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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF PODIATRY

TIME: 10:31 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Wednesday, December 20, 2023

State Board of Podiatry
December 20, 2023

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BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Eric B. Greenberg, D.P.M., J.D., Chairman
Dia D. McCaughan, D.P.M., Vice Chair
Christopher A. Seda, D.P.M.
William D. Fetchik, D.O.

BUREAU PERSONNEL:

Carole Clarke Smith, Esquire, Senior Board Counsel
Dean F. Picarella, Esquire, Board Counsel
Paul J. Jarabeck, Esquire, Senior Board Prosecutor
Timothy J. Henderson, Esquire, Board Prosecution
Liaison
Priscilla Turek, Board Administrator
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State

ALSO PRESENT:

Michael J. Paris, D.P.M., M.B.A., Hillside Foot and
Ankle Associates
Derek Richmond

1 ***

2 State Board of Podiatry

3 December 20, 2023

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 10:00 a.m. the Board entered into Executive
7 Session with Dean F. Picarella, Esquire, Senior Board
8 Counsel, for the purpose of conducting quasi-judicial
9 deliberations on a number of matters that are
10 currently pending before the Board and to receive the
11 advice of counsel. The Board returned to open
12 session at 10:30 a.m.]

13 ***

14 The regularly scheduled meeting of the State
15 Board of Podiatry was held on Wednesday, December 20,
16 2023. Eric B. Greenberg, D.P.M., J.D., Chairman,
17 called the meeting to order at 10:31 a.m.

18 ***

19 Introduction of Board Members/Attendees
20 [Priscilla Turek, Board Administrator, provided an
21 introduction of the Board members, staff, and
22 audience in attendance.]

23 ***

24 [Dean F. Picarella, Esquire, Senior Board Counsel,
25 noted the meeting was being recorded and voluntary

1 participation constituted consent to be recorded.

2 Mr. Picarella also noted the Board entered into
3 Executive Session for the purpose of conducting
4 quasi-judicial deliberations on a number of matters
5 that are currently pending before the Board and to
6 receive the advice of counsel.]

7 ***

8 Approval of minutes of the October 11, 2023 meeting

9 CHAIRMAN GREENBERG:

10 The first item on our agenda is approval
11 of the minutes from our last meeting in
12 October.

13 MR. PICARELLA:

14 Based upon discussions in Executive
15 Session, I believe the Board Chair would
16 entertain a motion to approve the minutes
17 of the October 11, 2023 meeting of the
18 Pennsylvania State Board of Podiatry as
19 presented.

20 CHAIRMAN GREENBERG:

21 Does anyone want to make that motion?

22 DR. SEDA:

23 I'll make the motion.

24 CHAIRMAN GREENBERG:

25 Bill, do you want to second it?

1 DR. FETCHIK:

2 Second.

3 CHAIRMAN GREENBERG:

4 May I have the vote?

5

6 Arion Claggett, aye; Eric Greenberg, aye;

7 Dia McCaughan, abstain; Christopher Seda,

8 aye; William Fetchik, aye.

9 [The motion carried. Dia McCaughan abstained from
10 voting on the motion.]

11 ***

12 Report of Prosecutors

13 [Timothy J. Henderson, Esquire, Board Prosecution
14 Liaison, had nothing to report from prosecution but
15 offered to answer any questions.

16 Paul J. Jarabeck, Esquire, Senior Board
17 Prosecutor, informed Board members that a document
18 was prepared but did not make the agenda and would be
19 on the agenda for the February meeting.]

20 ***

21 Report of Board Counsel

22 [Dean F. Picarella, Esquire, Senior Board Counsel,
23 announced, on behalf of regulatory counsel, that 16A-
24 4412 regarding the child abuse regulation was
25 published in the December 2, 2023 edition of the

1 *Pennsylvania Bulletin* at 53 Pa.B 7497. He noted
2 anyone interested should submit written comments
3 within 30 days following publication of the proposed
4 rulemaking. He also referred everyone to the *PA*
5 *Bulletin* for further instructions on how to submit
6 comments but noted comments could also be emailed to
7 ra-stregulatorycounsel@pa.gov.]

8 ***

9 Report of Board Chair - No Report

10 ***

11 Report of Acting Commissioner - No Report

12 [Arion R. Claggett, Acting Commissioner, Bureau of
13 Professional and Occupational Affairs, expressed his
14 pleasure to see everyone in person and welcomed them
15 on a tour of the building after the meeting.]

16 ***

17 Report of Board Administrator - No Report

18 [Priscilla Turek, Board Administrator, wished
19 everyone a happy holiday and Happy New Year.]

20 ***

21 Continuing Education Program Approval

22 [Dia D. McCaughan, D.P.M., Vice Chair, informed Board
23 members that Jefferson Northeast Health sent a
24 request for approval of 3 continuing medical
25 education (CME) hours and noted approving those hours

1 after reviewing the request.

2 Dr. McCaughan provided an overview of the CME
3 process. She explained that every speaker sends
4 their curriculum vitae (CV) and lecture or
5 presentation schedule with a breakdown of what would
6 be covered. She noted reviewing the information,
7 along with reviewing whether the lecture fulfills what
8 was checked as far as topics and then makes sure the
9 hours of the lecture meets the CME.]

10 MR. PICARELLA:

11 Based upon discussions in Executive
12 Session, I believe the Board Chair would
13 entertain a Motion to Ratify the Approval
14 of the Jefferson Northeast Health
15 Podiatry Grand Rounds February 22, 2024
16 Continuing Education Program.

17 CHAIRMAN GREENBERG:

18 May I have a motion to approve?

19 DR. SEDA:

20 Motion to approve.

21 CHAIRMAN GREENBERG:

22 May I have a second?

23 DR. FETCHIK:

24 Second.

25 CHAIRMAN GREENBERG:

1 May I have the vote?

2

3 Arion Claggett, aye; Eric Greenberg, aye;
4 Dia McCaughan, aye; Christopher Seda,
5 aye; William Fetchik, aye.

6 [The motion carried unanimously.]

7

8 For the Board's Information/Discussion - Board
9 Meeting Dates

10 [Eric B. Greenberg, D.P.M., J.D., Chairman, noted the
11 2024 and 2025 meeting dates have been established.]

12

13 For the Board's Information/Discussion - Old/New
14 Business - Annual Election of Officers

15 MR. PICARELLA:

16 I'm going to open the floor for
17 nominations for the position of Board
18 Chair for the upcoming year.

19 Do we have any nominations?

20 DR. MCCAUGHAN:

21 I'd like to nominate Eric Greenberg.

22 DR. SEDA:

23 Second.

24 MR. PICARELLA:

25 We have a first and a second on that

1 nomination.

2 Do we have any other nominations?

3 Seeing such, I will close nominations.

4 I believe the Board Chair would
5 entertain a motion to vote on the
6 election of Dr. Greenberg as the Board
7 Chair.

8 CHAIRMAN GREENBERG:

9 May I have a motion to vote?

10 DR. SEDA:

11 Motion to vote.

12 DR. FETCHIK:

13 Second the motion.

14 MS. TUREK:

15 Arion Claggett, aye; Eric Greenberg, aye;
16 Dia McCaughan, aye; Christopher Seda,
17 aye; William Fetchik, aye.

18 [The motion carried unanimously.]

19 ***

20 MR. PICARELLA:

21 I would open the floor for nominations
22 for the position of Vice Chair for the
23 upcoming year for the State Board of
24 Podiatry.

25 CHAIRMAN GREENBERG:

1 I nominate Dr. Seda.

2 DR. FETCHIK:

3 I second.

4 MR. PICARELLA:

5 We have a first and a second. Do we have
6 any other nominations? The nominations
7 are closed.

8 I believe the Board Chair could call
9 for a vote.

10 CHAIRMAN GREENBERG:

11 I call for a vote for Dr. Seda as Vice
12 Chair.

13
14 Arion Claggett, aye; Eric Greenberg, aye;
15 Dia McCaughan, aye; Christopher Seda,
16 aye; William Fetchik, aye.

17 [The motion carried unanimously.]

18 ***

19 MR. PICARELLA:

20 I would open the floor for nominations
21 for the position of Board Secretary for
22 the State Board of Podiatry for the
23 upcoming year.

24 CHAIRMAN GREENBERG:

25 I nominate Dr. Fetchik.

1 DR. SEDA:

2 Second.

3 MR. PICARELLA:

4 First and a second. Any other
5 nominations? The nominations are closed.

6 Would the Board Chair call for a
7 vote on that?

8 CHAIRMAN GREENBERG:

9 May we have a vote for the position of
10 Secretary of the state Board?

11

12 Arion Claggett, aye; Eric Greenberg, aye;
13 Dia McCaughan, aye; Christopher Seda,
14 aye; William Fetchik, aye.

15 [The motion carried unanimously.]

16

17 For the Board's Information/Discussion - Old/New

18 Business - Review Members for Act 41 Committee

19 [Priscilla Turek, Board Administrator, noted Dr.

20 McCaughan is the current member of the Act 41

21 Committee.

22 Mr. Picarella stated Act 41 was established a few
23 years ago to allow for ease of transportation of
24 licenses between other states and Pennsylvania. He
25 explained that it allows an individual with a license

1 in current good standing in another state or
2 jurisdiction to apply for a license in Pennsylvania
3 as long as their licensure requirements are
4 substantially similar to those in Pennsylvania.

5 Mr. Picarella noted Act 41 is similar to a
6 reciprocal license, where someone has a current
7 license in good standing and then presents their
8 education and licensure requirements to the Board for
9 review to make sure their requirements are
10 substantially similar to Pennsylvania to be granted
11 licensure by endorsement.

12 Dr. McCaughan believed that Act 41 Applications
13 only come across their desk if the administrator has
14 a question.

15 Ms. Turek commented that someone has to request
16 to be considered for licensure under Act 41, and she
17 had not processed any applications in the past.

18 Acting Commissioner Claggett further explained
19 that the Board has the ability to give a provisional
20 license for a year until they reach the standard
21 qualifications under Act 41 if an individual's
22 experience or education is short of what is required.

23 Chairman Greenberg appointed Dr. Fetchik as a
24 member of the Act 41 Committee and Dr. Seda as the
25 alternate.]

1 ***

2 For the Board's Information/Discussion - Old/New

3 Business - Review Members for CE Committee

4 [Eric B. Greenberg, D.P.M., J.D., Chairman, appointed
5 Dr. McCaughan as a member of the Continuing Education
6 Committee and Dr. Seda as the alternate.]

7 ***

8 For the Board's Information/Discussion - Old/New

9 Business - Review Members for Probable Cause

10 Screening Committee

11 [Eric B. Greenberg, D.P.M., J.D., Chairman,
12 reappointed Dr. McCaughan as a member of the Probable
13 Cause Screening Committee and Dr. Seda as the
14 alternate.]

15 Mr. Picarella explained that the member of the
16 Probable Cause Screening Committee would be given
17 information from prosecution for immediate review due
18 to concern for the safety of the public, including
19 immediate temporary suspension and suspension due to
20 a violation of an order.

21 Mr. Picarella also mention the Board wanted to
22 create a separate Applications Committee.]

23 MR. PICARELLA:

24 I believe the Board Chair would entertain
25 a motion to establish an Applications

1 Committee to review regular applications
2 to the state Board, which would consist
3 of two members and an alternate.

4 Do we have a motion to create such a
5 committee?

6 DR. SEDA:

7 I make the motion.

8 DR. FETCHIK:

9 Second.

10 CHAIRMAN GREENBERG:

11 I appoint myself; Dr. Seda; and one
12 alternate, Dr. Fetchik.

13 MR. PICARELLA:

14 Okay, that takes care of that.

15 ***

16 Public Comment

17 [Andrew LaFratte, MPA, Deputy Policy Director,
18 Department of State, addressed physician designation
19 for podiatrists. He stated information is still
20 being gathered, along with looking for possible
21 solutions with the Department of Human Services. He
22 noted the letters sent last month by the Board were
23 helpful as far as background information. He hoped
24 to have more of an update as they get into the new
25 year.

1 Chairman Greenberg commented that physician
2 designation is very important to the Board and
3 offered their services for any additional
4 information. He requested the Board be advised of
5 any objections, so the board could respond rather
6 than it being done without any communication.

7 Michael J. Paris, D.P.M., M.B.A., Hillside Foot
8 and Ankle Associates, congratulated all the newly
9 elected officers. He commented that the Board is in
10 good hands and thanked the Board and the Department
11 of State for the proclamation of gratitude for his
12 service to the Board.

13 Dr. Paris noted the importance of members of the
14 public and members of the profession attending and
15 participating in the meetings.

16 Dr. McCaughan stated podiatrists have been added
17 to the list to certify patients for medical cannabis
18 but is awaiting the governor's signature. She
19 reported that a journalist posted that podiatrists
20 can write for cannabis now in the Podiatry Management
21 News but wanted to clarify that they are not licensed
22 to write for cannabis at this time.

23 Dr. McCaughan noted the Board has been working on
24 the cannabis issue behind the scenes for a year and a
25 half and the list of medications for a year and a

1 half.]

2

3 Amendment to the Agenda

4 MR. PICARELLA:

5

I believe the Board Chair would entertain

6

a motion to amend the December 20, 2023

7

State Board of Podiatry Agenda to add

8

agenda item 10, establishment of an

9

Applications Committee.

10

Do I have such a motion?

11 CHAIRMAN GREENBERG:

12

May I have a motion to add item 10 to

13

today's agenda?

14 DR. SEDA:

15

I make the motion.

16 DR. FETCHIK:

17

Second.

18 CHAIRMAN GREENBERG:

19

Roll call.

20

21

Arion Claggett, aye; Eric Greenberg, aye;

22

Dia McCaughan, aye; Christopher Seda,

23

aye; William Fetchik, aye.

24 [The motion carried unanimously.]

25

1 Adjournment

2 CHAIRMAN GREENBERG:

3 Thank you all for attending this meeting.
4 Merry Christmas and Happy New Year. See
5 you next year.

6 The meeting is concluded.

7 ***

8 [There being no further business, the State Board of
9 Podiatry Meeting adjourned at 11 a.m.]

10 ***

11

12 CERTIFICATE

13

14 I hereby certify that the foregoing summary
15 minutes of the State Board of Podiatry meeting, was
16 reduced to writing by me or under my supervision, and
17 that the minutes accurately summarize the substance
18 of the State Board of Podiatry meeting.

19

20

21



22

Derek Richmond,

23

Minute Clerk

24

Sargent's Court Reporting

25

Service, Inc.

26

STATE BOARD OF PODIATRY
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TIME	AGENDA
10:00	Executive Session
10:30	Return to Open Session
10:31	Official Call to Order
10:31	Introduction of Board Members/Attendees
10:33	Approval of Minutes
10:33	Report of Prosecutors
10:34	Report of Board Counsel
10:36	Continuing Education Program Approval
10:39	For the Board's Information/Discussion
10:52	Public Comment
10:59	Amendment to the Agenda
11:00	Adjournment