

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS
PUBLIC SESSION MINUTES
July 15, 2008**

The meeting of the New Jersey State Orthotics and Prosthetics Board of Examiners was held on July 15, 2008, at the State Office Building at 124 Halsey Street, Newark, NJ. The meeting was convened in accordance with the Open Public Meetings Act with previous notification having been sent to the Secretary of State and the following publications: The Record in Bergen County, The Star Ledger, Camden Courier Post, Trenton Times, Aisling Swift Press of Atlantic City and Asbury Park Press, to advise of the scheduling of this meeting. The meeting was called to order by Louis J. Haberman, C.P.O., (Chair) at 10:20 A.M.

OPENING STATEMENT - Reading of "The Sunshine Law"

PRESENT - Board Members: Louis J. Haberman, C.P.O., (Chair)
Mildred E. Carlascio, C.O.,
Robert C. Manfredi, Jr., C.P.O. (Vice-Chair)
Brooke Artesi, L.O. CPED

ABSENT - Board Member: Heikki Uustal, M.D.

ALSO, PRESENT: Deputy Attorney General, Megan Cordoma
Executive Director, Laura L. Anderson
Maria Ormeno-Bertorelli, Recording secretary

MINUTES - The Board, upon motion made by Brooke Artesi and seconded by Mildred Carlascio, accepted the March 8, 2008 public session minutes as presented.

The vote was unanimous

I. RULES AND REGULATIONS

1. OTHER BOARDS ADOPTION AND PROPOSALS

The Board reviewed the following adoption and proposals:

- a) State Board of Medical Examiners - Adopted New Rule: N.J.A.C 13:35-6.25
Cultural Competency Training

- b) Law and Public Safety - Division of Consumer Affairs - Adopted New Rules:
N.J.A.C. 13:45F Identity Theft
- c) State Board of Physical Therapy Examiners - Proposed Amendments:
N.J.A.C. 13:39A-3.1 and 9.3 Patient Records; Acceptable Course Offerings; Credit
our Calculation.

The Board considered this material as informational.

II. ETHICS PRESENTATION

Robert Campanelli, Ethics Officer

Mr. Campanelli attended for a presentation/training session to Board members regarding ethics issues, responsibilities and general information.

Ethics presentation canceled. To be rescheduled when all members are present.

III. REPORTS

1. LEGISLATION

The Board reviewed a report received from Burt Liebman, Legislative Liaison, Division of Consumer Affairs, showing the history of bills on which the Board was asked to comment and legislative action taken during the quarter that ended on March 31, 2008. The Board also reviewed a list of 2007 Pamphlet Laws pertaining to health care professions.

The Board considered this material as informational.

IV. CORRESPONDENCE

1. O & P Business News

The Board, reviewed an article published in the March 15, 2008 issue of the O&P business News, regarding licensure in New Jersey, collaborated by the Board's Chair, Mr. Haberman.

The Board thanked Mr. Haberman and considered this material as informational.

V. OLD BUSINESS

1. Michael Hoffman - licensure in New Jersey

The Board reviewed a fax sent by Mr. Hoffman asking if a New Jersey physician can oversee a non-licensed Orthothist and/or Prosthetist to fit a device on a patient.

The Board reviewed Mr. Hoffman's inquiry and determined that a letter be sent to Mr. Hoffman citing N.J.S.A. 45:12B-17, which requires that an individual must have a license to practice orthotics and/or prosthetics in the State of New Jersey. N.J.S.A. 45:12B-18 provides exceptions to this rule for medical doctors and certain employees under the direct supervision of a medical doctor. Mr. Hoffman should also be advised that his letter does not give the Board sufficient information to comment on his particular case and that he should be guided by statutes and regulations. A copy of the statutes and regulations should be enclosed with the letter.

VI. APPLICATIONS REVIEW

The Board review applications for licensure and approved the following individuals:

Orthotists

Bruce E. Goodman

Pedorthists (limited license)

Jedidiah H. Lee

Prosthetists

Bernard J. Guzman
Sharon Andrews

VII. Board members (Off agenda)

1. Public member position

The board discussed the absence of Linda Wilson, public member, Ms. Wilson had been contacted in the past and she had communicated that she had received a letter from Trenton advising her that her term expired, therefore, she is no longer required to attend the meetings.

The Board, upon the motion made by Robert Manfredi Jr., and seconded by Brooke Artesi, voted to contact Ms. Wilson again and ask whether she still interested in participating as a Board member. Once the response is received, the Board to discuss further action regarding this issue.

2. **Board members vacancy.**

Board discussed the issue of vacancy within the Board.

The Board, upon the motion made by Brooke Artesi and seconded by Mildred Carlascio, voted that a letter of solicitation be prepared to invite individuals to apply as a board member to be distributed between the various agencies and/or associations and also a letter to the Governor to assist in filling the open positions within the Board.

VIII. Public Attendance

Nancy Pinkin, from MBI, appeared and provided the Board with information regarding the Parity Act (P.L. 2007, C. 345) and the mandated benefit commission. Ms. Pinkin also reminded the Board that the scope of practice of Athletic Trainers has recently been expanded by virtue of statutes and that the Board may want to be aware of any regulations which that Committee may pass to effectuate the new law. Ms. Pinkin also expressed the recently proposed fee increase by the Board of Orthotics and Prosthetics would unnecessarily burden licensees. Ms. Pinkin also requested clarification on whether an individual who is licensed as both orthotist and prosthetist would be allowed to fill a Board vacancy which is statutorily limited to a single profession. The Board thanked Ms. Pinkin and accepted her presentation as informational.

At 10:35 A.M., the Board, upon a motion made by Mr. Robert Manfredi, Jr., and seconded by Mildred Carlascio, voted to move into Executive Session to consider and review consumer complaints, investigative reports and other information received pursuant to the Board's regulations. The results of these deliberations will be made known when and if the Board determines to initiate disciplinary or other enforcement action. If the Board determines to issue any sanction, that disciplinary action will be taken in a public session immediately after the executive session.

At 10:35 A.M. the Board, upon motion made by Mr. Robert Manfredi, Jr., and seconded by Mildred Carlascio, voted to adjourn the public session.

The meeting was adjourned at 1:00 P.M.

Respectfully submitted,

Laura L. Anderson
Executive Director