

# **PODIATRIC MEDICAL EXAMINERS ADVISORY BOARD**

## ***Licensing Division Staff Report***

*April 15, 2019*

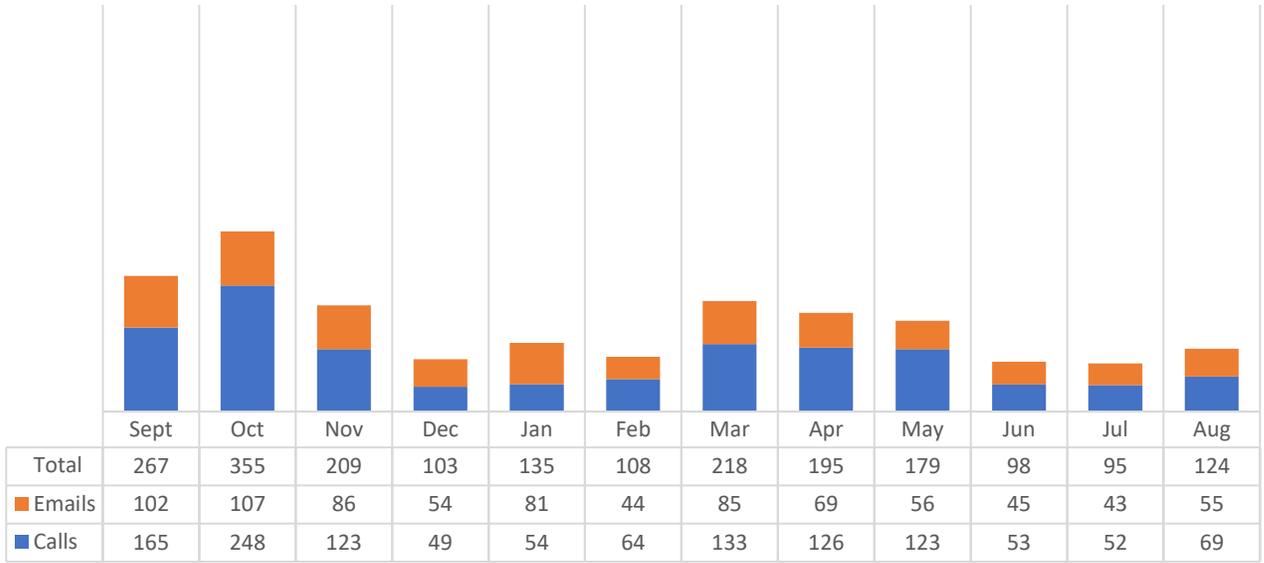
### DOCTOR OF PODIATRIC MEDICINE

	New	Renewed Licenses Issued	Online Renewals	Renewed % Online	Population
FY2018	109	1083	1042	96%	1191
FY2019 QTR 1	5	1083	1056	97%	1152
FY2018 QTR 2	10	5	4	80%	1160

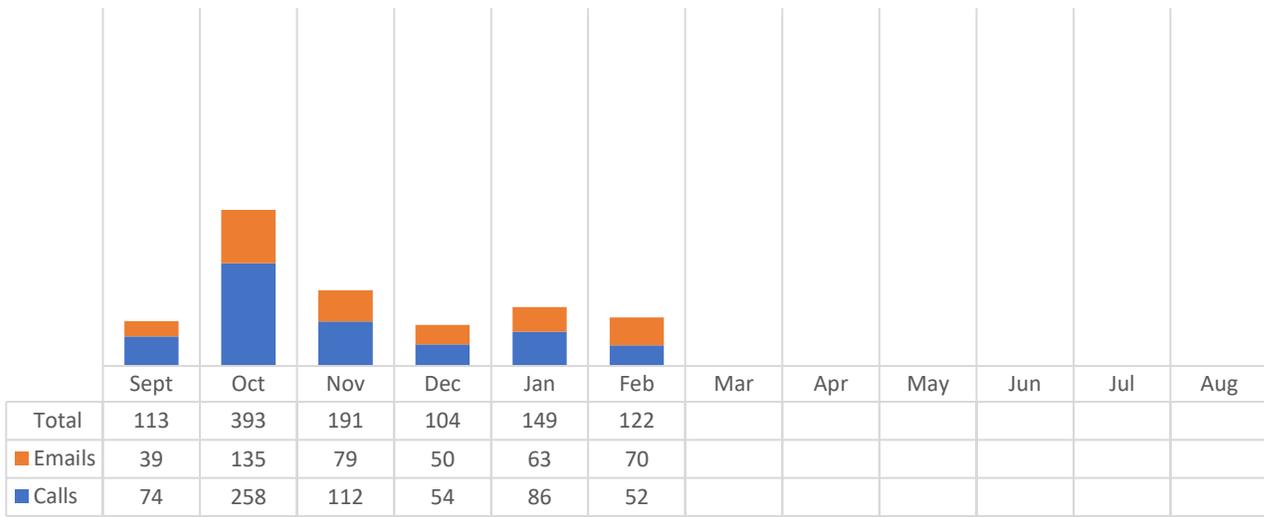
### Podiatric Medical Radiological Technician

	New	New % Online	Renewed	Renewed % Online	Population
FY2018	82	N/A	353	N/A	442
FY2019 QTR 1	19	N/A	161	N/A	419
FY2018 QTR 2	27	N/A	178	N/A	380

**PODIATRY  
CUSTOMER SERVICE CONTACTS  
FISCAL YEAR 2018**



**PODIATRY  
CUSTOMER SERVICE CONTACTS  
FISCAL YEAR 2019**



## **Podiatric Medical Examiners Advisory Board**

### **Enforcement Division Staff Report**

**April 15, 2019**

#### **Current Projects**

- On March 7, 2019, we met with the Enforcement Workgroup of the Podiatric Medical Examiners Advisory Board to develop the penalty matrix for this program. A draft of this matrix is on the agenda today for your consideration. The advisory board members appointed to the workgroup are Dr. Lunsford, Dr. Martin, and Dr. Pietzsch.
- On March 18, 2019 Carla James, Deputy Executive Director and Hemant Makan, Enforcement Management Analyst observed Harold A. Ledger, DPM performing various podiatric surgeries at the Seton Medical Center in Harker Heights, TX. Dr. Ledger served as the Vice President of the Texas State Board of Podiatric Medical Examiners from 2009-2017. He is board certified in Reconstructive Rearfoot and Ankle Surgery by the American Board of Foot and Ankle Surgery (ABFAS). As part of the TSBPME Sunset review and program transfer efforts to TDLR, Dr. Ledger opened his practice to Sunset staff and now to TDLR staff to learn firsthand what podiatric medicine is, who podiatric physicians are and what podiatric physicians do in treating any disease, disorder, physical injury, deformity, or ailment of the human foot by any system or method. Carla and Hemant were able to scrub-up and see podiatric surgeries in action and how multi-disciplinary hospital medical staff make up a team to serve the patient, in addition to the equipment & procedures that are used. Moving forward, over the next 3-4 months, Dr. Ledger will be hosting Enforcement staff (prosecutors & investigators) and Regulatory Program Management staff at his practice (Ledger Foot and Ankle Clinic) in Harker Heights, TX to shadow him in action treating post-operative surgical and new/existing patients.

#### **Case Highlights**

- An Agreed Order was entered on September 4, 2018, in which Respondent accepted an administrative penalty of \$1,000 for failing to obtain the required 50 CME hours for the 2013-2015 audit period. The Respondent has paid the penalty in full.
- An Agreed Order was entered on February 12, 2019, in which Respondent accepted an administrative penalty of \$2,250 for ordering genetic testing on a patient whose medical condition did not warrant such testing. Respondent did not obtain consent in writing from the patient and did not inform the patient of the fee to be charged before the testing was performed. The Respondent has paid the penalty in full.
- An Agreed Order was entered on February 12, 2019, in which Respondent accepted an administrative penalty of \$1,500 for failing to provide a patient with enough information about the nature and extent of the treatment needed to allow the patient to give informed consent prior to surgery. To date, the Respondent has made one payment of \$250.

### **Key Statistics – Fiscal Year 2019**

Shown below are key statistics for the Podiatry program and for all TDLR programs combined through February of Fiscal Year 2019.

<b><u>Statistic</u></b>	<b><u>POD</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	46	5,338
• Number of cases resolved:	58	4,862
• Number of Agreed Orders:	3	506
• Total amount of penalties assessed:	\$5,000	\$1,325,175
• Total amount of penalties collected:	\$3,500	\$613,968

### **Key Statistics – Fiscal Year 2018**

Shown below are key statistics for the Podiatry program and for all TDLR programs combined for Fiscal Year 2018.

<b><u>Statistic</u></b>	<b><u>POD</u></b>	<b><u>TDLR</u></b>
• Number of cases opened:	118	10,585
• Number of cases resolved:	38	9,833
• Number of Agreed Orders:	0	1,295
• Total amount of penalties assessed:	\$0	\$3,209,055
• Total amount of penalties collected:	\$0	\$1,528,594

## PODIATRIC MEDICAL EXAMINERS ADVISORY BOARD

APRIL 15<sup>TH</sup>, 2019

TDLR staff have been working with PSI, the agency's third-party exam vendor, and subject matter experts to make improvements and updates to several of the exams for our medical and health programs.

Podiatric Physician Jurisprudence exam candidates will be provided with an exam content outline for guidance, score report feedback, and an updated reference list of study materials. Podiatric Physician Jurisprudence exam improvements will go into effect April 1, 2019. Please see the [Candidate Information Bulletin \(CIB\)](#) for details and note that the exam fees will remain the same.

### EDUCATION AND EXAMINATION STATISTICS AND TRENDS

(AS OF FEBRUARY 28<sup>TH</sup>, 2019)

FY 2019	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS	2	1	1	4	0	1	2	3	-	-	-	0	-	-	-	0	7
FAIL	0	0	0	0	0	0	0	0	-	-	-	0	-	-	-	0	0
TOTAL	2	1	1	4	0	1	2	3	-	-	-	0	-	-	-	0	7
RATE	100%	100%	100%	100%	100%	100%	100%	100%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100%

FY 2018	SEP	OCT	NOV	Q1	DEC	JAN	FEB	Q2	MAR	APR	MAY	Q3	JUN	JUL	AUG	Q4	TOT
PASS		2	2	4	0	0	1	1	1	18	5	24	17	6	2	25	54
FAIL		0	0	0	0	0	0	0	0	1	1	2	0	0	0	0	2
TOTAL		2	2	4	0	0	1	1	1	19	6	26	17	6	2	25	56
RATE		100%	100%	100%	0.0%	0.0%	100%	100%	100%	94.7%	83.3%	92.3%	100%	100%	100%	100%	96.4%

**Regulatory Program Management Division Staff Report**  
**Texas Department of Licensing and Regulation**  
**Podiatric Medical Examiners Advisory Board Meeting**  
**April 15, 2019**

**Personnel Updates**

- Steve Uecker has been assigned as the podiatry program lead in RPM. Steve began working with TDLR in September 2018. He was previously with the Texas Department of State Health Services where he served for four years as an environmental program coordinator. He has been working closely with Hemant Makan and Colleen Tran on implementation of the Prescription Monitoring Program (PMP).
- Katie Brice, who has been with TDLR since September 2016, has been assigned to support the podiatry program as well. Katie is a former DSHS program director and has experience with multiple medical and health profession programs.

**Update and Discussion Regarding Podiatry Program Activities**

- Staff conducted a standard of care workgroup meeting on March 4. Topics covered by the workgroup included proposed rule changes relating to; Temporary Residence Status, Voluntary Charity Care status, removal of the prohibition of testimonials in advertising, and a new Responsible Prescription Guidelines section.
- Staff participated in other workgroup meetings for Licensing and Enforcement.
- RPM staff have been working with other divisions as TDLR continues to integrate and improve the podiatry program.
- RPM will update the program webpages as needed due to rule changes and the continued implementation of the PMP requirements.
- Program staff continue to work with the Pharmacy Board to facilitate registration and education about the PMP program to podiatrists. The Pharmacy Board shared informational table tents with us that will be used at upcoming conferences to spread the word about PMP requirements.

**Public Outreach**

- Medical and Health Professions Program Specialist, Steven Uecker, along with Colleen Tran, Assistant General Counsel, Laura Hernandez, Licensing Manager, and Dede McEachern, Licensing Director staffed a booth at the Texas Podiatric Medical Association's (TPMA) Southwest Foot and Ankle Conference in Frisco, October 4-7, 2018. Brian Francis, Executive Director, provided an update on TDLR.
- We will attend the June 2019, TPMA Annual Conference in Bastrop and the TPMA Southwest Foot and Ankle Conference in Frisco this September. Hemant Makan and Steve Uecker will present PMP implementation updates, review rule changes, and provide information on all legislative changes that will impact the regulation or practice of podiatry.

**Medical & Health Professions Section Update**

- MHP staff have been busy this legislative session. Staff have reviewed over 50 bills, analyzed the impact of the proposed legislation and served on cost estimate teams for bills that relate to the medical and health profession programs.
- MHP has produced and distributed six issues of the TDLR Health Monitor. The latest issue can be found on the program web page. Links to previous issues can be found under Agency Newsletters on the main TDLR page.