

## **BOARD BRIEFS -- Highlights of Actions Taken – 2006 year-to-date**

In an effort to keep the public and the professional community informed of Board action and activities, we are providing this summary of Board actions. Please keep in mind that some of this information is based on meeting minutes not yet approved by the Board. [Approved Board meeting minutes](#) constitute the formal record of Board actions. Please [contact the Board office](#) (Board Director) for further information regarding any item of particular interest to you. This summary is based on actions taken at the [February](#), [April](#), [July](#), and [September](#) 2006 meetings.

→ **LICENSING** -- [for online real-time license status verification, click to: [opp.ohio.gov](http://opp.ohio.gov)]

-- The following **new licenses were approved** and/or reported in 2006:

Pedorthics	ANGELL, Brian BALCH, Wayne BOLWIN, William BROWN, Rosemary BURKE, David P. CURRAN, Michelle S. DOVE, Simon SHERO, John E. SOLOMON, Judy YORKO, Connie
Pedorthics - TEMP	DeLAY, Matthew HAWK, Eric HENSON, Gary L. SGRO, Anthony WEINSCHNEIDER, Raphael
Prosthetics	DIMITROV, Nikolai HAYS, John A. WARYCK, Brian
Prosthetics - TEMP	BERMAN, Jeremy
Orthotics	ANDREWS, Kristin BERMAN, Jeremy DOMB, Andrew LIBBY, Brent LECURSI, Nicholas A. MACEDONIA, Jason P.
Orthotics - TEMP	BRASHEAR, Alicia A
Prosthetics-Orthotics	AGUIRRE, Evelyn C. BROWN, Shawn D. CABALLERO, Sheril TEMEKI, Kenneth (approval to sit for exam) WILCH, Jerry M.

## OTHER LICENSING ACTIONS

Pursuant to *Goldman* (record only) hearings, the Board issued the following orders in actions taken based on formal Notices of Opportunity for Hearing issued:

- HENDRON, Scott – **Denied** license in Pedorthics for failure to meet the requirements of ORC Section 4779.13
- POPHAM, Dwayne -- **Denied** license in Prosthetics for failure to meet the requirements of ORC Section 4779.11
- TEKLINSKY, Thomas -- **Denied** license in Prosthetics for failure to meet the requirements of ORC Section 4779.11

Pursuant to full adjudication hearings, the Board issued the following orders in actions taken based on formal Notices of Opportunity for Hearing issued:

- LEACH, Robert -- **Denied** license in Prosthetics for failure to meet the requirements of ORC Section 4779.11
- MANSELL, George -- **Denied** license in Orthotics for failure to meet the requirements of ORC Section 4779.16

## COMPLAINTS / ENFORCEMENT

**Closed complaint file 03C07** regarding a shoe store providing pedorthic services, after determination that the business had **achieved minimal compliance** with Ohio requirements by retaining the services of a consulting podiatrist and by contracting with a licensed pedorthist to perform pedorthic evaluation and final fitting and dispensation.

**Accepted a Consent Agreement with Jeffrey Luke, LP.69**, to resolve three complaints. Mr. Luke admitted to engaging in the unlicensed practice of Orthotics, and accepted a **Reprimand** and a **stayed 2-year Suspension** of his license in Prosthetics to be served as a term of **Probation**.

**Approved** basic language and format for a series of **formal notifications to health care providers and credentialers** regarding the scope and requirements of the Orthotics, Prosthetics and Pedorthics Practice Act ([Ohio Revised Code Chapter 4779](#)). Target audiences include hospitals, rehab centers and outpatient care facilities, nursing homes, health insuring companies, home healthcare providers, state agencies; neurosurgeons, orthopedic specialists, and podiatrists.

## OTHER BUSINESS

**Criminal Record Checks** -- Based on a report that a working group of regulatory boards is exploring legislative options to authorize or require a comprehensive criminal record check as a component of the license application process, **Board discussion indicated general interest and support for the Board to incorporate a criminal record check component into the licensing process**, as a measure furthering protection of the public. The Board will support appropriate legislative efforts in this regard.

## **Interagency Activity – Related Regulatory Language – ODJFS / Medicaid Policy**

We offered comments on proposed changes to Ohio Medicaid regulatory language regarding O&P services; primarily:

[Ohio Administrative Code \(OAC\) Rule 5101:3-10-20 -- Covered orthotic and prosthetic services and associated limitations, and](#)

[OAC Rule 5101:3-10-31 – Therapeutic footwear for consumers with diabetes.](#)

The resulting language limits reimbursements so that only appropriately-licensed providers should qualify.

**[Rules Review Process](#) initiated --** The Board authorized the Director to initiate a process with attorney assistance to conduct a comprehensive review of the [rules in the OPP Administrative Code](#) series. Changes to be researched and recommended range from basic “housekeeping” changes (revision or elimination of outdated language) to major policy concerns, including:

- promulgation of **definitions of “custom fabricated” and “custom fitted”** to align with CMS language
- recommend / promulgate a **minimum set of supervision rules** that would provide standards as follows:
  - Differentiating supervision required for unlicensed persons in accordance with ORC §4779.04, and those licensed pursuant to ORC §4779.18
  - Define to the extent possible the “physically present” language of ORC §4779.04 (B) to conform with the generally-recognized national standard of care in the professions
  - Specify “training supervision” requirements for persons with a Temporary License in Pedorthics that align with the new standards for certification being phased in by the [Board for Certification in Pedorthics](#) (BCP) and set standards for number of hours in direct contact with supervisor, “client contact hours,” procedures covered, etc. Reference BCP evolving standards whenever possible.

### **For further information, contact the Board office:**

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