

FLORIDA | Board of Orthotists & Prosthetists

Teleconference
4042 Bald Cypress Way
Tallahassee, FL 32339
October 27, 2017



Brett Saunders, PO, FAAOP
Chair

Wayne Rosen, CPO, CPED, FAAOP
Vice-Chair

Anthony Spivey, DBA
Executive Director

35 The Florida Board of Orthotists and Prosthetists held a meeting on Friday, October 27,
36 2017, commencing at 9:00 a.m. This meeting was held at the Department of Health, 4042
37 Bald Cypress Way, Tallahassee, Florida, at meet me number (888) 670-3525, participant
38 code 7342425515, to which all persons were invited to attend. Participants in this public
39 meeting were made aware that these proceedings were being recorded and that an audio
40 file of the meeting will be posted to the board's website.

41
42 AGENDA

43 **Section I started at: 9:16 a.m.**

44 **I. CALL TO ORDER (Roll Call):**

45 Brett Saunders, Chair, CPO, FAAOP
46 Wayne Rosen, Vice Chair, CPO, CPED, FAAOP
47 Paul C. Weott, CPO
48 Lance A. Benson

49
50 **Board Staff Present:**

51 Anthony Spivey, DBA, Executive Director
52 Gail Curry, Program Operations Administrator
53 Brandi May, Regulatory Supervisor
54 Kellee Crowson, Regulatory Specialist II
55 Frank Grunewald, Regulatory Specialist II
56 Keri Kilgore, Regulatory Specialist II

57
58 **Board Counsel:**

59 Robert Milne, Assistant Attorney General

60
61 **Prosecution Counsel:**

62 Peter Delia, Assistant General Counsel
63 John Wilson, Assistant General Counsel

64
65 **Court Reporter:**

66 For the Record
67 (850)222-5491

68
69 Meeting was turned over to Mr. Saunders, Board Chair.

70
71 **Section I ended: 9:18 a.m.**

72 **Section II began: 9:18 a.m.**

73
74 **II. APPROVAL OF MINUTES:**

75
76 August 2, 2017

77
78 **Action:** Motion to approve the minutes from August 2, 2017 with corrections made
79 by Mr. Saunders. Second made by Mr. Rosen.

81 **Vote:** 3 yeas/ 0 opposed. Motion carried.
82 Mr. Benson was not on the conference call at this time.
83 **Section II ended: 9:21 a.m.**
84 **Section III began: 9:21 a.m.**

85
86 **III. BOARD APPLICATIONS:**

87
88 **Lisa Litchford**

89
90 Ms. Litchford was present. Not represented by counsel. Ms. Litchford applied for
91 licensure as an orthotic fitter assistant. The applicant had been previously disciplined
92 in the State of Arkansas for Medicaid fraud. Ms. Litchford has been readmitted by
93 Health and Human Services. Ms. Litchford has met all the educational
94 requirements for this license.

95
96 **Action:** Motion to approve the application made by Mr. Saunders. Second made Mr.
97 Rosen.

98 **Vote:** 3 yeas / 0 opposed. Motion carried.
99 Mr. Benson was not on the conference call at this time.

100 **Section III ended: 9:26 a.m.**
101 **Section IV began: 9:26 a.m.**

102
103 **IV. RATIFICATION:**

104 Licensure –

105
106 Orthotists/Prosthetists

107
108 **Action:** Motion to approve license numbers 333 and 334 made by Mr. Saunders.
109 Second made by Mr. Rosen.

110 **Vote:** 3 yeas/ 0 opposed. Motion carried.
111 Mr. Benson was not on the conference call at this time.

112
113 Prosthetists- none at this time.

114
115 Orthotists- none at this time.

116
117 **Action:** Motion to approve license numbers 299 and 300 made by Mr. Saunders.
118 Second made by Mr. Rosen.

119 **Vote:** 3 yeas / 0 opposed. Motion carried.
120 Mr. Benson was not on the conference call at this time.

121
122 Orthotic Fitter-none at this time.

123
124 Orthotic Fitter Assistant- none at this time.

125
126 **Action:** Motion to approve the license numbers 349 and 350 made by Mr. Saunders.
127 Second made by Mr. Rosen.

128 **Vote:** 3 yeas / 0 opposed. Motion carried.
129 Mr. Benson was not on the conference call at this time.

130
131 Pedorthists-none at this time.

132
133 Orthotic Resident- none at this time.

134
135 **Action:** Motion to approve license numbers 176 and 177 made by Mr. Saunders.
136 Second made by Mr. Rosen.

137 **Vote:** 3 yeas / 0 opposed. Motion carried.
138 Mr. Benson was not on the conference call at this time.

139
140 Prosthetic Resident

141
142 **Action:** Motion to approve license numbers 119-122 made by Mr. Saunders. Second
143 made by Mr. Rosen.

144 **Vote:** 3 yeas / 0 opposed. Motion carried.
145 Mr. Benson was not on the conference call at this time.

146
147 **i. Continuing Education**

148
149 CE Providers and Course Approved by Board Staff

150
151 Silvio Martinez applied to be a continuing education provider. The board was
152 concerned about the credentials of this instructor. Ms. Kilgore explained she
153 approved them as a provider due to them selecting the option they are rule/statute
154 approved and stating their program was approved by ABC.

155
156 **Action:** Motion to deny the application because there is no information on the
157 educational provider's background and the ability to provide this education made by
158 Mr. Saunders. Second made by Mr. Rosen.

159
160 **Vote:** 3 yeas / 0 opposed. Motion carried.
161 Mr. Benson was not on the conference call at this time.
162 The discussion continued on the method of approving continuing education courses.

163
164 Lance Benson joined the meeting.

165
166 **Section IV ended: 9:54 a.m.**
167 **Section V began: 9:54 a.m.**

168
169 **V. PROSECUTION REPORT:**

170
171 Mr. Delia gave the prosecutor's report.

172
173 Cases currently in inventory: **4**
174 Cases with the finding of probable cause: **3**

175 Cases currently in the emergency action unit: **1**
176
177 Cases prepared to come before the board for formal hearings: **2**
178
179 Probable Cause: **1** case is currently in settlement negotiations.
180
181 **Action:** Motion to continue to prosecute cases older than 1-year made by Mr. Rosen.
182 Second made by Mr. Saunders.
183
184 **Vote:** 4 yeas / 0 opposed. Motion carried.

185
186 **Section V ended: 9:56 a.m.**
187 **Section VI began: 9:56 a.m.**

188
189 **VI. BOARD COUNSEL REPORT:**

- 190
191 a. August 2017 Rules Report
192 b. September 2017 Rules

193
194 Mr. Milne gave the board counsel's report. The report for October 2017 reflected
195 both the August and the September report. The disciplinary guidelines were adopted
196 and effective October 4, 2017. The mandatory courses will become effective
197 November 5, 2017. A letter from JAPC was responded to informing them the
198 Orthotists and Prosthetists Board is singularly exempted from the blanket to the
199 mandatory course requirement and had their own. JAPC had no objection to this.

- 200
201 c. Rule 64B14-5.005

202
203 This is dealing with the forms. The strike-thru's must be in the correct format in
204 order to pass JAPC. The content of the forms has previously been voted on.

205
206 **Section VI ended: 9:58 a.m.**
207 **Section VII began: 9:58 a.m.**

208
209 **VII. CHAIR/VICE CHAIR REPORT:**

210
211 Nothing to report. The Chair/Vice-Chair meeting had been cancelled due to the
212 hurricane.

213
214 **Section VII ended: 9:58 a.m.**
215 **Section VIII began: 9:58 a.m.**

216
217 **VIII. EXECUTIVE DIRECTOR'S REPORT:**

218
219 The new date for the Chair/Vice-Chair meeting is April 23, 2018 in Tallahassee.

220 **Section VIII ended: 9:59 a.m.**
221 **Section IX began: 9:59 a.m.**

222

223 **IX. OLD BUSINESS:**

224

225 a. 8 Hour Custom Molded Shoe Course

226

227 Mr. Rosen will present information on this at the next meeting.

228

229 **Section IX ended: 10:00 a.m.**

230 **Section X began: 10:00 a.m.**

231

232 **X. NEW BUSINESS:**

233

234 Steve Mersh opened up the discussion on continuing education. The board is in favor
235 of making laws and rules a 1-hour course. The 2-hour course could be applied as
236 follows: 1-hour for licensure and 1-hour for renewal. Eugene Silva with the FAOP
237 agreed with shortening the length of this course.

238

239 **Action:** Motion to draft language to Rule 64B14-5.005 reducing the Laws and Rules
240 Course is from two hours to one hour made by Mr. Saunders. Second made by Mr.
241 Rosen.

242

243 **Vote:** 4 yeas / 0 opposed Motion carried.

244

245 **Section X ended: 10:02 a.m.**

246 **Section XI began: 10:21 a.m.**

247

248 **XI. COMMITTEE REPORTS:**

249

250 a. Budget –

251

252 The current budget has \$115,752.78 as of June 30, 2017.

253

254 b. Continuing Education – Rosen

255

256 Nothing at this time.

257

258 c. Credentials –Saunders

259

260 Nothing to report.

261

262 d. Disciplinary Compliance –Saunders

263

264 Nothing to report.

265

266 e. Healthiest Weight –Benson

267

268 Nothing to report.

269

270 f. Legislation –Rosen

271

272 Nothing to report.

273

274 g. Rules –Saunders

275

276 Nothing to report.

277

278 h. Probable Cause –Rosen

279

280 There was a probable cause panel held on August 8, 2017.

281

282 i. Unlicensed Activity –Weott

283

284 Nothing to report.

285

286 **Section XI ended: 10:23 a.m.**

287 **Section XII began: 10:23 a.m.**

288

289 **XII. NEXT MEETING DATE: January 12, 2018**

290

291 The next meeting will be live as there will be one disciplinary case on the agenda.

292 The location will be followed-up on.

293

294 **Section XII ended: 10:24 a.m.**

295 **Section XIII began: 10:24 a.m.**

296

297 **XIII. ADJOURNMENT:**

298

299 **Action:** Motion to adjourn made by Mr. Rosen. Second made by Mr. Saunders.

300

301 Vote: 4 yeas / 0 opposed.

302

303 Adjourned at 10:24 a.m.