

940576

BIENNIAL REPORT OF EXAMINING AND LICENSING BOARDS

(Minnesota Statutes 1992, Section 214.07)

BOARD: Podiatric Medicine
LOCATION: 2700 University Avenue West, Room 40
St. Paul, Minnesota 55114
STATUTORY AUTHORITY: Minnesota Statutes, Sections 153.01-153.26
REPORT PERIOD: July 1, 1992 to June 30, 1994
SUBMITTED BY: Lois E. Mizuno, Executive Director
DATE: October, 1994

In accordance with Minnesota Statutes, Section 214.07, subdivision 1, copies of this report shall be delivered to: (A) the Legislature in accordance with Section 3.195 (1 copy to the Secretary of the Senate, 1 copy to the Chief Clerk of the House of Representatives, and 6 copies to the Legislative Reference Library); (B) the Governor; and (C) the Commissioner of Health.

In accordance with Laws of 1994, Chapter 559, Section 1, the cost of preparing this report is approximately \$450, including staff time, supplies, and printing.

BOARD OF PODIATRIC MEDICINE

Clause a: GENERAL STATEMENT OF BOARD ACTIVITIES - FY 93, FY 94

A new chapter in the history of the Board began on July 1, 1992: for the first time in remembered history the Board had unshared staff and its own separate office. The change occurred when the Executive Director of the Board of Psychology, who also provided the same services to this Board, retired from state service on June 30, 1992, and became the part-time Executive Director of this Board, serving on a contract-for-service basis. The Board moved to a different office, sharing its 385 square foot space with the Infection Control Rules Program authorized by 1992 law.

The number of licensees rose from 122 at the beginning of F.Y. 1993 to 128 at the end of F.Y. 1994, with a peak during F.Y. 1994 of 137. Non-renewals continue at a fairly high rate as the Board loses out-of-state and retiring licensees.

In F.Y. 1994, one licensee was disciplined and two licensees entered into and fulfilled corrective action agreements with the Complaint/Discipline Committee, a new form of protecting the public that is not considered discipline.

In F.Y. 1993, the Board participated in drafting rules requiring continuing education in infection control with respect to bloodborne pathogens, through the infection control rules program, along with the Boards of Chiropractic, Dentistry, Medical Practice, and Nursing. The participating boards reached their goal of requiring the same number of per year equivalent hours of continuing education in infection control. This Board's rule became effective on September 1, 1993. The Boards then initiated the longer process of promulgating joint rules on infection control standards and inspection procedures in non-hospital settings. The boards enlisted the help of professionals and the public in drafting the rules. In May, 1994 the Steering Committee (composed of one member and one staff person from each board, with assistance from the Health Department) approved the rules. This Board approved the rules for publication in June, 1994, as did the Boards of Nursing and Chiropractic. However, the rules were still pending at the end of F.Y. 1994.

In F.Y. 1994, faced with indirect cost obligations not anticipated at the time the F.Y. 1994-95 budget was adopted, the Board was forced to raise licensure and renewal fees for the first time since F.Y. 1989. Unfortunately, because of fewer new licensees and renewals than were anticipated, the revenue generated fell short by about \$3,500.

In May, 1994, the Board began drafting rule amendments designed to streamline and facilitate the temporary permit, licensure, renewal, and continuation functions. It is anticipated that the rules will become effective in F.Y. 1995.

During F.Y. 1993 and 1994, the Board participated in drafting legislation that

BOARD OF PODIATRIC MEDICINE

would provide services to health professionals whose practices may be impaired because of chemical dependency or other health problems, as an alternative to the disciplinary process for professionals in recovery who are willing to be monitored. It is believed that the new law will provide greater protection for the public by putting more impaired professionals into treatment because they would not have to face the public stigma of Board orders. This Board is one of five that agreed to participate during the first year of the program's operation.

Clause b: TOTAL NUMBER MEETINGS HELD FY 1993 _____ FY 1994 _____ FY 93 AND 94 _____

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING	HOURS			OTHER ACTIVITIES	HOURS		
	TYPE	FY 93	FY 94	FY 93, 94	TYPE	FY 93	FY 94	FY 93, 94
Bakke, Royal	Full Board	1.75	0	1.75				
Fjelstad, Kim	Full Board	1.50	8.50	10.00	Committee of Whole	0	1.50	1.50
					Infection Control Comm	2.50	12.00	14.50
					HPSP Program Committee	0	2.50	2.50
					Personal Interviews	0	6.00	6.00
					Joint Boards Meeting	0	2.50	2.50
					FPMB Annual Meeting	0	9.00	9.00
Jones, Jane	Full Board	1.50	8.50	10.00	Committee of Whole	0	1.50	1.50
					Personal Interviews	0	0.50	0.50

Clause b: TOTAL NUMBER MEETINGS HELD FY 1993 FY 1994 FY 93 AND 94: _____

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING	HOURS			OTHER ACTIVITIES	HOURS		
	TYPE	FY 93	FY 94	FY 93,94	TYPE	FY 93	FY 94	FY 93,94
Lochner, Richard	Full Board	6.25	4.00	10.25	Discipline Committee	3.00	11.00	14.00
					Personal Interviews	1.50	1.00	2.50
Rotramel, Ann	Full Board	6.25	0.00	6.25	Personal Interviews	3.00	0.50	3.50
Ryan, Daniel	Full Board	6.25	6.75	13.00	Committee of Whole	0.00	1.50	1.50
					Continuing Ed. Review	1.00	1.00	2.00
Sabbarn, Robert	Full Board	1.75	0.00	1.75	Personal Interview	0.50	0.00	0.50

Clause b: TOTAL NUMBER MEETINGS HELD FY 1993 FY 1994 FY 93 AND '94

APPROXIMATE TOTAL NUMBER OF HOURS SPENT BY BOARD MEMBERS IN MEETINGS AND ON OTHER BOARD ACTIVITIES.

BOARD MEMBER'S NAME	MEETING	HOURS			OTHER ACTIVITIES	HOURS		
	TYPE	FY 93	FY 94	FY 93, 94	TYPE	FY93	FY 94	FY 93, 94 & ..
Sperling, Judith	Full Board	0.00	3.25	3.25	Committee of Whole	0.00	1.50	1.50
					Personal Interview	0.00	0.50	0.50
Stone, Michael	Full Board	6.25	8.25	14.50	Committee of Whole	0.00	1.50	1.50
					Meetings of Board Chairs	8.00	16.25	24.25
					Infection Control Comm	5.00	0.00	5.00
					HPSP Drafting Committee	5.00	0.00	5.00
					Personal Interviews	0.50	1.50	2.00
Weitzel, Jean	Full Board	5.00	7.00	12.00	Committee of Whole	0.00	1.50	1.50
					Discipline Committee	3.00	3.50	6.50

MINNESOTA BOARD OF PODIATRIC MEDICINE

Clause c. THE RECEIPT AND DISBURSEMENT OF BOARD FUNDS

	<u>F.Y. 93</u>	<u>F.Y. 94</u>	<u>F.Y 93,94</u>
Total State Appropriation	30,000	30,000	60,000
Non-dedicated Fee Receipts	38,448	39,907	78,355
Disbursements (Within budget)	29,690	29,300	58,990
Indirect Costs			
Attorney General's Costs	8,271	8,217	16,488
State-wide Indirect Costs	<u>322</u>	<u>5,831</u>	<u>6,153</u>
Total Disbursements	<u>38,283</u>	<u>43,348</u>	<u>81,631</u>

COMMENTS

It should be noted that the failure of receipts to cover disbursements in F.Y. 1994 occurred in spite of the fact that the Board adopted a fee increase by rule to cover the huge unexpected statewide indirect cost (huge compared with the Board's appropriation), because of fewer persons seeking initial licensure and a greater number of licensees not renewing than had been anticipated. At \$500 per license or renewal, it takes only seven persons to make up the \$3,500 deficit.

BOARD OF PODIATRIC MEDICINE

Clause d: LIST OF BOARD MEMBERS WHO SERVED DURING FY 93, FY 94

Number of Board members required by statute: 7

Statutory Length of Term: 4 years

DPM = Doctor of Podiatric Medicine

<u>Member</u>	<u>Term</u>
Michael L. Stone, DPN, President Fargo Clinic Dept. of Orthopedics 736 Broadway Fargo, ND 58123	08/83 - 01/87 01/87 - 05/91 05/91 - 01/95
Royal B. Bakke 13620 Havelock Trail Apple Valley, MN 55124	01/85 - 01/89 01/89 - 01/93 Public Member, Retired
Kim Fjelstad, DPM 7373 France Avenue South #506 Edina, MN 55435	04/93 - 01/97
Jane P. Jones 2181 Cedar White Bear Lake, MN 55110	04/93 - 01/97 Public Member
Richard A. Lochner, DPM 400 S Minnesota Crookston, MN 56716	01/86 - 01/90 01/90 - 01/94
Ann Rotramel, DPM 1219 North 5th Street New Ulm, MN 56073	05/91 - 01/95 Resigned 07/01/94
Daniel F. Ryan, DPM 216 Kingwood Street Brainerd, MN 56401	03/92 - 01/96
Robert B. Sabbann, DPM 915 3rd Avenue SE Rochester, MN 55904	01/85 - 01/89 01/89 - 01/93
Judith Sperling, DPM Winnetka Foot Clinic 2445 Winnetka Avenue North Golden Valley, MN 55427	04/94 - 01/98
Jean Weitzel 1901 Summit St. Cloud, MN 56303	01/86 - 01/90 Pub. Memb. 01/90 - 01/94 01/94 - 01/98

BOARD OF PODIATRIC MEDICINE

Clause e: LIST OF BOARD EMPLOYEES SERVING DURING F.Y. 93, F.Y. 94

The Board had no complement of employees. Services were provided during the biennium by means of contract service performed by a former state employee who was Executive Director of the Board of Psychology and this Board, and who is now retired. The contract stipulates a maximum of 800 hours per year.

The person who provided services on a contract basis is:

Executive Director: Lois E. Mizuno

BOARD OF PODIATRIC MEDICINE

Clause f: SUMMARY OF RULES PROPOSED OR ADOPTED IN FY 93, FY 94

At the beginning of F.Y. 1993, the Board, together with the Boards of Chiropractic, Dentistry, Medical Practice, and Nursing, began joint drafting of rules related to continuing education in infection control, including bloodborne diseases. The boards agreed to require the per year equivalent of one hour of continuing education in infection control, following a Notice of Intent to Solicit Outside opinion that was published in the State Register on Monday, September 28, 1992, Vol. 17, pp 679-679.

Because each board has unique continuing education cycles, the actual number of continuing education hours required by any one board can be different from the other boards, although the per year equivalent is the same. Because the Board has a two-year renewal/continuing education cycle, two hours of continuing education in infection control are required for renewal, with one year required for any licensee who has been licensed for less than two years.

The proposed rules for all five boards were published in the State Register on Monday, March 29, 1993, Vol. 17. The rules for the Board of Podiatric Medicine appeared on pp 2314 to 2316.

Final adoption of this Board's rule was published in the State Register on Monday, August 23, 1993, Vol. 18, Number 8, pp 620-621.

In F.Y. 1994 an unexpectedly large statewide indirect cost assessed against the Board caused a negative balance to be projected. The Board was forced to raise fees for the first time since F.Y. 1989. The fee rule increased licensure and renewal fees from \$450 to \$500 (biennial rate) and temporary permit fees from \$200 to \$250 (one year rate), and also imposed a one-time special fee of \$15 to help cover what was thought to be a one-year bulge in statewide indirect costs. The proposed fee increase rule was published in the State Register on Monday, March 21, 1994, Vol. 18, Number 38, pp 2071-2072. Final adoption notice was published in the State Register on Monday, Tuesday, May 31, 1994, Vol. 18, Number 48, page 2483.

Clause g: LIST THE NUMBER OF PERSONS HAVING EACH TYPE OF LICENSE AND REGISTRATION ISSUED BY THE BOARD AS OF JUNE 30, 19: 94 (IN THE YEAR OF THE REPORT)

[illegible]

Clauses i, j, k: MINNESOTA RESIDENTS BY TYPE OF LICENSE/REGISTRATION

List the number of Minnesota Residents only who were (1) examined and either (2) Licensed/Registered or (3) Not licensed/registered after being examined for the type of license/registration noted. Use a separate page for each type of license or registration

TYPE OF LICENSE/REGISTRATION

PODIATRIC MEDICINE LICENSE

AGE GROUP	FY 93									FY 94									FY 93 AND FY 94								
	EXAMINED			PASSED LIC.			NOT LIC/REGIS			EXAMINED			PASSED LIC.			NOT LIC/REGIS			EXAMINED			PASSED LIC.			NOT LIC/REGIS		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Under 18																											
18-25																											
26-34	1	1	2	1	1	2	1	0	1	7	1	8	6	1	7	6	1	7	8	2	10	8	2	10	7	1	8
35-59	0	0	0				0	0	0	1	0	1	1	0	1	0	0	0	1	0	1	1	0	1	0	0	0
60-65																											
66 & Over																											
Total																											
Calculate % of Male and % of Female to the Total of Each Category																											
% of Total	50.0	50.0	100	50.0	50.0	100	100.0	0.0	100	88.9	11.1	100	87.5	12.5	100	85.7	14.3	100	81.8	18.2	100	85.7	14.3	100	87.5	12.5	100

Note: Although passing the PMLexis is required for Minnesota licensure, a fairly large number of persons taking the examination here are planning to become licensed in other states, so that there is no real correlation between passing the examination and becoming licensed in Minnesota.

Clauces i, j, k: **NON-MINNESOTA RESIDENTS BY TYPE OF LICENSE/REGISTRATION**

TYPE OF LICENSE/REGISTRATION

PODIATRIC MEDICINE LICENSE

See note at bottom of previous page.

PODIATRIC MEDICINE

BOARD

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF .

	FY 93	FY 94	FY 93,94
TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION	<u>10</u>	<u>11</u>	<u>21</u>
TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND DENIED LICENSES OR REGISTRATION	<u>0</u>	<u>0</u>	<u>0</u>

FOR EACH PERSON GIVE:

Type of Lic./Regis. DPM LIC.	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-65	66-	M	F		Grant	Deny	
FY 93	KINDIG	IL		X					X	PASSED PMLEX/IS IN ANOTHER STATE	X		Met all requirements for licensure
	COLLIER	IA		X				X			X		
	ROUW	PA		X				X			X		
	GUSTAFSON	WA		X					X		X		
	ADAMS	TX		X				X			✓		
	NIPP	IL		X				X			X		
	C. KRISTENSEN	IL		X				X			X		
	M. KRISTENSEN	IL		X					X		X		
	BUFFELLI	IL		X				X			X		
Y	NACHTIGAL	IA		X				X			X		
FY 94	MULLIN	LA		X				X		✓	X		✓

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.
 ** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

PODIATRIC MEDICINE

BOARD

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF .

TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION FY FY FY
 TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND DENIED LICENSES OR REGISTRATION

FOR EACH PERSON GIVE:

Type of lic./Regis. DPM LIC.	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-65	66-	M	F		Grant	Deny	
FY 94	PATENAUDE	MN		X				X		PASSED PALEXIS IN ANOTHER STATE	X		MET ALL REQUIREMENTS FOR LICENSURE
	STERNZMAN	MI		X				X			X		
	PETERSON	TX		X				X			X		
	BENTIN	IL		X					X		X		
	O'BORSKY	MN		X				X			X		
	ELLMAN	IL		X				X			X		
	MARIASH	OH			X			X			X		
	FRIDINGER	MN		X				X			X		
	CHUBB	IL		X				X			X		
	HANSEN	IL		X				X			X		V

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.

** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

PODIATRIC MEDICINE

BOARD

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF .

TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION	FY 93 <u>12</u>	FY 94 <u>16</u>	FY 95 <u>28</u>
TOTAL NUMBER OF PERSONS <u>NOT</u> TAKING EXAMS AND DENIED LICENSES OR REGISTRATION	<u>0</u>	<u>0</u>	<u>0</u>

FOR EACH PERSON GIVE:

Type of lic./Regis.:	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-65	66-	M	F		Grant	Deny	
TEMPORARY PERMIT													
FY 93 O'BOESKY	MN			X				X		APPLICATION	X		MET REQUIREMENTS FOR PERMIT
BOLLMAN	MN			X				X			X		
CAUTHEN	OK			X				X			X		
FOUSTES	MN				X			X			X		
MOORE	IL			X					X		X		
ADAMS	MN			X					X		X		
BEEVERS	IA			X				X			X		
FRITZ HAND	MN			X				X			X		
RECHKENAGH	IA			X					X		X		
BEETON	SD			X				X			X		
V ABER	PA			X				X			X		

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.
 ** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

PODIATRIC MEDICINE

BOARD

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF.

TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION FY 93 FY 94 FY 95
 TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND DENIED LICENSES OR REGISTRATION _____

FOR EACH PERSON GIVE:

Type of Lic./Regis. TEMPORARY PERMIT	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-65	66-	M	F		Grant	Deny	
FY 93 BENTON	IL			X					X	APPLICATION	X		MET REQUIREMENTS FOR PERMIT
FY 94 CRISWELL	ND				X			X			X		
	AYAU			X				X			X		
	BARONE			X					X		X		
	CORTEZ			X				X			X		
	DAVIES			X					X		X		
	FRAUM				X			X			X		
	MARTIN				X			X			X		
	MEINTS			X				X			X		
	MUNDINE			X					X		X		
✓	MURAD			X				X		✓	X		✓

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.

** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

PODIATRIC MEDICINE

BOARD

Clause 1: THE NUMBER OF PERSONS NOT TAKING EXAMINATIONS WHO WERE LICENSED OR REGISTERED BY THE BOARD OR WHO WERE DENIED LICENSING OR REGISTRATION WITH THE REASONS FOR THE LICENSING OR REGISTRATION OR DENIAL THEREOF.

TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND GRANTED LICENSES OR REGISTRATION FY 66 FY 67 FY 68
 TOTAL NUMBER OF PERSONS NOT TAKING EXAMS AND DENIED LICENSES OR REGISTRATION

FOR EACH PERSON GIVE:

Type of lic./Regis.;	State of Res.	AGE GROUP						SEX		* Method of Lic./Regis.			** Reasons for Granting or Denial
		0-18	18-25	26-34	35-59	60-65	66-	M	F		Grant	Deny	
TEMPORARY PERMIT													
FY 94 PELSANG	IA			X				X		APPLICATION	X		MET REQUIREMENTS FOR PERMIT
PETERY	MN			X				X			X		
SACCOMAN	MN			X				X			X		
SHEA	MN			X				X			X		
MOORE	IL			X					X		X		
✓ RECKENNER	IA			X					X	✓	X		✓

* IDENTIFY METHOD: e.g. Application, Reciprocity, Endorsements, Credential Evaluation, Comity, etc.
 ** REASONS FOR GRANTING OR DENIAL: Attach Additional Sheets if necessary.

Clause m: PERSONS PREVIOUSLY LICENSED OR REGISTERED BY THE BOARD
WHOSE LICENSES OR REGISTRATIONS WERE REVOKED, SUSPENDED
OR OTHERWISE ALTERED IN STATUS, WITH BRIEF STATEMENTS OF
THE REASONS FOR THE REVOCATION, SUSPENSION OR ALTERATION.

TOTAL number of revocations

TOTAL number of suspensions

TOTAL number of other status changes

FY '93	FY '94	FY'S 93, 94
0	0	0
0	0	0
8	10	18

TYPE OF LICENSE OR REGISTRATION (By case)	TYPE OF STATUS CHANGE			REASONS FOR EACH CHANGE IN STATUS FOR EACH CASE
	Revoked	Suspended	Other (Specify)	
DPM License			11	Voluntary Termination because of retirement, illness, or out of state residence
"			6	Administrative Termination for failure to pay renewal fee
"			1	Board Order of Restricted Lic- ense: improper touching of female patients

Clause n: LIST THE NUMBER OF COMPLAINTS AND OTHER COMMUNICATIONS RECEIVED BY THE EXECUTIVE SECRETARY, EACH BOARD MEMBER, EMPLOYEE OR OTHER PERSON PERFORMING SERVICES FOR THE BOARD

IN FY 93 19 Written
No.
12 Oral
No.

IN FY 94 12 Written
No.
6 Oral
No.

THAT ALLEGE OR IMPLY A VIOLATION OF A STATUTE OR RULE WHICH THE BOARD IS EMPOWERED TO ENFORCE. THESE TOTALS INCLUDE CASES REFERRED TO THE ATTORNEY GENERAL'S STAFF WHO ARE ASSIGNED TO ASSIST YOUR BOARD.

IN FY 93 0 Written
No.
0 Oral
No.

IN FY 94 2 Written
No.
0 Oral
No.

WHICH ARE FORWARDED TO OTHER AGENCIES AS REQUIRED BY M.S. 214.10.

Please indicate the number of complaints referred to each other governmental agency (Federal, State, and Local) in each fiscal year:

Clause o: SUMMARIZE, BY SPECIFIC CATEGORY, THE SUBSTANCE OF THE COMPLAINTS AND COMMUNICATIONS REFERRED TO IN CLAUSE (n) OF M.S. 214.07 AND AND, FOR EACH SPECIFIC CATEGORY, THE RESPONSES OR DISPOSITIONS THEREOF PURSUANT TO M.S. 214.10 and 214.11 (INDICATE AUTHORITY/ CITATIONS FOR DISPOSITION).

(Dispositions occurring during this period of complaints and communications received prior to July 1, 1992, and complaints and communications received but not disposed of as of June 30, 1994 should be included).

SUMMARY OF COMPLAINTS AND COMMUNICATIONS BY SPECIFIC CATEGORY

(Give number in each specific category)

SUMMARY OF RESPONSES AND DISPOSITIONS FOR EACH SPECIFIC CATEGORY

(Give number in each specific category)

	Total	Dismissed	Dismissed after corrective action	Disciplined	Pending at End of Period
153.19 GROUNDS FOR DISCIPLINARY ACTION.					
Subdivision 1. Grounds listed. The board may refuse to grant a license or may impose disciplinary action as described in this section against any doctor of podiatric medicine. The following conduct is prohibited and is grounds for disciplinary action:					
(1) failure to demonstrate the qualifications o. satisfy the requirements for a license contained in this chapter or rules of the board; the burden of proof shall be upon the applicant to demonstrate the qualifications or satisfaction of the requirements;	0	0	0	0	0
(2) obtaining a license by fraud or cheating or attempting to subvert the licensing examination process;	0	0	0	0	0
(3) conviction, during the previous five years, of a felony reasonably related to the practice of podiatric medicine;	0	0	0	0	0
(4) revocation, suspension, restriction, limitation, or other disciplinary action against the person's podiatric medical license in another state or jurisdiction, failure to report to the board that charges regarding the person's license have been brought in another state or jurisdiction, or having been refused a license by any other state or jurisdiction;	0	0	0	0	0
(5) advertising that is false or misleading;	1	0	0	0	1
(6) violating a rule adopted by the board or an order of the board, a state, or federal law that relates to the practice of podiatric medicine, or in part regulates the practice of podiatric medicine, or a state or federal narcotics or controlled substance law;	3	0	3	0	0
(7) engaging in any unethical conduct; conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient; or podiatric medical practice that is professionally incompetent, in that it may create unnecessary danger to any patient's life, health, or safety, in any of which cases, proof of actual injury need not be established;	13	10	1	0	2
(8) failure to supervise a preceptor or resident;	0	0	0	0	0

laue o: SUMMARIZE, BY SPECIFIC CATEGORY, THE SUBSTANCE OF THE COMPLAINTS AND COMMUNICATIONS REFERRED TO IN CLAUSE (n) OF M.S. 214.07 AND AND, FOR EACH SPECIFIC CATEGORY, THE RESPONSES OR DISPOSITIONS THEREOF PURSUANT TO M.S. 214.10 and 214.11 (INDICATE AUTHORITY/ CITATIONS FOR DISPOSITION).

(Dispositions occurring during this period of complaints and communications received prior to July 1, 1992, and complaints and communications received but not disposed of as of June 30, 1994 should be included).

SUMMARY OF COMPLAINTS AND COMMUNICATIONS BY SPECIFIC CATEGORY (Give number in each specific category)	SUMMARY OF RESPONSES AND DISPOSITIONS FOR EACH SPECIFIC CATEGORY (Give number in each specific category)				
	Total	Dismissed	Dismissed after corrective action	Disciplined	Pending at End of Period
153.19 GROUNDS FOR DISCIPLINARY ACTION.					
(9) aiding or abetting an unlicensed person in the practice of podiatric medicine, except that it is not a violation of this clause for a podiatrist to employ, supervise, or delegate functions to a qualified person who may or may not be required to obtain a license or registration to provide health services if that person is practicing within the scope of that person's license or registration or delegated authority;	1	0	0	1	0
(10) adjudication as mentally incompetent, or mentally ill, or as a chemically dependent person, a person dangerous to the public, or a person who has a psychopathic personality by a court of competent jurisdiction, within or without this state;	0	0	0	0	0
(11) engaging in unprofessional conduct that includes any departure from or the failure to conform to the minimal standards of acceptable and prevailing podiatric medical practice, but actual injury to a patient need not be established;	11	6	0	0	5
(12) inability to practice podiatric medicine with reasonable skill and safety to patients by reason of illness or chemical dependency or as a result of any mental or physical condition, including deterioration through the aging process or loss of motor skills;	0	0	0	0	0
(13) revealing a privileged communication from or relating to a patient except when otherwise required or permitted by law;	1	1	0	0	0
(14) improper management of medical records, including failure to maintain adequate medical records, to comply with a patient's request made under section 144.335 or to furnish a medical record or report required by law;	0	0	0	0	0
(15) accepting, paying, or promising to pay a part of a fee in exchange for patient referrals;	0	0	0	0	0
(16) engaging in abusive or fraudulent billing practices, including violations of the federal Medicare and Medicaid laws or state medical assistance laws;	0	0	0	0	0
(17) becoming addicted or habituated to a drug or intoxicant;	0	0	0	0	0

laue o: SUMMARIZE, BY SPECIFIC CATEGORY, THE SUBSTANCE OF THE COMPLAINTS AND COMMUNICATIONS REFERRED TO IN CLAUSE (n) OF M.S. 214.07 AND AND, FOR EACH SPECIFIC CATEGORY, THE RESPONSES OR DISPOSITIONS THEREOF PURSUANT TO M.S. 214.10 and 214.11 (INDICATE AUTHORITY/ CITATIONS FOR DISPOSITION).

(Dispositions occurring during this period of complaints and communications received prior to July 1, 1992, and complaints and communications received but not disposed of as of June 30, 1994 should be included).

SUMMARY OF COMPLAINTS AND COMMUNICATIONS BY SPECIFIC CATEGORY

(Give number in each specific category)

SUMMARY OF RESPONSES AND DISPOSITIONS FOR EACH SPECIFIC CATEGORY

(Give number in each specific category)

	Total	Dismissed	Dismissed after corrective action	Disciplined	Pending at End of Period
153.19 GROUNDS FOR DISCIPLINARY ACTION.					
(18) prescribing a drug for other than medically accepted therapeutic or experimental or investigative purposes authorized by a state or federal agency;	0	0	0	0	0
(19) engaging in sexual conduct with a patient or conduct that may reasonably be interpreted by the patient as sexual, or in verbal behavior which is seductive or sexually demeaning to a patient;	6	0	0	6	0
(20) failure to make reports as required by section 153.24 or to cooperate with an investigation of the board as required by section 153.20.	0	0	0	0	
Complaint did not involve a violation of law or was against a person not under Board's jurisdiction, or was referred	18	16	0	0	2

Disciplined: R = Revoked S = Suspended C = Conditional License
RS = Restricted License T = Terminated by Order

Statutory Authority: To Discipline: Minn. Stat. S 153.22
To Dismiss: Minn. Stat. S 214.10, subd. 1

BOARD OF PODIATRIC MEDICINE

Clause p: Any other objective information that would be useful in reviewing Board activities.

The table below indicates the number of podiatrists granted Temporary Permits to complete post-graduate training required for licensure. Permits are granted for a period of one year to podiatrists who hold the degree of Doctor of Podiatric Medicine and who have been accepted into approved residencies or preceptorships. Although this type of data appears in Clause 1, it is of interest to indicate the number of permit holders who seek licensure following their training period, and to summarize the data in table form.

Fiscal Year	Number Permits Granted	Number Obtaining MN Licensure
1989	4	2
1990	11	6
1991	16	4
1992	12	2
1993	12	4
1994	16	4

The table below indicates the geographical distribution of podiatrists holding Minnesota licenses as of June 30, 1994: Note that "border states" means Iowa, North and South Dakota, and Wisconsin. Most licensees in this group also practice in Minnesota

Geographical Area	Number of Licensees	Percent in Area
7 county metro area	57	44.6
outstate Minnesota	51	39.8
border states	16	01.3
other states	04	00.3
Total	128	100.0

BOARD OF PODIATRIC MEDICINE

Clause q: For all health-related boards except the Board of Veterinary Medicine, per Minn. Stat. S 214.10, Subd. 8 (b): provide a summary of each individual case (complaint or other communication) that involved possible sexual contact of a licensee with a patient or client. Each summary must include:

- (1) a description of the alleged misconduct;
- (2) the general results of the investigation;
- (3) the nature of board activities relating to the case;
- (4) the disposition of the case; and
- (5) the reasons for board decisions concerning the disposition.

The information disclosed must not include the name or specific identifying information about any person, agency, or organization. Include cases received prior to 07/01/90, but disposed of in FY 89,90, as well as cases received prior to 07/01/92 and pending.

Submitted	Concluded	Description	Results	Bd Activities	Disposition	Reasons
F.Y. 92	F.Y. 94	Alleged sexual touching, hugging improper comments	Negotiated Settlement	Investigation, Formal Conference Order of Restricted License, with mandatory retirement after one year	Order now in effect	Licensee agreed to negotiated settlement, as he had been convicted of disorderly conduct re the same cases
F.Y. 92						
F.Y. 93						
F.Y. 93						
F.Y. 93						
F.Y. 93						

Note that there were six separate complaints regarding the conduct of one licensee. Because the cases were similar, the description and sequence of events are the same for all six complaints.