

MINUTES

UTAH

**PODIATRIC PHYSICIANS
LICENSING BOARD
MEETING**

January 8, 2014

**Room 402 - 4th Floor – 8:30 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 A.M.

ADJOURNED: A.M.

Bureau Manager:
Board Secretary:
Compliance Assistant:

Noël Taxin
Tammy Baker
Debbie Harry

Board Members Present:

Francis J. Clark, DPM, Chairperson
Thomas G. Rogers, DPM
Bryan Jackman

Board Members Absent and Excused:

Douglas C. Flegal, DPM
Gary R. Ridge, DPM

Guests:

Candace Daly

DOPL Staff Present:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the October 2, 2013 Board meeting were read.

Dr. Rogers made a motion to approve the minutes as read. Mr. Jackman seconded the motion. The Board vote was unanimous.

APPOINTMENTS:

8:45 am

Debbie Harry, Compliance Update
Noël Taxin, Compliance Update

Ms. Harry updated the Board that the following are in compliance or out of compliance with their Stipulations and Orders:

- Dr. Gregory J. Gulso
Dr. Gulso is in compliance with his Stipulation and Order.

Dr. Rogers stated that Dr. Gulso should be released from probation due to his continued compliance.

Ms. Taxin stated that the Board can discuss that with Dr. Gulso and make a motion to release him from his probationary status.

- Dr. Kelly A. Gomez
Dr. Gomez is in compliance with his Stipulation and Order.
Ms. Harry stated that Dr. McBride, therapist for Dr. Gomez, recommends Dr. Gomez see him on a monthly basis rather than twice monthly.

9:00 am

Dr. Gregory J. Gulso, Probationary Interview

Dr. Rogers conducted the interview.

Dr. Gulso stated that he is meeting monthly with his supervising physician.

Dr. Rogers asked Dr. Gulso how he feels about terminating his probationary status.

Dr. Gulso stated that he feels comfortable with terminating his probation and feels that he will continue to be successful and apply what he has learned from his classes and from meeting with the Board.

Ms. Taxin stated that Dr. Gulso needs to submit a letter at the next Board meeting requesting termination. She stated that the letter needs to include what he's learned, what changes he's made

and why he thinks he will be safe without monitoring.

Ms. Taxin stated that a letter should also be submitted by Dr. Green which includes a summary stating what changes have been in the office and what changes have been made by Dr. Gulso. She stated that he also needs to state whether or not he would support terminating Dr. Gulso's probationary status.

The Board thanked Dr. Gulso for being in compliance with his Stipulation and Order.

Dr. Gulso's next meeting with the Board is scheduled for April 9, 2014.

10:35 am

Dr. Kelly A. Gomez, Probationary Interview

Dr. Gomez along with his supervising physician, Dr. Neilson, met for his probationary interview.

Dr. Rogers conducted the interview asking Dr. Gomez if he has a DEA registration.

Dr. Gomez stated that he is not sure if he has a DEA registration. He stated that the DEA told him that he should not prescribe CSII substances until they (the DEA) speaks to Ms. Taxin and gets back to Dr. Gomez in January, but they have not contacted him since that correspondence.

Dr. Rogers stated that the Board should make recommendations to the DEA to help Dr. Gomez keep his DEA registration, as not having one will affect Dr. Gomez's practice.

Ms. Taxin stated that she has not talked to the DEA. She stated that the DEA usually takes a long time to get back to people but they have written procedures that they have to abide by so the conversation with Dr. Gomez seems a little out of the ordinary.

Dr. Rogers stated that if Ms. Taxin talks to the DEA, the Board would like Ms. Taxin to let the

DEA know that the Board would like Dr. Gomez to have oversight, but feel that Dr. Gomez needs the ability to prescribe to his patients.

Dr. Rogers asked Dr. Neilson how he feels about how Dr. Gomez is doing.

Dr. Neilson stated that he is meeting weekly to bi-weekly with Dr. Gomez. Dr. Neilson stated that he has read reports, pulled charts, and interviewed staff. Dr. Neilson stated that Dr. Gomez has been in compliance as far as he could tell. He stated that the center of practice and office procedures have improved tremendously.

Dr. Neilson stated that as of November the prescriptions have been standardized according to what he would prescribe. Dr. Neilson stated that he has been very pleased with Dr. Gomez's charts and prescribing.

Ms. Taxin asked Dr. Gomez what the difference has been and why he thinks he has been doing better.

Dr. Gomez stated that he has not been compromising when it comes to boundaries and prescribing to patients.

Dr. Neilson asked the Board if he could start submitting his reports from monthly to quarterly.

Dr. Rogers made a motion that Dr. Gomez's supervisor reports be changed from monthly to quarterly with the understanding that Dr. Neilson will visit a minimum of every other week. Mr. Jackman seconded the motion. The Board vote was unanimous.

Dr. Rogers made motion to accept Dr. McBride's recommendation that Dr. Gomez sees him once a month rather than twice a month. Mr. Jackman seconded the motion. The Board vote was unanimous.

The Board thanked Dr. Gomez for being in compliance with his Stipulation and Order.

Dr. Gomez's next meeting with the Board is scheduled for April 9, 2014.

DISCUSSION ITEMS:

Approval of the Opioid Training for the UPMA

Ms. Daly submitted Power Point print out slides of the Opioid CE Course that the UPMA would like the Board to review and approve. She stated that many of her staff members have been finding data and information using the REMS outline.

Dr. Rogers stated that he took the UMA online lecture and it was not interactive, but he found it to be an excellent course, very informative and helpful. He stated that he intends to incorporate some changes within his own practice after taking the course.

Ms. Daly stated that her course would be interactive and would be presented as a lecture series.

Ms. Taxin stated that it may be nice to have a live version as it is preferred by some people, but she and the Board just received the slides and really have not had sufficient time to review them thoroughly.

Ms. Daly stated that the UPMA Annual Meeting is on February 8, 2014 and asked the Board to approve a preliminary course.

The Board voiced concerns that the UPMA course is not equivalent to the UMA course in content and that the course has not been accredited. The Board stated that the current set up would only allow credit to be earned for Podiatrist's and they wanted an accredited course that would count to all licensed prescribers.

The Board voiced concerns that they have not had time to thoroughly evaluate the UPMA course, but from what they have seen, it seems to be more statistically based. They were concerned that the course was not comparable to the UMA course.

Ms. Daly stated that the Power Point Slides were just bullet points and the lecturers would fill in the rest of the data during the lecture series.

Ms. Taxin stated that the entire course along with the lecturer's complete content should be submitted to the Board so the Board can have a full understanding of what the course will include.

Dr. Rogers stated that he would like to know who the lecturers would be and what their credentials are. He stated that they should include professionals that specialize in pain and opioid prescribing.

Ms. Daly stated that if Ms. Taxin could recommend a professional in pain management then she would ask them to be a lecturer. She stated at the moment the lecturer's would include Dave Miller and Kim Halladay, and possibly some others.

The Board reiterated the importance that the course needs to be approved as ACCME category 1.

Ms. Daly stated that the Board should approve the UPMA February 8, 2014 preliminary course and then she will seek accreditation and improvements after the initial trial presentation.

Dr. Clark asked Ms. Daly if the lecturers are knowledgeable enough to lecture.

Ms. Daly stated that she thinks that they are qualified to lecture and would like the Board to approve the February course.

Dr. Rogers made a motion to approve the February 8, 2014 series one, two hour test course. Mr. Jackman seconded the motion. The Board vote was unanimous.

The Board decided in collaboration with Dr. Rogers that he will evaluate the UPMA course and give feedback to Ms. Daly.

Dr. Rogers stated he learned a lot from the course and

is changing certain things in his own practice because the course was so beneficial and he would like all courses to meet the same standards as the UMA course.

The Board agreed that it is important for podiatrist's to feel confident in treating pain without becoming overly paranoid with treating patients in need.

Update on FSMB Prescribing Opioid Rule

Ms. Taxin informed the Board that the Opioid Guidelines Rule was updated to follow both the 2004 and 2013 version of the FSMB Model Policy for the Use of Opioid Analgesics in the Treatment of Chronic Pain and Model Policy.

Ms. Taxin informed the Board that the 2014-2016 Renewal cycle will require 4 hours of CME training on Prescribing Opioids.

Board Member Training

The Board postponed training until all Board members are present.

CORRESPONDENCE:

NBPME Newsletter

NEXT MEETING SCHEDULED FOR:

April 9, 2014

ADJOURN: 11:30 am

The time is 11:30 A.M and the Board meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

4/9/14
Date Approved


Chairperson, Utah Podiatric Physicians Licensing Board

1/24/14
Date Approved


Bureau Manager, Division of Occupational & Professional Licensing