

North Dakota Board of Podiatric Medicine  
Regular Board Meeting  
September 28, 2019

Board Members Present: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers

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

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Dr. Evanoff served as chairman of the meeting and called the meeting to order at 9:03 a.m. CDT.

Introduction of the board members was had and the new members were welcomed to the board.

A call for additional agenda items was made. No new agenda items were placed on the agenda.

Dr. Adam Finzen, DPM appeared and introductions were made. Dr. Finzen was issued a temporary license on June 3, 2019 and is currently practicing at Altru in Grand Forks. He replaced Dr. Britten who moved to Pennsylvania. Dr. Finzen's education was discussed. He completed residency and practiced in Nebraska for one year. Discussion was had regarding the scope of practice in ND. Dr. Finzen had reviewed the scope of practice statute located on the website. The Board's role in licensing and regulating podiatrists was also discussed. Dr. Finzen was instructed to make sure he keeps the board informed of his current mailing address and that his certificate should be displayed at his practice location. Dr. Hart moved to grant full licensure. Dr. Leingang seconded the motion. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

The proposed minutes from the October 13, 2018, and the special meeting board meeting on February 28, 2019 had been previously distributed to the board members. Dr. Leingang moved to approve the meeting minutes for October 13, 2018 and February 28, 2019 as written. Dr. Hart seconded the motion. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

A review of the newly issued temporary permits to Drs. Jennifer Gravos and Travis Fitzke was had. No concerns were noted. Dr. Hart moved to ratify the permits previously issued by President, Dr. Evanoff. Dr. Albers seconded. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Ms. Wiedmeier gave the licensure and renewal report. The state currently has 41 active licenses, 37 active licenses and four temporary permits for residency. It was reported that Drs. Iwaasa and Criswell did not renew their license for 2019. Discussion was had regarding the expiration of Dr. Hart's term as a member of the board. This is his second term, so he is not eligible for re-appointment. Ms. Wiedmeier indicated that she had mentioned an opening on the board to Dr. Uglem of Fargo. Dr. Uglem appeared interested so she provided Dr. Uglem with the website link to

complete an application with the Governor's office. It was noted that it would be nice to have representation from the eastern part of the state again.

Photographs of new board members were taken for posting on the webpage.

Discussion was had regarding Dr. Harris' request for approval of his 2019 CME. The board determined that the all of the CME was relevant to the practice of podiatric medicine with the exception of the three credit hours submitted for management of ALS. Dr. Hart moved that all CME submitted for review, except the three hours related to the management of ALS, be approved. Dr. Leingang seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Uglem appeared before the board and gave an update on the residency program currently being operated by Sanford in Fargo. Dr. Uglem was welcomed and introductions were made. Dr. Uglem gave a brief background of how the residency program was started in North Dakota. The program accepted its first resident in 2014. Two residents have successfully completed the program. One is currently practicing in Minnesota and the other in Texas. It was noted that while other professions have a residency cap, podiatric residencies are not capped. Therefore, they were able to accept two residents this year. Sanford has also recently begun an orthopedic residency. This is of great benefit to the podiatric residency program as it brings with it more labs and more funding. Further, the podiatric residents will train alongside the orthopedic residents. The goal of the residency program is to place well educated and well-trained podiatrists into the work force. Dr. Uglem was thanked for his appearance and update.

Discussion was had regarding the possibility of requiring continuing medical education (CME) specific to opioid/pain management. The board is cognizant of the opioid crisis in the nation today and feels that CME specific to the management of such is important. The board feels that the participating in Drug Prescription Monitoring Program requirement will also be beneficial to podiatrists as a tool that can be used to monitor patients' prescriptions. The board noted that it was not clear as to the steps that would need to be taken implement such a change to the CME requirement and requested that Ms. Wiedmeier research the issue and report her findings at the next board meeting. Further discussion was had regarding recommending opioid/pain management CME at this time. Dr. Hart moved to include a statement in the 2020 renewal letter indicating that the board highly encourages at least one credit hour of CME relating directly to Opioid/pain management and participation in the PDMP (Prescription Drug Monitoring Program), that these may become a requirement in the future, and that the CME will not need to be specifically CPME approved for administrative approval, but will need to be from an accredited institution. Dr. Leingang seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed. Ms. Wiedmeier was instructed to work with Dr. Hart in drafting language for inclusion in the letter.

The board broke for a break at 10:10 a.m CDT. The meeting resumed at 10:23 a.m. CDT.



Discussion regarding membership in the Federation of Podiatric Medical Boards (FPMB) was discussed. The board reviewed the materials provided by the FPMB and determined that there is value in membership. It was further noted the decrease in membership dues for smaller boards makes it financially viable for the board. Dr. Hart moved to renew membership in FPMB. Dr. Knudsen seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Annual review of the Executive Director was commenced. It was noted that it was a legislative year which did include significant additional work for Ms. Wiedmeier. No concerns were voiced regarding her job performance and it was noted that Ms. Wiedmeier is very thorough and reliable. It was further noted that the board office is well managed. Dr. Hart moved to retain the services of Ms. Wiedmeier an additional year and to increase her compensation by 5% to \$16,206.75 annually, commencing January 1, 2020. Dr. Leingang seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Discussion commended regarding the proposed revised application which was distributed to the board members. It was noted that some of the proposed revisions were due to new statutory requirements under NDCC 43-51-11.1 and 43-51-11.2, as well as suggestions to update and possibly streamline the application. Discussion was had regarding the proposed language regarding the military spouse question. Dr. Leingang noted that military personnel are instructed to never copy their military IDs for any reason and that a request for copies of their orders would be sufficient to verify active duty. Dr. Albers moved to accept and immediately implement the proposed revised application with the military question amended to comply with Dr. Leingang's comments. Dr. Hart seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed. Ms. Wiedmeier was instructed to process the changes and implement the revised application.

Discussion was had regarding the website. It was felt that website is functioning well and that no upgrades are needed at this time.

Discussion was had regarding the board's email address account. Ms. Wiedmeier reported that the board was currently using a secured email account that is free with Vox Domains, the company that is hosting the website. The free account is very limited in storage. Ms. Wiedmeier requested that the board approve an upgrade to the account. The cost would be \$19.13 annually for 1 GB of storage or \$38.39 annually for 2 GB of storage. Dr. Hart moved to upgrade the email account to 1 GB of storage. Dr. Albers seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Ms. Moldenhauer joined the meeting at 12:00 p.m. CDT.

Ms. Moldenhauer and Ms. Wiedmeier gave a legislative update.

Discussion was had regarding the possibility of holding two meetings per year instead of only one meeting. It was determined that unless complaints are pending resolution, one meeting is probably sufficient because not enough new business comes before the board to make is financially feasible to hold an additional meeting. Ms. Wiedmeier was instructed to contact the President of the board in February to review the business before the board, including pending complaints, to determine if the President would like to call a special meeting around the month of March.

Discussion commenced regarding the implementation of administrative rules under NDCC 43-51-11.1 relating licensure of military spouses. The proposed administrative rule 63-02-04-03 allowing for the issuance of a provisional license was distributed to the board members. It was noted that the temporary license available to the board does not meet the requirements of the temporary or provisional license requirements under this statute. Dr. Hart moved that the proposed administrative rule 63-02-04-03 be approved as written and that the rule making process be commenced. Dr. Leingang seconded the motion. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Discussion then turned to the administrative rules that had been previously approved by the board in the regular meeting on October 13, 2018. The rule making process was deferred by motion of the board during the January 19, 2019 special meeting due to the possibility that additional rules would need to be implemented after the legislative session. Copies of these rules were re-distributed to the board. Ms. Wiedmeier noted that 63-02-01-01 administrative rule was included for review in the board materials, but was inadvertently not included in list in item #17 on the agenda. After a review of the proposed amendments, the following motions were made.

Dr. Hart moved that the proposed administrative rule 63-02-01-01 be further amended to update the licensing examination name in subsection 8, as follows: 'Evidence of satisfactory completion of all parts of the American Podiatric Medical Licensing Examination national board of podiatric medical examiners licensing examination.' Dr. Knudsen seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Hart moved that the rule making process be resumed for the previously approved administrative rules 63-02-02-02, 63-02-02-03, 63-02-02-04, 63-02-03-01, 63-02-04-01, 63-02-05-01, 63-06-01-01 and 63-02-01-01, as amended. Dr. Albers seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Hart made a motion to enter into Executive Session in order to discuss current complaints filed against podiatrists that contain confidential patient data and to further consult with the board's attorney in such matters. Dr. Leingang seconded. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed. The board entered Executive Session at 12:38 p.m. CDT.



The executive session concluded at 2:00 p.m. CDT. It was noted that five complaints were reviewed by the board during the executive session. Four complaints were found by the board to warrant no further action and were dismissed. One complaint was held over for further investigation.

Ms. Moldenhauer was dismissed from the meeting and the board took a short break at 2:00 p.m. CDT. The meeting resumed at 2:10 p.m. CDT.

The 2018 Annual Financial Report, which had been reviewed and approved by the ND State Auditor's office and previously distributed to the board, was reviewed. Discussion was had regarding the board's desire to continue to build a reserve fund for unexpected expenses including complaints and legal matters. Discussion was had regarding whether it was necessary to open a second bank account for this purpose. It was determined that this was not necessary and would add unnecessarily to the administrative work load.

Discussion commenced on the proposed 2020 budget that had been previously distributed to the board members. After discussion, and in light of previous motions made at this meeting, the following motions were made.

Dr. Hart moved to add a line item in the budget for membership dues in the amount of \$400.00 for membership in the Federation of Podiatric Medical Boards. Mr. Jeffers seconded.

Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Hart moved to amend the Executive Director line item to \$16,206.75. Dr. Knudsen seconded. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Mr. Jeffers moved to accept the Secretary / Treasurer's recommendation to fund the reserve fund \$5,000.00 and to amend the Reserve line item to reflect the \$5,000.00. Dr. Knudsen seconded. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Albers moved to approve the 2020 budget, as amended. Dr. Hart seconded. Motion passed unanimously. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

Dr. Hart was recognized for his years of service with the board as a Member and Secretary-Treasurer. Dr. Hart's contribution to the board over the years has been much appreciated.

Election of officers was had. Dr. Hart moved to nominate and elect the slate of officers as follows: President - Dr. Ashley Evanoff; Vice President – Dr. Gordy Leingang; and Secretary/Treasurer- Dr.

Andy Knudsen. Dr. Leingang seconded. No further discussion was had. Roll call vote was taken. Those in favor: Ashley Evanoff, DPM, Eric Hart, DPM, Gordon Leingang, DO, Aaron Albers, DPM, Andrew Knudsen, DPM and Josh Jeffers. Those opposed: None. Motion passed.

In light of the election, Dr. Hart instructed Ms. Wiedmeier to make the appropriate changes on the bank account to allow for the new signatories on the account.

The next regularly scheduled meeting of the board will be held on October 3, 2020, at 9:00 a.m. in Bismarck. Ms. Wiedmeier will make the necessary arrangements.

Dr. Leingang moved to adjourn the meeting. Dr. Albers seconded. The meeting adjourned at 2:55 p.m. CDT.

Respectfully Submitted,

Andy Knudsen, DPM  
Secretary/Treasurer



Attest:



Ashley Evanoff, DPM  
President