



Board of Podiatry Public Meeting Minutes

November 8, 2022 at 1:00 PM EST
7 Eagle Square, Concord NH 03301

Attendance

Present:

Members: Shane Goulet, Jennifer Sartori, Julie Shaheen, Serena Shomody

Guests: Shane Goulet, Jenna Wilson

I. Call To Order

Jennifer Sartori Called the meeting to order at 1:34PM.

II. Public Appearances

Jennifer Sartori introduced Hearings Examiner Nik Frye who then explained the process for the upcoming hearing. Note that the Board voted at the prior meeting to authorize Nik Frye to act as Presiding Officer for the Board.

A. 1:00PM HEARING: MOHARAN, Michael

The Board reviewed the evidence and listened to testimony presented by Attorney Adam Pignatelli and the licensee, Michael Mohanan, related to meeting the requirements of previous settlement agreement which required the licensee to comply with all CME requirements. Hearing closed at 2:23PM.

B. O'KEEFE, KATHLEEN - Cancelled

The Board reviewed the Order on the motion to dismiss.

C. 2:00PM Hearing: PIZZUTO, John

Nikolas Frye opened the hearing at 2:26PM and noted that Dr. Pizzuto was not present in the room, was not in the waiting area of OPLC customer service, and he was not present via Zoom.

The Board entered non-meeting to receive legal counsel from Shane Goulet at 2:31 PM. The Board resumed public session at 2:55PM.

Dr. Pizzuto appeared via zoom at 2:57PM

D. THEODOULOU, Michael - Continued to December Meeting

The Board reviewed the Order on the motion to continue the hearing to 12/14/2022.

III. OPLC and/or Board Administration Updates - None

IV. Old Business - None

V. New Business - None

VI. Review of Public Minutes

Motion: to approve the 9/29/2022 public minutes as written.

Motion moved by Serena Shomody and motion seconded by Julie Shaheen. Passed.

Jennifer Sartori announced the Board was in recess at 3:14PM. The Board resumed public session at 3:23PM.

VII. Non-Public Session

Non-Public session is conducted for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, Lodge v. Knowlton, (1978), and the Board's executive and deliberative privileges.

Motion: To enter non-public meeting 3:25PM for the reasons outlined above.

Motion moved by Julie Shaheen and motion seconded by Jennifer Sartori. Passed by roll call vote.

VIII. Licensure

A. FELLNER, Dieter - Application for Licensure

Motion: to accept Dieter FELLNER'S application and approve licensure.

Motion moved by Jennifer Sartori and motion seconded by Serena Shomody. Passed.

IX. Resume Public Session

The Board resumed public session at 4:25PM.

X. Seal The Minutes of the Non-Public Session

Minutes of the non-public session are sealed to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion: to seal the minutes of the nonpublic session for the reasons outline above.

Motion moved by Jennifer Sartori and motion seconded by Serena Shomody. Pasdded.

XI. Administrative Rules & Legislative Topics

A. Pod 300, Pod 400, and Pod 500

Motion: to approve the Pod 300 IP as presented (rev. date 5/9/2022) and proceed with initiating formal rulemaking.

Motion moved by Jennifer Sartori and motion seconded by Serena Shomody. Passed.

Motion: to approve the Pod 500 IP (rev. date 5/9/2022) as amended during the meeting -
- to add the updated 2022 date and link on the Code of Ethic document-- and proceed
with initiating formal rulemaking. Jennifer Sartori will email the link to Jenna Wilson for
Appendix II.

Motion moved by Jennifer Sartori and motion seconded by Julie Shaheen. Passed.

B. Pod 400 - Draft initial Proposal

The Board made changes to the draft IP while Jenna Wilson typed the changes in to the
body of the text. Jenna Wilson printed a draft of the rules with the Board's requested
changes in bold font for the Board to review. Attorney Shane Goulet was at the meeting
in Tina Kelley's absence to assist with rulemaking. He raised a possible issue with the Pod
400 draft IP as it related to compliance with RSA 310-A:1-h for the renewal cycle.

Motion: to accept the Pod 400 IP as amended during the meeting and give the changed
to Tina to proceed with rulemaking, and to authorize Shane Goulet to work with board
counsel Lauren Warner and OPLC rules staff Tina Kelley on the RSA 310-a:1-h conflict to
add new language if required.

Motion moved by Jennifer Sartori and motion seconded by Serena Shomody. Passed.

C. Residency Rules:

Shane Goulet indicated that these rules will likely need to be done in a separate
rulemaking because of the timeframe to prevent the expiring rules from lapsing on
12/15/2022.

D. Rulemaking Deadlines:

Motion:

to schedule a Board meeting, if needed, on 12/6/2022 at 2:00PM for the purpose of
rulemaking only. The Board wished to ensure rulemaking is initiated in time before
12/15/2022 and the next regularly scheduled meeting may be too late on 12/14/2022.

Motion moved by Jennifer Sartori and motion seconded by Serena Shomody. Passed.

XII. Adjournment

Jennifer Sartori adjourned the meeting at 5:47PM.