

North Dakota Board of Podiatric Medicine
Special Board Meeting
February 28, 2019

Board Members Present: Kevin Koester, DPM, Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Vicki Kunz (joined as noted in the minutes)

Others Present: Stacy Moldenhauer, attorney and JoDee S. Wiedmeier, Executive Director

Absent: One Vacancy

Dr. Evanoff served as chairman of the meeting and called the meeting to order at 5:16 p.m. CST.

Roll call was taken. Present were Ashley Evanoff, DPM, Gordon Leingang, DO, Kevin Koester, DPM, Eric Hart, DPM, Stacey Moldenhauer and JoDee Wiedmeier. A quorum was found and the meeting proceeded.

The proposed minutes from the January 27, 2019, special board meeting were previously distributed to the board members. Dr. Koester moved to approve the January 27, 2019, meeting minutes as written. Dr. Leingang seconded the motion. The motion passed by roll call vote. Those in favor: Dr. Evanoff, Dr. Hart, Dr. Leingang, Dr. Koester. Those opposed: none.

Ms. Wiedmeier and Stacy Moldenhauer provided a brief update on the legislation currently being opposed or monitored on behalf of the board. It was noted that the following bills were defeated in their house of origin: HB 1253 regarding the ability to petition the board for pre-determination on licensure issuance in respect to a criminal conviction; HB 1523 regarding transferring funds to the state legacy fund; SB 2126 regarding automatic licensing with seven years of professional experience; and SB 2127 relating to exempting military spouses from licensure for twenty four months. It was noted that the following bills passed from their house of origin with amendments: HB 1256 regarding petitioning to seal criminal records; HB 1334 regarding sealing DUI convictions after seven years; SB 2306 regarding expedited licensing for and no fees charged to military spouses; and SB 2353 regarding rewriting Chapter 43 (relating to professional and occupational boards) overriding all current statutes.

Discussion regarding HB 1256 commenced. The board previously received a copy of the amended bill which passed the House, was introduced into the Senate and referred to the Senate Judiciary Committee. The board reviewed the amendments and determined that the practical application of the new subsection 9 on page 4 was confusing and the 'may' opposed to 'shall' release information leaves it subjective. The amendments do not alleviate all of the board's concerns. Dr. Hart moved that the board continue to oppose HB 1256. Dr. Koester seconded the motion. No further discussion was had. Motion passed unanimously by roll call vote. Those in favor: Dr. Evanoff, Dr. Hart, Dr. Leingang, Dr. Koester. Those opposed: none.

Ms. Kunz joined the meeting at 5:28 p.m. CST.

Discussion was had regarding HB 1334. The amended bill had been previously distributed to the members. The amendments did not change the board's position and this bill will continue to be followed with no formal position taken by the board.

Discussion was commended regarding SB 2306. The board had previously received a copy of the amended bill which passed the Senate, was introduced into the House and referred to the House Industry, Business and Labor Committee. The amendments, although appearing to be attempting to alleviate the concerns of the licensing boards, are still unclear and the practical application of the

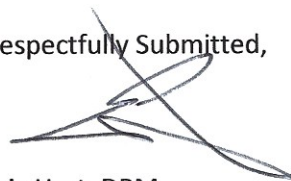
amendments is unknown. It appears that a provisional license would still be required to be issued immediately before any vetting procedure. This is a concern. Although the board appreciates the issues relating to military spouses and military families, its duty is to the public as a whole – to make sure the podiatrist is qualified. Further, in the effort to ‘fast track’ an application the board already has a temporary license that can be issued to any applicant, including military spouses. Further there is also confusion as to the fees that can or cannot be charged. While the board has no objection to trying to alleviate the financial hardships of military families, it is noted that the only source of income for the board is in collecting licensing fees. The board determined that the amendments did not alleviate its concerns. Dr. Hart moved to continue to oppose SB 2306. Ms. Kunz seconded the motion. No further discussion was had. Motion passed unanimously by roll call vote. Those in favor: Dr. Evanoff, Dr. Hart, Dr. Leingang, Dr. Koester and Ms. Kunz. Those opposed: none.

Discussion commended regarding SB 2353. The board had previously received a copy of the amended bill which passed the Senate, was introduced into the House and referred to the House Government and Veterans Affairs Committee. It was noted that the bill was pared down considerably. Basically, the bill would now require the board to hold a meeting at least twice a year and would require the board members to attend a training provided by the AG’s office during the member’s initial term. It also provides for a legislative management study. The board determined that all of the language that it had previously been of concern has been removed and the bill, as amended, hold no more concerns. Dr. Leingang moved to discontinue the board’s opposition to SB 2353, remain neutral and continue to monitor the bill. Dr. Hart seconded the motion. No further discussion was had. Motion passed unanimously by roll call vote. Those in favor: Dr. Evanoff, Dr. Hart, Dr. Leingang, Dr. Koester and Ms. Kunz. Those opposed: none.

Discussion commenced regarding Dr. Emter’s request for approval of CME relating to training she obtained regarding hyperbaric medicine. The board office had been unable to administratively approve the CME due to it not being approved by the CPME. The board determined that the training was directly related to the podiatric treatment of patients. Dr. Hart moved that the CME hours be approved, minus the portions of the training relating to billing, coding and introduction and closing remarks. Dr. Koester seconded the motion. No further discussion as had. Motion passed unanimously by roll call vote. Those in favor: Dr. Evanoff, Dr. Hart, Dr. Leingang, Dr. Koester and Ms. Kunz. Those opposed: none.

Dr. Leingang moved to adjourn the meeting. Ms. Kunz seconded. The meeting adjourned at 5:57 p.m. CST.

Respectfully Submitted,



Eric Hart, DPM
Secretary/Treasurer

Attest:



Ashley Evanoff, DPM
President