

Summary of Actions Taken

Board Meeting of June 10, 2009

In an effort to keep the public and the professional community informed of Board events and activities, we are providing this summary of Board actions and related items. Please be aware 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 June 10, 2009 meeting of the Board.

→ **BOARD SEATS OPEN** -- As of this writing, **one O&P Practitioner seat is available for appointment** on the State Board of Orthotics, Prosthetics, and Pedorthics. Persons interested in applying need to [download an application](#) from the [Governor's website](#), and follow those instructions for submission. Courtesy copies to the Board office are appreciated.

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

The following **new license actions were approved** and/or reported:

Prosthetics	Hammond, Ben	
Pedorthics - Temporary:	Baker, Robert Kline, Linda	(2 nd issuance)
Pedorthics – Full/Direct	Griggs, Ann E.	

COMPLAINTS / ENFORCEMENT

- **Robert D. Hoskins, LP.207:** File pending based on licensee's self-report of impairment by abuse of alcohol, which had resulted in DUI charges, jail time, probation, and outpatient treatment. The Board **accepted a Preliminary Consent Agreement**, which requires a system of **practice restrictions, supervision, and monitoring**, and recognizes a corporate intervention and employee compliance program instituted at the licensee's workplace as providing an appropriate monitoring and reporting mechanism. The Agreement further notes that Mr. Hoskins has accepted a referral for evaluation to be reported to the Board, and anticipates a Final Consent Agreement will be entered into at a subsequent meeting of the Board.
- **Michael P. Marmer, LO.81 (under suspension) and LPED.26 (under suspension):** File pending based on prior summary suspension of licenses due to impairment and a Consent Agreement entered into at the March 2009 meeting (see prior report and meeting minutes). The Board tabled further consideration of license status and agreement compliance until the September meeting, pending process with the Office of the Attorney General of Ohio and further communications with Mr. Marmer and counsel.

Continued . . .

OTHER BUSINESS

- **Accepted** a report from the Board's task force charged with reviewing the ODJFS/Medicaid O&P Covered Services appendix for technical advise, certifying (1) those portions of the appendix that require licensure in accordance with Chapter 4779 of the Ohio Revised Code as items that must be Custom Fabricated or Custom Fitted to be properly dispensed or reimbursed; as well as (2) those portions of the appendix that list services "that likely require licensure by other state of Ohio licensed practitioners." (primarily speech aids and hearing aids). [Click here for a copy of the report](#) forwarded to ODJFS/Ohio Health Plans/Health Plan Policy.
- **Adopted** policy language in accordance with state of Ohio Human Resources policy allowing the Board President to approve Board Staff (Director) to take as paid 8-hour administrative leave a workday devoted to service as a Precinct Election Official if it is determined that such leave can be granted "subject to operational needs" of the Board. [Click here for the policy language as adopted.](#)
- **Discussed but took no action** regarding a new **Pedorthic Scope of Practice** document issued by the American Board for Certification in Orthotics, Prosthetics, and Pedorthics, which appears to allow on a national level a broader scope of practice for Certified Pedorthists than that which is allowed under Ohio law. Ohio law specifies that the practice of pedorthics in Ohio entails (a) the appropriate dispensation of a pedorthic device (evaluation, measurement, modification, fitting, delivery); and (b) that a pedorthic devices is defined as *"a custom fabricated or fitted therapeutic shoe, shoe modification for therapeutic purposes, prosthetic filler of the forefoot, or foot orthosis for use from the apex of the medial malleolus and below. It does not include an arch support, a nontherapeutic accommodative inlay, nontherapeutic accommodative footwear, prefabricated footcare products, or unmodified, over-the-counter shoes. (emphasis added)"* [Click here for the discussion documents](#) provided to the Board members prior to the Board meeting. Board discussion suggested Ohio's licensed orthotists, prosthetists and pedorthists are welcome to provide suggestions as to how the Board might promulgate language in its administrative rule series that would bring greater conformity between national standards and state requirements, but also noted that Ethical Standards of national credentialing partners require certificate holders to conform their practices to state laws and licensing standards.

For further information, contact the Board office:

Mark B. Levy, Board Director
State Board of Orthotics, Prosthetics and Pedorthics
77 S. High St., 18th Floor
Columbus, OH 43215

tel: 614-466-1157
fax: 614-387-7347
email: bopp@exchange.state.oh.us
website: <http://opp.ohio.gov>