

TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS

**DATE:** February 11, 2015  
**TIME:** 9:00 A.M., CST  
**LOCATION:** Health Related Boards  
Poplar Room  
665 Mainstream Drive  
Nashville, TN 37243

**BOARD MEMBERS**

**PRESENT:** Paul Rivard, D.P.M, Chair  
Karl Fillauer, C.P.O, Secretary  
David Sables, D.P.M.  
Sheila Schuler, D.P.M.  
Paul Somers, D.P.M.

**BOARD MEMBERS**

**ABSENT:** Karen Garner, Citizen Member

**BOARD STAFF**

**PRESENT:** Devin Wells, Assistant General Counsel  
James Hill, Board Administrator  
Theodora Wilkins, Administrative Director

Mr. Hill conducted a roll call and declared a quorum was present. The meeting was called to order at 9:00 a.m.

**Minutes**

Mr. Fillauer made a motion, seconded by Dr. Somers to approve the October 29, 2014 Board meeting minutes. The motion carried.

**Office of General Counsel Report**

There are no rule changes to report.

SB0096/HB0058 - Changes the minimum age to sit for an examination to receive a license from 18 to 24.

The Office of General Counsel has three (3) disciplinary cases pertaining to the Board of Podiatric Medical Examiners.

Jack Jensen was scheduled as a contested case but is now being presented as a Consent Order. Michael Lawrence which was appealed to Chancery Court is still awaiting a decision.

### **Consent Order**

Mr. Devin Wells, Deputy General Counsel, presented a Consent Order in the matter of **Richard A. Babcock, Orthotist, License No. 222**. Mr. Babcock began employment on or around August, 2013 and began practicing as an orthotist in Tennessee while his application was in process. He was granted a license on April 3, 2014 which was approved by the Board on June 4, 2014. Specifically, Mr. Babcock has violated the following statutes or rules for which disciplinary action before and by the Board is authorized. TENN. CODE ANN. §63-2-205, on and after January 1, 2008, no person shall practice orthotics, prosthetics or pedorthics in this state, or hold out as being able to practice either profession, or dispense an orthosis, prosthesis or pedorthic device, unless such person is licensed in accordance with the requirements of this part. Mr. Babcock is placed on probation for a period of at least two (2) years, assessed (7) type "A" civil penalties in the amount of five hundred dollars (\$500.00) each for a total of three thousand five hundred dollars (\$3,500.00) representing each month that he worked as an orthotist in Tennessee before being licensed by the Board. He must pay the actual and reasonable costs associated with the investigation and prosecution of this case. The maximum assessment of costs shall be limited to two thousand dollars (\$2,000.00). Mr. Fillauer made a motion, seconded by Dr. Somers to approve the Consent Order. The motion carried.

The Board reviewed the Consent Order presented by Devin Wells, Deputy General Counsel, for **Jack Jensen, Pedorthist**. After discussion, the board declined to ratify the consent order as written. Dr. Somers made a motion for summary suspension and Dr. Schuler seconded the motion. The motion carried

### **Agreed Citations**

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve the Agreed Citation of **Edward Glaser, Podiatrist** for a lapsed license. The motion carried.

### **Financial Report**

Ms. Tittle presented the actual revenue and expenditures for FY ended June 30, 2014. The Board of Podiatric Medical Examiners incurred expenditures of \$74,324.99; revenues of \$102,008.28, with a current year net of \$27,683.29, and a cumulative carryover of \$198,749.58.

### **Office of Investigations**

There are seven (7) open complaints at this time for a Podiatrist.

There are five (5) practitioners currently being monitored. Three (3) licenses were revoked, one (1) is a reprimand, and there is one (1) Conditional/Restricted license.

### **Administrative Report**

There are currently 256 licensed podiatrists, 130 podiatric x-ray operators, 155 orthotists, 148 prosthetists and 61 pedorthists.

### **Application Review**

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the following application for licensure as a Podiatrist. The motion carried.

#### **Manjula Janardham**

Dr. Somers made a motion, seconded by Dr. Sable, to approve the following applications for certification as a X-Ray Operator. The motion carried.

**Ashley Greer**  
**Billy Hayes**  
**Cristian Reyes-Gatica**  
**Desirae Pilkington**

**Elizabeth Huey**  
**Kellye Ramey**  
**Kenosha Grimes**  
**Tina Fredrick**

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve the following applications for licensure as a Orthotist. The motion carried.

#### **Scott Averbach**

Mr. Fillauer made a motion, seconded by Dr. Somers, to approve the following applications for licensure as a Prosthetist. The motion carried.

**Brian Cumby**  
**Jonathan Jetton**

### **Reinstatement Review**

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the reinstatement application of **Edward Glaser** as a licensed Podiatrist. The motioned carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the reinstatement application of **Jerald C. Gifford** as a licensed Orthotist. The motioned carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the reinstatement application of **Stacy D. Harkleroad** as a licensed Orthotist. The motioned carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the reinstatement application of **Gayle D. Whitfield** as a licensed Orthotist. The motioned carried.

Dr. Somers made a motion, seconded by Mr. Fillauer, to approve the reinstatement application of **Jeremy E. Harris** as a licensed Prosthetist. The motioned carried.

**Other Board Business**

With no other Board business the meeting adjourned at 10:46 AM.

Adopted by the Board of Podiatric Medical Examiners on this the 22nd day of April, 2015.