

**IOWA BOARD OF PODIATRY**  
**Lucas State Office Building**  
**5<sup>th</sup> Floor Boardroom #526**  
**321 East 12<sup>th</sup> St.**  
**Des Moines, Iowa**

**MINUTES**  
**April 9, 2010**

**Call to Order**

The meeting of the Iowa Board of Podiatry was called to order by Dr. Jill Scholz, Acting Chair, at 9:08 a.m.

**Roll Call**

Members Present: Patsy Hastings  
Dr. Kelly Kadel  
Bridget Maher  
Dr. Denise Mandi  
Dr. Jill Scholz

Absent: Dr. Eric Barp  
Dr. Paul Dayton

**Others in**

Attendance: Roxanne Sparks, Board Executive  
John Priester, Administrative Law Judge (ALJ)  
Theresa Weeg, Assistant Attorney General (AAG)  
Donnis Crank  
James H. Waters  
Court Reporter for hearing

**Hearing**

The Board held a contested case hearing in the matter of Donnis F. Crank. The hearing was closed to the public pursuant to Iowa Code section 272C.6(1) and 653 IAC 25.18(12) and convened at 9:10 a.m. The hearing ended at 2:43 p.m.

AAG Weeg, Donnis Crank, James H. Waters, and the court reporter left the meeting following the hearing as the Board went into closed session for deliberations. They did not return for the regular meeting of the Board.

The Board went into closed session by roll call vote and in accordance with Iowa Code 21.5(f) at 2:43 p.m. for deliberations. (MSC: Tasler/Keith)

The Board returned to open session at 3:45 p.m. and directed that the Administrative Law Judge draft their decision according to their closed session deliberations. (MSC: Mandi/Maher)

### **Approval of Minutes**

The minutes of the January 8, 2010, meeting were approved as written. (MSC: Kadel/Mandi)  
The minutes of the January 29, 2010, meeting were approved as written. (MSC: Kadel/ Mandi).

### **Public Comment**

None

### **Reports**

#### Bureau Chief

Due to the length of the hearing held this date, the Bureau Chief did not give an oral report. A written report is attached as an addendum to these minutes.

#### AAG

Due to the length of the hearing held this date, Theresa Weeg did not give a report. Ms. Weeg will provide her report on *Policy Statements by Professional Licensing Boards* at the July 9<sup>th</sup> meeting.

### **Closed Session**

In accordance with Iowa Code 21.5(1)d & f, the Board went into closed session at 3:53 p.m. by unanimous roll call vote. (MSC: Scholz/Mandi)

ALJ Priester assisted the board during closed session with motions filed in a contested case. ALJ Priester left the meeting during closed session and did not return.

The Board returned to open session at 10:45 a.m. and took the following actions:

07-013	Accept Settlement Agreement (MSC: Scholz/Mandi)
06-018	Close (MSC: Scholz/Mandi)
09-003	Close (MSC: Scholz/Mandi)

The Board reviewed and granted a *Motion for Continuance* filed by Attorney Robert L. Goldstucker. (MSC: Mandi/Scholz) The hearing in the Gupta case will be rescheduled for August 5-6.

### **Administrative Rules**

The Board gave consensus to notice Chapter 4.11 rules governing the audit of continuing education. These rules are being noticed on behalf of all 19 professional boards and will be brought before the Board again at a future meeting for adoption.

### **Next Board Meeting and Adjournment**

The next meeting of the Board will be July 9, 2010, at 9:00 a.m.

*Guidelines for Meal Receipts* were provided to Board members along with their expense forms.

Board member Dr. Jill Scholz was presented with a certificate in recognition of her 6 years of service on the Podiatry Board.

The meeting adjourned at 4:10 p.m. (MSC: Mandi/Maher).

**These minutes were approved by the Board on July 9, 2010.**

**Addendum to the Iowa Board of Podiatry  
Minutes of April 9, 2010**

**Bureau Chief Report**

- 1. Legislation and rulemaking** The 2010 legislative session adjourned March 30. Both the IDPH Omnibus Bill and the Technical Bill passed successfully. No new boards were created within the Bureau of Professional Licensure. Rulemaking will continue throughout the year to better define statutory changes and in response to new board actions. When administrative rule changes are reviewed by the Administrative Rules Review Committee, the Board Executives provide information about the content of each change, outcome of every public hearing, and summary of public comments received. In some instances, Board members participate in the meetings to provide a professional perspective and articulate how rule changes proposed by the board benefit public protection.
- 2. Board appointments** Within the Bureau of Professional Licensure, Governor Culver appointed 19 new board members. All have been confirmed by the Senate and will begin serving their first terms on May 1, or earlier if they are filling a vacancy. Additionally, 23 board members were reappointed to second or third terms. Almost an equal number of board members have completed one or more terms of service, including 10 who served the maximum 9 years on a single board.  
The Department has published a press release and new board member names will be posted on the individual boards' websites on May 1.
- 3. AAG reports** At the first meeting of each board following May 1 the board's AAG will present and discuss a handout entitled *Guidelines for Board Members*. This is an opportunity to reinforce the information provided to new board members in their orientation binders and face-to-face orientation with the Bureau Chief. It also gives current board members an opportunity to discuss new information and ask their AAG questions that may have arisen about their role during the previous year. The seven AAGs who provide legal guidance to our boards will also present a brief educational session at each quarterly public meeting on a topic selected with the input of the board executives. The topic this quarter, *Policy Statements by Professional Licensing Boards*, is based on a Memorandum prepared by Julie Pottorff, Deputy Attorney General.
- 4. Budget** The Department continues to evaluate and respond to the impact of the overall state budget on public health services and workforce. Bureau staff

members are completing either 5 or 7 mandated unpaid days before the end of FY10 on June 30, 2010. The staff is staggering their furlough time as creatively as possible to minimize the impact on productivity. Travel restrictions remain in effect for Board members and staff. Memberships in professional organizations continue to be approved based on justification of their necessity to assure access to national licensure examinations and maintain licensure functions. Director Newton and the IDPH Executive Team continue to evaluate and respond to budget mandates.

- 5. State early retirement incentive** The Bureau will be impacted by the State's early retirement program which is designed to reduce personnel and replacement costs. The departments will be permitted to replace no more than 50% of positions vacated through the program, and must demonstrate a 50% cost saving when doing so. Employees who leave employment under the program must do so by June 24, 2010 and agree not to be employed by the State of Iowa in any capacity other than appointment to a board or commission. Eligible employees must submit their application by April 15, 2010. Immediately after that time, the Department will formulate a plan for replacing employees who leave. The plan must be approved by the Department of Public Health, Department of Administrative Services, and Department of Management. Employees who have been approved to leave our Bureau under this plan include two board executives, each of whom administer four boards, our discipline office coordinator, and the Bureau Chief. Those individuals are working diligently together and with other staff to make this significant transition as seamless as possible for the boards.
- 6. Outreach and compliance** Bureau staff member Marvin Firch is now actively working with the boards to increase compliance through outreach and education. He has prepared and presented information throughout the state on the complaint process, participated in in-state meetings of professional organizations upon request, assisted to develop and implement a pilot project to survey licensed cosmetology schools, published an article in the Des Moines Register about the purpose of the boards, and assisted the Department to issue press releases. He is currently completing a project is to create CDs with PowerPoint slides and a voice-over option for inclusion in new board member orientation binders, and for use by board members and board chairs regarding the role, processes, and informational resources of the 19 professional licensure boards.
- 7. Semi-annual meeting with DIA investigators** On April 22, 2010, the Bureau will host an educational meeting with the four investigators who are employed by the Department of Inspections and Appeals, and supported by licensee fees, to conduct an average of 21 investigations each month for the licensure boards. These semi-annual meeting are valuable to the Bureau and DIA as

an opportunity to identify the best methods to conduct investigations and provide inclusive and timely reports to the boards so they make fully informed decisions.

- 8. Guidelines for meal receipts** Board members are requested to adhere to the guidelines for submitting meal receipts fully in order to receive reimbursements. The guidelines identify the seven items that must be included with every meal receipt. Because credit card receipts are not acceptable, board members must be diligent in requesting and reviewing receipts at the time of service. The guidelines will be available at meetings and upon request at any time.
  
- 9. Bureau relocation** The Bureau is scheduled for relocation to the building that was previously Mercy Capitol on the Capitol Complex within the coming months. Professional Licensure will share physical space with the Plumbing Board and Emergency Medical Services. More information will be provided when available.