

New Jersey Office of the Attorney General

DIVISION OF CONSUMER AFFAIRS ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS PUBLIC SESSION MINUTES July 30, 2013

The meeting of the New Jersey State Orthotics and Prosthetics Board of Examiners was held on July 30, 2013, 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, CPO/LPO, (Chair) at 10:30 A.M.

OPENING STATEMENT - Reading of "The Sunshine Law"

PRESENT - Board Members Louis J. Haberman, CPO/LPO, (Chair)
Mildred E. Carlascio, LCO, and
Heikki Uustal, M.D.

ALSO PRESENT: Deputy Attorney General Swang Oo,
and Executive Director Laura L. Anderson.

Members of the Public: Danny Freund, Alex Freund
No comments from the public.

I. MINUTES: May 16, 2013 Public Session Minutes Approval.

**THE BOARD, UPON MOTION MADE BY MILDRED CARLASCIO AND
SECONDED BY HEIKKI UUSTAL, ACCEPTED THE MAY 16, 2013 PUBLIC
MINUTES AS AMENDED.**

II. NEW BUSINESS

1. BOARD ELECTIONS (Pursuant to N.J.S.A. 45:12 B-5)

**ELECTIONS FOR THE BOARD OFFICERS FOR THE PERIOD
JULY 2013 - JULY 2014 FOR THE OFFICE OF CHAIR AND VICE-CHAIR TO
TAKE EFFECT AT THE NEXT MEETING.**

BEFORE THE ELECTIONS FOR OFFICE, THE BOARD OPENED NOMINATIONS: Heikki Uustal was nominated as a Chair by Louis J. Haberman and seconded by Mildred Carlascio.

Mildred Carlascio was nominated as a Vice-Chair by Louis J. Haberman and seconded by Dr. Uustal.

SUBMITTED FOR BOARD CONSIDERATION AND VOTE WAS THE SLATE OF CANDIDATES NOMINATED BY THE BOARD AT THIS MEETING.

- a. Chair Heikki Uustal
- b. Vice-Chair Mildred Carlascio

THE BOARD, UPON MOTION MADE BY MILDRED CARLASCIO AND SECONDED BY HEIKKI UUSTAL VOTED TO CLOSE NOMINATIONS AND MOVE INTO ELECTIONS.

ACTION: The Board voted unanimously for Heikki Uustal as Chair.

HEIKKI UUSTAL WAS ELECTED CHAIR OF THE BOARD TO TAKE EFFECT AT THE NEXT MEETING.

ACTION: The Board voted unanimously for Mildred Carlascio as Vice-Chair.

MILDRED CARLASCIO WAS ELECTED VICE-CHAIR OF THE BOARD TO TAKE EFFECT AT THE NEXT MEETING.

2. ORTHOTICS AND PROTHETICS BOARD OF EXAMINERS AUTHORIZATION

A) Board President/Chair

The Orthotics and Prosthetics Board of Examiners hereby moves to designate and authorize the Board President to function as Head of the Orthotics and Prosthetics Board of Examiners, to take action regarding certain events arising between Board meetings, where time is of the essence. Such actions would include:

1. Issuing an Order to Show Cause upon the filing by the Attorney General of a Verified Complaint seeking emergent relief;
2. Call a meeting of a committee of the Board to conduct an emergent Temporary Suspension hearing based upon such Complaint and issuing an Order to be ratified by the Board at its next meeting and having immediate effect, or call a meeting of the full Board to

conduct an emergent Temporary Suspension hearing based upon such Complaint and issuing an Order having immediate effect.

3. Determining settlement terms of a disciplinary case pending review and approval of the full board, including but not limited to, those cases where a final determination by the board must be made on short notice to effectuate global settlement with other civil or criminal authorities or where there is an immediate danger to the public health safety and welfare should a licensee remain in practice.

Each of the above actions is subject to review by the full Board at the next meeting at which such review can be scheduled. The full Board may then ratify, modify or vacate the emergent action taken by the President.

In the absence, unavailability or ineligibility of the President to address the matter, said authority is conferred upon the Vice President of the Board, acting as President pro tempore, and then to remaining Board members in order of seniority.

B) Executive Director

The Orthotics and Prosthetics Board of Examiners hereby moves to authorize the Executive Director of the Board to approve routine applications that clearly meet the educational, exam and internship requirements for:

- 1) Prosthetist
- 2) Orthotist
- 3) Prosthetist and Orthotist
- 4) Prosthetist Assistant
- 5) Orthotist Assistant
- 6) Prosthetist and Orthotist Assistant
- 7) Student Registration
- 8) Temporary License

III. APPLICATIONS REVIEW (Initial)

A. The Board reviewed the following applications for licensure:

- | | | | |
|----|----------------------|---------------------|--------------|
| 1. | AYER, Cory C. | Orthotist Assistant | ID # 1705406 |
| 2. | SLAWINSKI, Steven K. | Orthotist | ID# 1744949 |

THE BOARD, UPON THE MOTION MADE BY HEIKKI UUSTAL AND SECONDED BY MILDRED CARLASCIO, VOTED THAT A LICENSE BE GRANTED TO BOTH APPLICANTS: CORY C. AYERS AND STEVEN K. SLAWINSKI.

The vote was unanimous

**B. Danny Freund - Ratification
Application for Waiver**

After discussion, the Board proceeded to ratify the preliminary denial of Danny Freund's application based on his failure to demonstrate that he completed a clinical internship of not less than 1900 hours under the supervision of a duly licensed prosthetist. N.J.S.A. 45:12B-3 defines licensed prosthetist as an individual who "has met the eligibility requirements contained in section 11 and has been duly licensed under this act."

THE BOARD, UPON THE MOTION MADE BY MILDRED CARLASCIO AND SECONDED BY HEIKKI UUSTAL, PURSUANT TO N.J.S.A.45:12B-11(A)(2) VOTED TO ACCEPT THE 950 HOURS OF CLINICAL INTERNSHIP COMPLETED UNDER THE SUPERVISION OF TERRY L. KALTER, A NEW JERSEY LICENSEE, AND ENCOURAGED MR. FREUND TO COMPLETE THE REMAINING 950 HOURS OF CLINICAL INTERNSHIP UNDER A NEW JERSEY LICENSED PROSTHETIST AND OFFERED TO KEEP HIS APPLICATION OPEN FOR TWO YEARS.

Thereafter at the meeting, the applicant presented for the first time, a second certification dated July 29, 2013 from Mr. Kalter with new and different information regarding his internship for Board review.

THE BOARD, UPON THE MOTION MADE BY HEIKKI UUSTAL AND SECONDED BY MILDRED CARLASCIO, MOVED INTO A CLOSED SESSION TO SEEK ADVICE OF COUNSEL REGARDING THE NEW AND DIFFERENT INFORMATION PROVIDED BY APPLICANT FREUND.

THE BOARD, UPON THE MOTION MADE BY MILDRED CARLASCIO AND SECONDED BY HEIKKI UUSTAL VOTED TO GO BACK INTO PUBLIC SESSION.

THE BOARD, UPON MOTION MADE BY HEIKKI UUSTAL AND SECONDED BY MILDRED CARLASCIO, TABLED THIS MATTER UNTIL THE BOARD HAS AN OPPORTUNITY TO FULLY REVIEW AND AFTER THE APPLICANT VERIFY THIS NEW AND DIFFERENT INFORMATION. ONCE THIS VERIFICATION IS COMPLETED, THE MATTER WILL BE PLACED ON THE AGENDA FOR FURTHER ACTION.

The vote was unanimous.

III. ADJOURNMENT

At 11:35 A.M., the Board, upon a motion made by Mildred Carlascio and seconded by Heikki Uustal, voted to adjourn the Public Session and moved to the Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.

The meeting was adjourned at 12:20 AM.

Respectfully submitted,

Laura L. Anderson
Executive Director