

**MINUTES OF THE MEETING OF THE  
BOARD OF PODIATRY  
February 26, 2019**

**ROLL CALL**

The meeting of the Board of Podiatry was called to order at 1:04 pm on February 26, 2019, by Scott Nelson, DPM, Chairperson, in the Licensure Unit Conference Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. The following members answered the roll call:

Scott C. Nelson, DPM, Chairperson  
Torrey B. Rassfeld, DPM, Vice-Chair  
Richard J. Raska, DPM, Secretary

Absent: R. McLaran Sawyer

A quorum was present and the meeting convened. Also present to participate in the meeting were Ami Huff, Assistant Attorney General; Jeff Newman, Investigator, Jesse Cushman, Program Manager; and Jan Gadeken-Harris, Health Licensing Coordinator.

**ADOPTION OF THE AGENDA**

Raska moved, seconded by Rassfeld, to adopt the agenda. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

**APPROVAL OF MINUTES OF THE MEETING**

Rassfeld moved, seconded by Raska, to approve the June 26, 2018 minutes as written. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

**DESIGNATION OF THE METHOD BY WHICH THIS BODY WILL GIVE PUBLIC NOTICE OF ITS MEETINGS**

Sawyer moved, seconded by Raska, to continue giving notice to the public of meetings of the Board by posting the agenda on the Department website and bulletin board, e-mailing the agenda to interested parties and all licensees with a current e-mail address on record with the Department. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

**INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION**

Raska moved, seconded by Rassfeld, to go into closed session at 1:33 p.m. for the purpose of review and discussion of investigative reports, disciplinary reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

Rassfeld Recused himself at 1:33 p.m.

Rassfeld Returned at 1:43 p.m.

Rassfeld moved, seconded by Raska, to return to open session at 1:55 p.m. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

**APPLICATION REVIEW - OPEN SESSION**

**E-Mail Ballot(s) Since the Last Meeting**

Since their last meeting, the Board voted via e-mail ballots on November 13, 2018 to approve a request by the Department of Public Health and the Department of Behavior Health a Conference for CME credits relating to Prescribing Opiates and the PDMP (Prescription Drug Monitoring Program).

### **2019 LEGISLATION UPDATE**

Updates of the different legislative bills that are being followed by the Podiatry Board were discussed.

The following list of bills were available for review by the committee prior to the meeting:

LB29 - Provide and eliminate telehealth provisions

LB37 - Change the Podiatry Practice Act to authorize a physician assistant to assist a podiatrist. Raska moved, seconded by Rassfeld to have Dr. Raska write a letter for the Podiatry Board in their support of LB 37. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

LB489 - Require registration for the prescription drug monitoring system

LB557 - Change provisions relating to prescriptions for controlled substances

### **REGULATIONS UPDATES**

The Department of Health and Human Services was given an Executive Order by the Governor's office to eliminate language from Regulations that already is stated in the Statutes or the Uniform Credentialing Act. Therefore the proposed updates were reviewed by the Podiatry Board for Title 172, Professional and Occupational Licensure, Chapter 143, Practice of Podiatry Regulations. Raska moved, seconded by Rassfeld to approve the proposed updates. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

### **DISCUSSION(S)**

A. Discussion of the Podiatric Limited Radiographer Exam – the Board indicated that at this time there is nothing further that needs to be discussed regarding any updates to the exam.

B. Discussion of Statute 38-3005 – in the Board's opinion the definition of the "forefoot" means any distal to tarsal to metatarsal joints.

### **FYI's**

Nebraska Licensee Assistance Program (LAP) Newsletters – the Board had no comments at this time.

### **ELECTION OF OFFICERS**

Raska moved, seconded by Rassfeld to have the following slate of Officers for 2019 for the Board of Podiatry: Torrey B. Rassfeld, Chairperson; Richard J. Raska, Vice Chairperson; Scott C. Nelson, Secretary and Scott C. Nelson, Investigative Consultant. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

### **INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION**

Raska moved, seconded by Rassfeld, to go back into closed session at 2:28 p.m. for the purpose of review and discussion of investigative reports, disciplinary reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried

Rassfeld moved, seconded by Raska, to return to open session at 2:41 p.m. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

**ADJOURNMENT**

There being no further business, Raska moved, seconded by Rassfeld, to adjourn the meeting at 2:43 pm. Voting aye: Nelson, Raska and Rassfeld. Voting nay: None. Absent: Sawyer. Motion carried.

Respectfully submitted,

\*signature available upon request\*

Scott C. Nelson, DPM, Secretary  
Board of Podiatry