

FLORIDA | Board of Orthotists & Prosthetists

Marriott Lake Mary

1501 International Parkway

Lake Mary, Florida 32746



Brett Saunders, PO, FAAOP

Chair

Wayne Rosen, CPO, CPED, FAAOP

Vice-Chair

Anthony Spivey, DBA

Executive Director

The Florida Board of Orthotists and Prosthetists held a meeting on Friday, January 12, 2018, commencing at 9:08 a.m. This meeting was held at the **Marriott Lake Mary**, 1501 International Parkway, Lake Mary, Florida 32746, (407) 995-7008, to which all persons were invited to attend. Participants in this public meeting were aware that these proceedings were being recorded and that an audio file of the meeting will be posted to the board's website.

AGENDA

Section I started at 9:08 a.m.

I. CALL TO ORDER (Roll Call)

Brett Saunders, Chair
Wayne Rosen, Vice Chair, CPO, CPED, FAAOP
Paul C. Weott, CPO

Absent
Lance A. Benson – Excused

Board Staff Present

Anthony Spivey, DBA, Executive Director

Board Counsel

Robert Milne

Prosecution Counsel

John Wilson, Assistant General Counsel

Court Reporter

For the Record
(850) 222-5491

Section I ended at 9:10 a.m.
Section II began at 9:10 a.m.

II. APPROVAL OF MINUTES:

October 27, 2017

Action: Motion to approve the minutes from the October 27, 2017 meeting with no noted corrections by the board was made by Mr. Weott and seconded by Mr. Rosen.

Vote: 3 yeas/ 0 opposed. Motion passes.

Section II ended at 9:12 a.m.

Section III began 9:12 a.m.

III. BOARD APPLICATIONS:

Earl Bourgoyne

Mr. Bourgoyne was present at the meeting without counsel. The application was reviewed by the board and documentation submitted appeared to address a malpractice suit however, after review of the materials the issue was a billing issue that showed documentation noting the dispute between parties has been corrected. Mr. Rosen moved to approve the application and Mr. Weott seconded the motion.

Vote: 3 yeas/ 0 opposed. Motion passes.

Section III ended at 9:20 a.m.

Section IV began at 9:20 a.m.

IV. FINAL ORDERS

a. Hearings

i. Julio Ruiz, O.R.F.

Mr. Ruiz was present at the meeting without counsel and was sworn in by the court reporter before providing testimony. Mr. Rosen was recused from voting as he was in attendance during the probable cause session. Although there was an overall quorum to hold the meeting, because one member was not in attendance during the meeting this created a quorum issue for voting on the disciplinary case, however; board counsel advised the board Mr. Ruiz is on record and can provide testimony or answer questions from the board regarding his case. After providing testimony Mr. Ruiz was advised his case will be reviewed at the next meeting for a final vote from the board and he will not need to attend the future meeting but is welcome to do so if he chooses.

ii. Frank Denton, P.E.D.

Mr. Denton was not present nor represented by counsel during the meeting. As in Mr. Ruiz's case, Mr. Rosen was recused from the discussion because of his participation in the probable cause case. The board was advised that this case will be addressed during the next meeting when there is a quorum to address the disciplinary portions.

Section III ended at 9:35 a.m.

Section IV began at 9:35 a.m.

V. RATIFICATION

a. Licensure

Orthotist/Prosthetists license numbers 333 – 338; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Prosthetists license numbers 178 -180; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Orthotist – license number 301;

Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Orthotic Fitter

License numbers 267 -270; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Orthotic Fitter Assistant

License numbers 351 -353; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Pedorthist

None

Orthotic Resident

License number 178; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

Prosthetic Resident

License numbers 121-126; Mr. Rosen motioned to approve and Mr. Rosen seconded

Vote: 3 yeas/ 0 opposed

b. Continuing Education

Mr. Weott motioned to ratify all courses and providers approved by staff as presented.
Mr. Rosen seconded the motion.

Vote: 3 yeas/ 0 opposed

Section V ended at 9:50 a.m.

Section VI began at 9:50 a.m.

VI. Prosecution Report

Mr. Wilson presented the prosecution report. The two cases presented at today's meeting will be on the next board agenda for final disposition. There are 3 cases in the department more than one-year old and Mr. Wilson requested authorization to continue prosecution of the cases. Mr. Rosen motion to continue prosecution of cases more than 1-year old. Mr. Weott seconded the motion.

Vote: 3 yeas/ 0 opposed.

Section VI ended at 9:55 a.m.

Section VII began at 10:00 a.m.

VII. Board Counsel Report

Mr. Milne presented the rule language for Rule 64B14-5.005, F.A.C., changing the laws and rules course from two-hours to a one-hour course. Mr. Rosen motion to approve the language and Mr. Weott seconded it.

Vote: 3 yeas/ 0 opposed.

Mr. Milne presented the final changes to applications for licensing and internship/residency. Mr. Rosen motion to approve the applications and Mr. Weott seconded the motion.

Vote: 3 yeas/ 0 opposed.

Section VII ended at 10:10 a.m.

Section VIII began at 10:10 a.m.

VIII. CHAIR/VICE CHAIR REPORT

No report

EXECUTIVE DIRECTOR REPORT

Dr. Spivey presented the annual delegation report to the board and asked for their review of the information to determine if changes were necessary. After review of the information, the board noted the form is accurate as presented. Dr. Spivey indicated the document would be submitted to Mr. Saunders for signature.

Section VIII ended at 10:15 a.m.

Section IX began at 10:15 a.m.

IX. COMMITTEE REPORTS

No report

Section IX began 10:15 a.m.

Section IX ended at 10:15 a.m.

X. Next Meeting Date

April 6, 2018

XI. ADJOURNMENT

The meeting adjourned at 10:16 a.m.