

FLORIDA BOARD OF ORTHOTISTS AND PROSTHETISTS GENERAL BOARD MEETING

DRAFT MINUTES

April 23, 2021, 9:00 A.M. EST



Brett Saunders, CPO, FAAOP, Chair

Janet E. Hartman, Executive Director



CALLED TO ORDER @ 9:00 A.M.

Roll Call presented by Brett Saunders.

Members Present:

Brett Saunders, CPO, FAAOP, Chair
Anne DuBois, CPO, LPO
Michael Wright, CPO, LPO
Waldo Esparza, BsCP, LP
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

RECOGNITION OF SERVICE

Wayne R. Rosen, CPO, CPED
Paul C. Weott, CPO

NEW BOARD MEMBER INTRODUCTIONS

Anne DuBois, CPO, LPO
Michael Wright, CPO, LPO
Waldo Esparza, BsCP, LP

REVIEW AND APPROVAL OF MINUTES - January 29, 2021 and February 25, 2021

Motion: by Lance Benson to approve the January 29 and February 25, 2021 minutes.
Second: by Michael Wright
Vote: Passed Unanimously

PROSECUTOR'S REPORT

Case Inventory:

Total Cases open/active in PSU:	1
Cases in Emergency Action Unit:	0
Cases under Legal Review:	1
Cases with probable cause recommendation:	0
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):	1

After discussion, the following action was taken:

- Motion:** by Anne Dubois to approve PSU to continue to prosecute cases older than one year.
Second: by Michael Wright
Vote: Passed Unanimously

REPORTS – (TS – 00:08:30 Minutes)

Chair's Report – no discussion

Executive Director's Report

Legislative Update – Janet Hartman reviewed Department of Health Bill that clarifies how fingerprinting will be processed. Mrs. Hartman also reviewed that the Bill made some adjustments to the U.S. Department of Education guidelines on how colleges and universities are accredited, in that, accreditation went from categorizing as regional and national, to institutional and programmatic. Mrs. Hartman reviewed another piece of legislation related to COVID-19, related to businesses that were open and someone alleges that they contracted COVID-19 while in the business or seeking care, that there are provisions that protect those businesses and practitioners.

Financial Report – Brett Saunders briefly summarized various elements within the report. Michael Wright asked a question referencing Transfer of Funds line-item on the budget. Mrs. Hartman explained what that line-item represents.

Proposed 2022 Meeting Dates.

After discussion, the following action was taken:

- Motion:** by Michael Wright to approve proposed 2022 meeting dates
Second: by Waldo Esparza
Vote: Passed Unanimously

Chapter 64B14-2.002 Biennial Renewal Fee Reduction

After discussion, the following action was taken:

- Motion:** by Anne Dubois to approve proposed language as written.
Second: by Michael Wright
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 Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously

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

Motion: by Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously

Board Counsel's Report (TS – 00:25:30 Minutes)

Chapter 64B14-7.003 Disciplinary Guidelines

After discussion, the following action was taken:

Motion: by Anne Dubois to adopt the rule as written.
Second: by Waldo Esparza
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 Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously

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

Motion: by Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously



Would a Sunset provision be applicable to this Rule?

Motion: by Brett Saunders votes "NO"
Second: by Waldo Esparza
Vote: Passed Unanimously

Chapter 64B14-7.0035 Out-of-State Telehealth Discipline

After discussion, the following action was taken:

Motion: by Waldo Esparza to adopt rule as written.
Second: by Michael Wright
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 Brett Saunders votes "NO"
Second: by Anne Dubois
Vote: Passed Unanimously

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

Motion: by Brett Saunders votes "NO"
Second: by Michael Wright
Vote: Passed Unanimously

Would a Sunset provision be applicable to this Rule?

Motion: by Waldo Esparza votes "NO"
Second: by Brett Saunders
Vote: Passed Unanimously

Rules Report - John Fricke reviewed rules report.

APPOINTMENTS (TS – 00:36:45 Minutes)

Continuing Education Committee

Chair Saunders appointed Anne Dubois to the *Continuing Education Committee*

Probable Cause Committee

Chair Saunders appointed Michael Wright to the *Probable Cause Committee*



Unlicensed Activity Committee

Chair Saunders appointed Michael Wright to the *Unlicensed Activity Committee*

Probable Cause Panel Chair

Chair Saunders appointed Michael Wright to the *Probable Cause Panel Chair*

After discussion, the following action was taken:

Motion: by Brett Saunders to appoint Michael Wright as Probable Cause Panel Chair.

Second: by Anne Dubois

Vote: Passed Unanimously

Legislation Committee

Chair Saunders appointed Anne Dubois to the *Legislation Committee*

Unlicensed Activity Committee

Chair Saunders appointed Michael Wright to the *Unlicensed Activity Committee*

COMMITTEE REPORTS

Continuing Education – Anne Dubois - Nothing to report.

Credentials – Brett Saunders - Nothing to report.

Disciplinary Compliance – Brett Saunders - Nothing to report.

Legislation – Anne Dubois - Nothing to report.

Rules – Brett Saunders - Nothing to report.

Probable Cause – Michael Wright - Nothing to report.

Unlicensed Activity – Michael Wright - Nothing to report.

Malpractice Committee – Brett Saunders - Nothing to report.

RATIFICATIONS

Licenses Issued

Anne Dubois recognized a conflict with ratification of licensees Steven Pepe, ORT 355 and PROR 175, and Mitchell Bowman, POR 392.

After discussion, the following action was taken:

Motion: by Anne Dubois to accept the ratification of all licenses except for those of Steven Pepe and Mitchell Bowman.

Second: by Waldo Esparza

Vote: Passed Unanimously

Motion: by Michael Wright to accept the ratification of licenses of Steven Pepe and Mitchell Bowman.

Second: by Waldo Esparza

Vote: Passed Unanimously



ELECTION OF VICE-CHAIR

Motion: by Brett Saunders to accept nomination of Anne Dubois as Vice-Chairperson of the Board.

Second: by Michael Wright

Vote: Passes Unanimously

OLD BUSINESS/NEW BUSINESS - No discussion.

NEXT MEETING DATE – August 6, at 9:00 a.m. - Hilton Garden Inn Orlando SeaWorld

PUBLIC COMMENTS – No discussion.

ADJOURNMENT @ 9:49 a.m.