

## MINUTES

### UTAH PODIATRIC PHYSICIAN BOARD MEETING

November 4, 2010

Room 402 – 4<sup>th</sup> Floor – 8:30 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 8:45 A.M.

**ADJOURNED:** 9:58 A.M.

**Bureau Manager:**

Noel Taxin

**Board Secretary:**

Karen McCall

**Board Members Present:**

Michael K. Lowe, DPM, Chairperson

Francis J. Clark, DPM

Suzanne Ferry

Thomas G. Rogers, DPM

Gary R. Ridge, DPM

**Guests:**

Candace Daly, Utah Podiatric Association

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

#### **ADMINISTRATIVE BUSINESS:**

#### **MINUTES:**

The minutes from the September 23, 2010 Board meeting were read.

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

#### **APPOINTMENTS:**

#### **8:45 am**

Review Additional Information for Dr. Robert B. Basinger's Application for Licensure

Dr. Lowe briefly explained the Board would re-review Dr. Basinger's application and the additional information the Board requested at the September 23, 2010, Board meeting. He stated Dr. Basinger's practice is a non-surgical practice with no disciplinary action since 1985. He explained Dr. Basinger has malpractice insurance for a limited scope as he

practices but could increase that insurance to include the full scope of practice. Dr. Lowe stated Dr. Basinger reported he is semi-retired to Utah but wants to be able to do some volunteer work and would need the license for those services.

**The Board inquired regarding licensure options.**

**Ms. Taxin explained the Board could recommend a restricted license and list the specific procedures he could or could not perform. She stated the justification for a restricted license would be based on Dr. Basinger's lack of a residency program and willingness to currently complete one. She stated Dr. Basinger has suggested he would accept a limited license. She stated the Board should review the additional information Dr. Basinger was requested to submit and then they could make a motion to issue full licensure, a restricted license or deny the application.**

**Following the review and discussion, Dr. Ridge made a motion to issue a non-disciplinary restricted license based on the restrictions mentioned under the Podiatry Insurance Company of America, PICA, restrictions which will not allow Dr. Basinger to expand his practice. The restrictions are:**

- 1. Dr. Basinger shall not perform or assist in any type of surgical procedure, including osseous surgery on metatarsals, osseous surgery on tarsals, osseous surgery on digits, and tenotomies.**
- 2. Dr. Bassinger may perform non-surgical procedures, including nail procedures, incising and draining of abscesses, and the excising of verruca, mollescum, contagiosum, dermal cysts, and other benign lesions.**
- 3. If Dr. Bassinger successfully completes a residency program as required by current Law he may submit a request to the Board/Division requesting that the restriction be lifted.**

**Dr. Clark seconded the motion.**

**The Board vote was unanimous.**

**Dr. Rogers asked if similar applications are received would the Board have to review them also.**

**Ms. Taxin responded yes. She stated each application would be reviewed on an individual basis, the minutes from this meeting would be reviewed and the Board would make a recommendation based on the information submitted. Ms. Taxin stated she will have Mitchell Jones, Assistant Attorney General, write up the restricted Order for Dr. Bassinger to review and sign and the license will be issued upon receiving the signed Order.**

**DISCUSSION ITEMS:**

FYI

Ms. Taxin informed the Board that there will be a probationer coming to meet with the Board. She stated she will notify the Board and determine meeting dates at that time.

Annual Board Member Training

Ms. Taxin conducted the Board member training.

Ms. Taxin reminded the Board she had distributed the Board Member Training document, requested the Board to review it, be prepared for discussion today and ask any questions they may have.

Ms. Taxin reviewed the Open and Public Meetings Act guidelines with formal Board meetings for business and reminded the Board that all Board meetings are recorded with the recording being retained for a year. She reviewed the guidelines for Board meetings and explained that Board business must be conducted in the formal Board meeting with an agenda having been posted 24 hours in advance for any interested public people to be able to attend. She explained additional agenda items cannot be added after the 24 hour deadline and will be on the next scheduled Board meeting agenda. She explained a quorum of Board members is required to make decisions with motions and votes. Ms. Taxin explained the purpose for closing a meeting and stated with the Open Public Meetings Act there are very few

reasons to close a meeting for the public to leave. Ms. Taxin reviewed electronic (telephonic) participation by Board members and for interviews. She stated Board members and public visitors may be requested to leave a Board meeting if they are being disruptive. Ms. Taxin covered the issue of requesting a probationer, an applicant or any individual to leave the meeting for Board discussion and stated meetings are open and comments should be made to the individual in order for them to understand the issues. She stressed the importance of Board members being professional, remembering they are here to protect the public, to be fair, attentive and balanced in their comments and decisions. She stated Board members should be respectful to each other as well as any probationers, visitors or appointments. She stated they should listen and consider other view points; sometimes being creative but clear and open in communication and hold judgment until after all the facts have been presented. Ms. Taxin recommended the Board review and be familiar with their Laws and Rules in order to make correct decisions. She stated they should be positive role models.

Ms. Taxin covered the fire drill and her expectations for everyone to get out of the building and meet across the street in the parking lot to be accounted for. She asked the Board to let her know if they have any special needs and to be aware of any visitors who may have special needs in order for her to get assistance for Board members or visitors. Ms. Taxin reviewed the fire escape locations.

Ms. Taxin asked if there were any Board questions.

**Board members thanked Ms. Taxin for the review but had no questions at this time.**

Statute Update

Ms. Taxin reminded the Board of the discussion at the last Board meeting regarding endorsement language. She stated Ms. Daly was going to present language for the Board/Division to review and asked if Ms. Daly was prepared at this time.

**Ms. Daly responded she did prepare language but the Association Board is having a meeting and she**

**wanted to present the information to them to review and discuss first. She stated if the Association Board agrees they will try to put the changes through the 2011 Legislative session.**

Ms. Taxin stated the Licensing Board may not need to meet if Ms. Daly gets the language to her to review as Ms. Taxin could send it out for the Board to review.

**Dr. Lowe suggested to Ms. Daly for the Association to consider the consequences of amending the Law, i.e.: he questioned practitioners practicing for years not meeting requirements.**

**Ms. Daly stated she contacted Michelle McOmber, UMA, who stated the UMA is working on language for the Medical Practice Act only and not language that would be universal for all medical professions. Ms. Daly stated she believes the only change for Podiatry would be to take out the 58-1-302 reference in the Podiatry Practice Act endorsement section. Ms. Daly stated she will get a copy of the changes to Ms. Taxin after the Association Board meets.**

2011 Board Meeting Schedule

The Board noted the following tentative 2011 Board meeting dates: May 19 and November 17, 2011.

**NEXT MEETING SCHEDULED FOR:**

May 19, 2011

**ADJOURN:**

The time is 9:58 am 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.*

February 16, 2012  
Date Approved

(ss) Francis J. Clark, DPM  
Chairperson, Utah Podiatric Physician Licensing Board

November 10, 2010  
Date Approved

(ss) Noel Taxin  
Bureau Manager, Division of Occupational & Professional Licensing