

OPP Board Bulletpoints  
REPORTS AND ACTION ITEMS FROM THE MEETING OF  
March 6, 2013



**Welcomed new board member, Animesh Bhatia, DPM**

Dr. Bhatia practices and lives in Central Ohio. Appointment date: 1/12/13, to a term that began 12/6/2012 and ends 12/6/2015. His DPM was awarded by the Ohio College of Podiatric Medicine in 1996. He serves on the Board of Trustees of the Ohio Podiatric Medical Association, and is a Member of the American PMA National Coding Committee. Current Board Members are listed in the [“about us” at the website](#).

**A Record Hearing was held in re: Notice of Opportunity for Hearing issued to David A. Games, II.**

The hearing was convened at 2:30 p.m. and concluded at 2:50 p.m. Based on consideration of all evidence available and presented – including documentation demonstrating Mr. Games’ non-compliance with Continuing Education reporting requirements and his failure to renew his license this year – **the Board voted to order the revocation of Mr. Games’ license to practice Pedorthics in the state of Ohio.**

**Complaint statuses and tracking**

The Board accepted a Complaint Status report with no discussion. Nine (9) FY13 complaint files recommended to close; six (6) remain in process. It was noted that **about 75% of complaint files processed address unlicensed practice** allegations.

**License renewal report; OPPCE Remediation Agreements Approved**

- 408 Licenses went into ‘Active in Renewal’ status 11/12/12
- Online renewals ended 2/15/13
- 392 (96%) Licensees have responded or renewed as of 3/5/13
- The **following OPPCE Remediation Agreements (OAC Rule 4779-9-03) were approved:**
  - Michael Adams, LP.247 and Christopher Glass, LPED.108 submitted worksheets advising utilization of the 4779-9-03(B) option: completing OPPCE accrual before 1/31/2013 and thus avoiding the late filing fee and the augmentation requirement.
  - Jason Timmer, LO.288 paid a late fee and requested an extension until July 2013 to complete. His worksheet states a plan to complete his 20 unit deficiency plus a 15 unit augmentation.
  - Connie Yoroko, LPED.149 filed a worksheet requesting an extension until August 30, 2013, to make up her deficiency of 29 units plus an augmentation of 11 units. Ms. Yoroko requested and Director Levy granted a waiver of the late filing penalty fee under the cited provisions of [ORC § 119.14](#) “Waiver of penalties for first-time paperwork offenses.”

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Report on ODJFS/Medicaid proposed amendments to rule on [Reimbursement for Covered DMEPOS Services](#)

The proposed changes are primarily in implementation of federal “face to face” documentation requirements – that prescribers have a face to face encounter with a patient for whom a prescription is written within a defined period of time prior to the order, and that suppliers document that data in their claims submissions. While the present proposal addresses general DME items, O&P Providers can expect similar language to visit the [O&P Covered Services rule at 5101:3-10-20](#) when it next comes up for review and revision, which may be very soon.

Eight new licenses issued; three upgrades reported.

Prosthetics

ALLEN, Kevin R.  
FRAUTSCHI, David C.

Orthotics

JONES, Sierra  
SAUNDERS, Sean

Upgrades

ENGSTROM, Adam – TEMP to LPO  
STEINMETZ, Eric – TEMP to LP  
SCOGGIN, Matthew – TEMP to LO  
SUMMERFIELD, Stacey – TEMP to LP

Orthotics-Prosthetics

MASTERS, Teresa K. – documentation pending  
RUSSELL, R. Michael

Pedorthics

DUSOLD, Gerard J. – TEMP  
TRAKHTENBERG, Mark - TEMP

Withdrawals

None

Board Continuity

Two seats are vacant and pending appointment:

- One (1) Orthotic/Prosthetic Practitioner;
- One (1) Pedorthic Practitioner.

Another Orthotic/Prosthetic Practitioner seat opens in December 2013. Appointment authority lies with the Office of the Governor. Those interested please see the online application:

<http://www.governor.ohio.gov/Portals/0/Boards%20and%20Commissions%20Application%20Final.pdf>

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Rules Packages move forward; one rule To Be Re-filed

- **Two Rules Packages, #96557 (No Change) and #96577 (Amendments) were approved to move forward**, effective date for rule Amendments OK'd for final filing **with an effective date of April 1, 2013**. [Click here](#) to see all rules currently in process.
- **OAC Rule 4779-6-01 "To Be Re-filed."** As the rule language refers to a form required to be filed, the rule is being amended in accordance with the "incorporation by reference" requirement of [ORC 121.72](#). In a related matter, the Board **approved new Application Forms** for (1) [Licensure in Orthotics and/or Prosthetics](#) and (2) [Licensure in Pedorthics](#).
- Re-filing of 4779-6-01 initiated 03/20/2013. Public Hearing scheduled for 04/24/2013. For more information, click to the [Rules Pending Review](#) page.

OPPCE Audit policy updated: acceptance of transcript information

OPPCE audit policy has allowed licensees to submit CE transcripts from their credentialing organizations in lieu of direct documentation from CE vendor/supplier. Agency rule language still requires a licensee to maintain OPPCE documentation "for a period of four years beyond the renewal date requiring attestation of OPPCE compliance ..." ([OAC Rule 4779-9-01](#)). Based on an understanding that BOC has initiated a process apparently allowing certificate holders to enter their own CE accrual information directly into the BOC tracking database, we engaged in correspondence to gauge whether that allowance might impact the validity of the transcript as a document verifying coursework completion.

The following points were highlighted from the correspondence record:

1. BOC's reporting of a 100% verification rate of CE reporting/recording (*"To date, all audits have been positive. We have had no issue to date with documentation deficiencies"*) is based on only one year of experience.
2. Certificate holders are not required to upload documentation supporting their entries at the time of entry, and have the ability to edit information previously entered.
3. Although BOC states it conducts audits yearly, pulling a 10% sample each year, for four of those five years certificate holders are effectively "free" from any reporting requirements, thus virtually any account pulled for audit would be cleared during those four years.

It was determined that **OPPCE audit policy should require original documentation of attendance to support any BOC CE transcript submitted.**

For further information:

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