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**DEPARTMENT OF HEALTH
MEDICAL QUALITY ASSURANCE
BOARD OF ORTHOTISTS & PROSTHETISTS**

**MINUTES - DRAFT
GENERAL BUSINESS MEETING**

By Telephone Conference

December 14, 2011

14 **CALL TO ORDER:**

15 Mr. Ronald Gingras, Chairman, called the meeting to order at 10:00 a.m. Those present
16 for all or part of the meeting included the following:

17
18 **MEMBERS PRESENT:**

19 Ronald Gingras, Chair
20 Hugh Panton, Vice-Chair
21 Tommy Chmielewski
22 Steven Mersch
23

24 **MEMBER NOT PRESENT:**

25 Erik Nilssen, M.D. (Excused)
26

27 **STAFF PRESENT:**

28 Bruce Deterding, Board Executive Director
29 Sharon Guilford, Program Operations Administrator
30 Michele Jackson, Regulatory Supervisor
31 Edith Rogers, Regulatory Specialist II
32

33 **BOARD COUNSEL:**

34 David Flynn, Senior Assistant Attorney General
35 Office of Attorney General
36

37 Mr. Gingras suggested that the Board would discuss recent rule changes. Discussion
38 ensued as to which version of several documents presented to the board would be used
39 as a base document and the board decided to use the version provided with the board
40 agenda materials. Mr. Morris Gallo, representing the Florida Association of Orthotists
41 and Prosthetists, was present with some notes and participated with the Board in the
42 discussion.

43
44 **64B14-4.005 Documentation of Eligibility for Registration**
45

46 In order to establish eligibility for registration as an orthotic, or prosthetic, resident or
47 intern under Section 468.803(3)(a) or (b), F.S., the applicant must submit a completed
48 Application Form for Orthotic or Prosthetic Internship/Residency Program, form number
49 DH-MQA 1126, ~~07/09~~, hereby adopted and incorporated by reference, which is available
50 from the Board office or at the Board's website:
51 <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

- 1 (1) (A) An official transcript from the regionally accredited institution at which the
2 applicant's Baccalaureate or post-graduate degree was awarded, indicating the
3 degree awarded. Or,
4 (B) Applicants for initial Registration only, having completed their degree
5 requirements at a recognized prosthetics and orthotics degree program within 45
6 days of their registration application, AND, whose transcript is not yet available, may
7 instead of an official transcript submit:
8 1. A letter sent directly to the Board on school letterhead, signed by the orthotics
9 and prosthetics degree program's Director, documenting the applicant has
10 completed the prosthetic and orthotic's degree curriculum and is eligible and
11 due to graduate, and specifying the degree to be awarded, and
12 2. A copy of the applicant's request for a certified transcript addressed to be
13 sent directly to the Board.
14 (2) through (5) no change
15

16 **Mr. Gingras moved to approve the above language. The motion was seconded**
17 **and carried 4/0.**
18

19 **Mr. Gingras moved that the proposed rule would not have any adverse impacts on**
20 **small businesses and would not be likely to directly or indirectly increase**
21 **regulatory costs to any entity (including government) in excess of \$200,000 in the**
22 **aggregate in Florida within 1 year after the implementation of the rule. The motion**
23 **was seconded and carried 4/0.**
24

25 **Mr. Gingras moved to withdraw the Notice of Rule Development on Rule 64B14-**
26 **4.005, F.A.C. The motion was seconded and carried 4/0.**
27

28 **64B14-4.003 Documentation of Eligibility for Licensure.**
29

30 (1) In order to establish eligibility for licensure as an orthotist or prosthetist under
31 Section 468.803~~(3)~~(5)(a) or (b), F.S., the applicant must submit an Application for
32 Licensure, form DH-MQA 1132, ~~8/08~~ 12/11, herein incorporated by reference, which is
33 available from the Board office or

34 (a) An official transcript from the regionally accredited institution at which the
35 applicant's Baccalarate or post-graduate degree ~~Bachelor of Science degree~~ was
36 awarded, indicating the degree awarded.

37 (b) If the applicant's ~~bachelor's~~ degree was not awarded in orthotics and prosthetics,
38 documentation from the CAAHEP approved program certifying completion of completion
39 of an orthotics or prosthetics program, as applicable, , recognized by the CAAHEP.
40

41 **(c) - (e) unchanged**

42 (2) In order to establish eligibility for licensure as an orthotic fitter under Section
43 468.803~~(3)~~(5)(c), F.S., the applicant must provide at a minimum:

44 **(a) - (e) unchanged**
45

46 (3) In order to establish eligibility for licensure as an orthotic fitter assistant under
47 Section 468.803~~(3)~~(5)(d), F.S., the applicant must provide at a minimum:

48 **(a) - (d) unchanged**
49

50 (4) In order to establish eligibility for licensure as a pedorthist under Section

1 468.803(3)(5)(e), F.S., the applicant must provide at a minimum:

2 (a) A high school diploma or a certified GED certificate.

3 (b) An original letter from the head of a training program(s) approved by the Board
4 for Certification in Pedorthics (BCP), or ABC, attesting to the inclusion of training as
5 provided in paragraph 64B14-4.110(3)(a), F.A.C.

6 (c) - (d) unchanged
7

8 **Mr. Gingras moved to withdraw the Notice of Rule Development on Rule 64B14-
9 4.003, F.A.C. The motion was seconded and carried 4/0.**

10
11 **Mr. Gingras moved to adopt the above language. The motion was seconded and
12 carried 4/0.**

13
14 **Mr. Gingras moved that the proposed rule would not have any adverse impacts on
15 small businesses and would not be likely to directly or indirectly increase
16 regulatory costs to any entity (including government) in excess of \$200,000 in the
17 aggregate in Florida within 1 year after the implementation of the rule. The motion
18 was seconded and carried 4/0.**

19
20 **64B14-5.002 Continuing Education Requirement.**

21
22 (1) As a condition of license renewal or recertification, each licensee must complete
23 approved continuing education.

24 (a) Each licensee must complete the following continuing education within 24 months
25 immediately preceding the date license renewal is due:

26 1. Orthotists/Prosthetists: 30 hours.

27 2. Pedorthists: 30 hours.

28 3. Orthotic Fitters: 20 hours.

29 4. Orthotic Fitter Assistants: 10 hours.

30 5. Any licensee holding more than 1 license must complete a minimum of 30 hours of
31 continuing education.

32 (b) ~~For the biennium beginning December 1, 2009, e~~ Each licensee's continuing
33 education must include the mandatory courses as identified in Rule 64B14-5.005, F.A.C.

34 (2) At least ~~90%~~ 50% of the continuing education hours used to meet the
35 requirements of these rules consist of one or more of the following:

36 (a) Orthotics/prosthetics/pedorthics practice areas and special health care problems;

37 (b) Biological, physical, and behavioral sciences.

38 (3) ~~Up to 10% of the~~ The remaining continuing education requirement of these rules
39 may be satisfied by courses in business and practice management including courses
40 covering the following topics:

41 (a) Legal aspects of health care;

42 (b) Management of health care personnel;

43 (c) Health insurance issues;

44 (d) Facility management;

45 (e) Practice and risk management.

46 (4) Each licensee may receive five hours of continuing education credit in risk
47 management by attending a meeting of the Board at which disciplinary cases are heard.

48 (5) Credit for continuing education is approved for the following:

49 (a) Courses offered by a provider approved by the Board.

50 (b) Courses offered for continuing education by FAOP and those approved by ABC

1 for their respective professions.

2 (c) Courses intended for use as continuing education provided by a regionally
3 accredited college or university, whose graduates are eligible for licensure under this
4 chapter which meet the requirements of Rule 64B14-5.003, F.A.C.

5 (d) Graduate level academic courses provided by a regionally accredited college or
6 university, provided such courses are offered by a graduate program in a health care
7 profession.

8 (6) The licensee shall retain the original continuing education certificates of
9 attendance for a minimum of four years.

10 (7) The Board will audit at random a number of licensees as necessary to assure that
11 the continuing education requirements are met. Within 21 days of a request from the
12 Board, the licensee must provide evidence of completion of the continuing education
13 requirements by submission of one or more of the following:

14 (a) Certificates of attendance from approved courses.

15 (b) An official transcript and copy of course syllabus of any graduate level course
16 taken from a regionally accredited college or university.

17 (8) A licensee who is the spouse of a member of the Armed Forces of the United
18 States shall be exempt from all licensure renewal provisions for any period of time which
19 the licensee is absent from the State of Florida due to the spouse's duties with the
20 Armed Forces. The licensee must document the absence and the spouse's military
21 status to the Board.

22 (9) For the first renewal period after licensure, except for hours mandated for medical
23 errors, the licensee is exempt from continuing education requirements of subsection
24 64B14-5.002(1), F.A.C..

25
26 **Mr. Gingras moved to adopt the above language. The motion was seconded and**
27 **carried 4/0.**

28
29 **Mr. Gingras moved that the proposed rule would not have any adverse impacts on**
30 **small businesses and would not be likely to directly or indirectly increase**
31 **regulatory costs to any entity (including government) in excess of \$200,000 in the**
32 **aggregate in Florida within 1 year after the implementation of the rule. The motion**
33 **was seconded and carried 4/0.**

34
35 **64B14-5.005 Mandatory Courses**

36 (1) Mandatory courses consist of the following:

37 (a) Two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14,
38 F.A.C.; and

39 (b) Two hours relating to the prevention of medical errors, which shall include a study
40 of root cause analysis, error reduction and prevention, and patient safety and,
41 medical records training; and

42 (1)(c) through (3) no change

43 (4) Mandatory courses set forth in paragraphs (1)(a), (b) and (c) must be individually
44 approved by the Board and such approval shall not be delegated.

45 (5) To be considered for approval, each mandatory course must meet the
46 requirements set forth in Rule 64B14-5.003, F.A.C., and must:

47 (a) through (d) no change

48 (6) no change

1 The board directed staff to make the necessary changes to CEBroker and information of
2 delegation to anyone other than the board.

3
4 **Mr. Gingras moved to adopt the above language. The motion was seconded and
5 carried 4/0.**

6
7 **Mr. Gingras moved that the proposed rule would not have any adverse impacts on
8 small businesses and would not be likely to directly or indirectly increase
9 regulatory costs to any entity (including government) in excess of \$200,000 in the
10 aggregate in Florida within 1 year after the implementation of the rule. The motion
11 was seconded and carried 4/0.**

12
13 **64B14-7.002 Patient Records.**

14
15 **(1) Licensees and Registrants shall prepare and maintain in a timely manner
16 patient records which include, at a minimum, the following:**

17 **(a) through (f) No change.**

18 **(g) Progress notes for each session must include the treatment provider's
19 name and signature, and date of occurrence. In the event the treatment provider is
20 a Resident or Intern as defined in subsection 64B14-7.001(5), F.A.C., the licensed
21 supervisor shall countersign each progress note.**

22 **(h) Progress notes shall be typed or handwritten in black or blue ink and in
23 such a manner that all material is clearly legible, including the treatment
24 provider's name and signature.**

25 **(2) through (3) No change.**

26
27 Mr. Flynn stated that there is no action needed from the board and that the rule will likely
28 be adopted December 19, 2011.

29
30 Mr. Flynn stated addressed the Board that he would get together with Mr. Deterding and
31 Ms. Guilford to draw up base documents for the board to use in their review of the
32 licensure application forms that are incorporated into the rules. Mr. Deterding responded
33 that they would be available to work with Mr. Flynn on those documents during the first
34 week of January, 2012 so that they could be prepared in time for the Board to review
35 before their next meeting.

36
37 The next meeting date is January 23, 2011 @ 9:00 a.m.

38
39 The meeting was adjourned at 2:37 p.m..