

FLORIDA BOARD OF ORTHOTISTS AND PROSTHETISTS MINUTES

October 30, 2020, 9:00 A.M. EST

GoToMeeting

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Brett Saunders, CPO, FAAOP, Chair

Janet E. Hartman, Executive Director



CALLED TO ORDER @ 9:05 AM

Roll Call

Members Present:

Brett Saunders, CPO, FAAOP, Chair
Paul C. Weott, CPO, Vice Chair
Wayne R. Rosen, CPO, CPED
Lance A. Benson

Staff Present:

Janet Hartman, Executive Director
Eric Pottschmidt, Program Operations Administrator
John B. Fricke, Jr., Assistant Attorney General
Kimberly Marshall, Assistant General Counsel

Court Reporter Present:

For the Record - 850-222-5491

REVIEW AND APPROVAL OF MINUTES – June 18, 2020

Motion: by Paul Weott to approve the June 18, 2020 minutes.

Second: by Wayne Rosen

Vote: Passed Unanimously

PROSECUTOR'S REPORT (TS 00:02:00)

Case Inventory:

Total Cases open/active in PSU:	1
Cases in Emergency Action Unit:	0
Cases under Legal Review:	0
Cases with probable cause recommendation:	1
Total Cases where PC has been found:	0
Cases in holding status:	0
Cases pending before DOAH:	0
Cases in intake status:	0
Cases agendaed for Board:	0
Cases on Appeal:	0
Total Number of Cases Older than One Year (Does not include cases on current Board agenda):	0



PETITION FOR VARIANCE OR WAIVER (TS 00:03:00)

Lynda Elliott Goyzueta, C.Ped - s.64B14-4.110 (3b), F.A.C.

Discussion: PVW withdrawn by applicant.

Sandra Escobar - s.64B14-4.110(1)(a), F.A.C.

Discussion: Sandra Escobar completed an alternative course of equivalence to the course outlined in rule 64B14-4.110(1)(a), F.A.C. The current providers listed in rule are currently not available at this time. The course completed is approved by the American Board for Certification in Orthotics, Prosthetics, and Pedorthics (ABC).

After discussion, the following action was taken:

Motion: by Wayne R. Rosen to approve PVW
Second: by Paul Weott
Vote: Passed Unanimously

Michelle Klee - s.64B14-4.110(1)(a), F.A.C.

Discussion: Michelle Klee completed an alternative course of equivalence to the course outlined in rule 64B14-4.110(1)(a), F.A.C. The current providers listed in rule are currently not available at this time. The course completed is approved by the American Board for Certification in Orthotics, Prosthetics, and Pedorthics (ABC).

After discussion, the following action was taken:

Motion: by Wayne R. Rosen to approve PVW
Second: by Paul Weott
Vote: Passed Unanimously

EXEMPTION APPLICATION (00:15:06)

Fredrick, William Alan, File #85

Discussion: William Alan is moving from an independent practice to a facility that is regulated by the Agency for Health Care Administration (AHCA). Due to the change, he requested an exemption from the Board for the level 2 clearance as required due to past criminal history that occurred 29 years ago.

After discussion, the following action was taken:

Motion: by Paul C. Weott to approve exemption application
Second: by Wayne R. Rosen
Vote: Passed Unanimously



REPORTS (TS 00:19:25)

Chair's Report

2021 Delegations

After discussion, the following action was taken:

Motion: by Wayne R. Rosen to approve 2021 Delegations
Second: by Paul C. Weott
Vote: Passed Unanimously

Executive Director's Report (TS 00:20:30)

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant, and Pedorthist Licensure

Discussion: A review of the current language in rule. This would remove the two providers specifically listed in rule to a broader term to allow licensees more options while maintaining the Board's standards for licensure requirements as long as the course is ABC approved or the licensee can provide coursework showing equivalence. This will also remove the line in rule 64B14.4110(1)(b) and 64B14-4.110(2)(b).

After discussion, the following action was taken:

Motion: by Wayne R, Rosen to approve rule as written / with changes as discussed.
Second: by Paul C. Weott
Vote: Passed Unanimously

SERC

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Wayne R. Rosen voted "NO"
Second: by Paul C. Weott
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?



Motion: by Wayne R. Rosen voted "NO"
Second: by Paul C. Weott
Vote: Passed Unanimously

64B14-4.003 Documentation of Eligibility for Licensure

Discussion: A review of the current language in rule. This would remove the two providers specifically listed in rule to a broader term to allow licensees more options while maintaining the Board's standards for licensure requirements as long as the course is ABC approved or the licensee can provide coursework showing equivalence.

After discussion, the following action was taken:

Motion: by Paul C Weott to approve rule as written / with changes as discussed.
Second: by Wayne R. Rosen
Vote: Passed Unanimously

SERC

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

64B14-4.001 Approved Examinations

Discussion: A review of the language in rule adding American Board of Certification in Orthotics, Prosthetics, and Pedorthics (ABC) to rule 64B14-4.001(1). This review will also remove rule portion 64B14-4.001(3).

After discussion, the following action was taken:



Motion: by Wayne R. Rosen to approve rule as written / with changes as discussed.
Second: by Paul C. Weott
Vote: Passed Unanimously

SERC

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Financial Reports

Discussion: The financial report was uploaded for Board review.

New State Car Rental Agreement – Avis

Discussion: An introduction in the new car rental agreement with Avis.

Board Counsel's Report (TS 00:44:05)

64B14-4.005 Documentation of Eligibility for Registration

Discussion: A review of the rule 64B14.4.005, added language stating a resident will register with the Board within sixty (60) days of the date of commencement. Also removed the designation of regionally accredited institution simplifying it to accredited. This review also simplified some of the language found throughout the rule.

After discussion, the following action was taken:

Motion: by Wayne R. Rosen to approve rule as written / with changes as discussed.
Second: by Paul C. Weott
Vote: Passed Unanimously



SERC

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship and 64B14-4.115 Requirements for Renewal of Prosthetic or Orthotic Residency or Internship

Discussion: No discussion.

After discussion, the following action was taken:

Motion: by Wayne R. Rosen to approve rule as written / with changes as discussed.
Second: by Paul C. Weott
Vote: Passed Unanimously

SERC

Will the proposed rule amendments have adverse impact on small business or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity including government in excess of \$200,000 in the aggregate in Florida within one year after implementation?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Should a violation of this rule or any part of this rule be designated as a minor violation?



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Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Paul C. Weott voted "NO"
Second: by Wayne R. Rosen
Vote: Passed Unanimously

Rules Report

Discussion: Report was submitted on time.

COMMITTEE REPORTS (TS 1:00:00)

Continuing Education – Wayne Rosen – nothing to report.
Credentials - Brett Saunders, Chair– nothing to report.
Disciplinary Compliance - Brett Saunders, Chair– nothing to report.
Legislation - Wayne Rosen– nothing to report.
Rules - Brett Saunders, Chair– nothing to report.
Probable Cause - Wayne Rosen– nothing to report.
Unlicensed Activity – Paul Weott, Vice-Chair– nothing to report.
Malpractice Committee – Brett Saunders, Chair– nothing to report.

RATIFICATIONS (TS 1:01:00)

Licenses Issued

Motion: by Wayne R. Rosen to accept the ratification list for 3101, 3103, 3104, 3105, 3106, 3109, 3110, 3111
Second: by Paul C. Weott
Vote: Passed Unanimously

OLD BUSINESS/NEW BUSINESS

Discussion: No Discussion.

NEXT MEETING DATE – January 29, 2021 at 9:00 a.m. EST – GoToMeeting

PUBLIC COMMENTS

Discussion: No public comments.

MEETING ADJOURNED @ 10:07 AM