 **iii. Orthotists - Mr. Chmielewski motioned/ Mr. Saunders seconded**

35 **iv. Orthotic Fitter - Mr. Chmielewski motioned/ Mr. Saunders seconded**

- 1 v. Orthotic Fitter Assistant - Mr. Chmielewski motioned/ Mr. Saunders seconded
- 2 vi. Pedorthists - Mr. Chmielewski motioned/ Mr. Saunders seconded
- 3 vii. Orthotic Resident - Mr. Chmielewski motioned/ Mr. Saunders seconded
- 4 viii. Prosthetic Resident - Mr. Chmielewski motioned/ Mr. Saunders seconded
- 5 Action: 4 yeas/ 0 opposed.
- 6

7 **V. PROSECUTION REPORT Started at 9:35 and ended at 9:36**

8 Ms. McDonnell notified the board there are five cases under review and no cases are older than
9 a year.

10 **VI. CHAIR/VICE-CHAIR REPORT:**

11 None

12 **VII. EXECUTIVE DIRECTOR’S REPORT: Started at 9:36 and ended at 10:35**

13 A. Orthotists and Prosthetists Fee Scenario

14 The board requested additional information to review the fees for a possible reduction in fees
15 for the licensees. Mr. Saunders requested information on the 95 licensees that were reported as
16 non-renewals and wanted an update on their status. Ms. Simmons informed the board the
17 figures are based on active and inactive licensees in good status.

18 Mr. Wright, president of FAOP noted that since the unlicensed activity account is a statutorily
19 separate account, this should not be taken into consideration when determining fee reductions
20 for the licensed account. Ms. Simmons disagreed and noted that when reviewing the accounts
21 the department sees both accounts as an overall cash account and based on the negative
22 balance in the ULA account, this has resulted in a negative balance in the licensed account.

23 After considerable discussions the information, the board decided to table the discussion and
24 review additional financial information at the next meeting when Ms. Simmons is able to
25 provide a full report of the accounting status of the two accounts. Mr. Meyer motioned to give
26 Mr. Milne authorization to toll the rules if necessary until more information can be provided.
27 Mr. Saunders seconded the motion.

28 Action: 4 yeas/ 0 opposed.

29 Dr. Spivey did note to the board that a new board member Mr. Wayne Rosen was recently
30 appointed but at the time of the meeting invitation, had not submitted his papers to the
31 Commission of Ethics and will be on the next meeting.

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34 **VIII. BOARD COUNSEL REPORT Started at 10:35 and ended at 10:45**

1 a. Rules Status Report – March 2016

2 Mr. Milne provided an updated report to the board. His report included notifying the board of
3 the requirement to update the application and applicable rules to remove the requirement of
4 initial licensees to complete a medical errors course as the course is now required to a part of
5 the biennial renewal process.

6 b. Anti-Trust Presentation – Counsel recommended this report be presented at the next meeting
7 if it is a face-to-face meeting due to the length of the presentation and because one member
8 may have to leave today’s meeting early. If the next meeting is not an in person meeting, the
9 report will be given at the next teleconference meeting.

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11 **IX. OLD BUSINESS: Started at 10:45 and ended at 10:45**

12 The board requested the removal of the CE form from the Orthotic Fitter Assistant application be tabled
13 until the next meeting because it is not a requirement.

14 **X. NEW BUSINESS Started at 10:45 and ended at 10:46**

15 None

16 **XI. COMMITTEE REPORTS: Started at 10:46 and ended at 10:47**

17 a. Budget – George Meyer: No report

18 b. Continuing Education – Tommy Chmielewski: No report

19 c. Credentials – Brett Saunders: No report

20 d. Disciplinary Compliance – tommy Chmielewski: No report

21 e. Healthiest Weight – Ruphlal Gooljar: Mr. Gooljar reported that the Healthiest Weight course
22 would cost \$350.00 if a board member wanted take the course. Mr. Gooljar will contact the
23 representative of the course to determine if it is feasible for Non-Department of Health
24 employees to take the course.

25 f. Legislation – Mr. Wayne Rosen was assigned as the new liaison for this committee

26 g. Rules – Brett Saunders: No report

27 h. Probable Cause – George Meyer: No report

28 i. Unlicensed Activity – Ruphlal Gooljar: No report

29 **XII. NEXT MEETING Started at 10:47 and ended at 10:49**

30 Next meeting will be on July 13, 2016 and currently the board is scheduled to meet in Orlando in
31 conjunction with the FAOP convention, however, if there are no disciplinary cases to be presented, the
32 board will hold a telephone conference.

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1 **XIII. ADJOURNMENT**

2 Meeting adjourned at 10:49AM

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