



TPMA E-NEWS

October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

Editor's Note

Ken Dennis, DPM
KDennis428@aol.com



I will be brief today – have you ever noticed that when your office is kind of slow there just is not any spare time – when you are incredibly busy, somehow you get everything done... What's up with that? For the last month, my practice has been slow; hope yours has not. So of course, between blaming the economy, blaming insurance, maybe even blaming global warming; I have to take a critical look at myself – no way it could have anything to do with me!

I really try to treat my patients, work with my staff, interact with my friends and enjoy my family with the old "do unto others as you would have them" The Golden Rule is hard to beat; no matter what the situation is. As cliché as it sounds, I truly believe the leadership of TPMA has also followed that precept as they implement the mission and vision of our association and profession. Now, if only our national leaders could take the hint.

Please have a happy, health and productive October and enjoy the articles in this month's e-news.

President's Message

Martin Sloan, DPM
mvs321@suddenlink.net



This past month has been a very productive one for TPMA members, highlighted by the successful Southwest Foot and Ankle Conference in Frisco, Texas. The C.M.E. Committee, chaired by Dr. Damien Dauphinee, did a stellar job in its preparation and implementation. The seminar could have easily been entitled "a day in the office". Topics ranged from sports medicine, infectious disease, and rearfoot and ankle pathology. These topics are indeed what we encounter on a daily basis. For many members, the seminar was made complete by the PICA workshop. The TPMA members that attended this workshop received a 15% discount on their insurance premiums. This is a benefit for TPMA members only.

continued on page 2



October
2009

in this issue

Click here

Editor's Note

President's Message

Update on Proposed
Rule Changes at
TSBPME

Southwest Foot and
Ankle Conference
Followup

Executive Director's
Report

Mediation Update

Letter to the Editor

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

One outcome of the conference was the formation of the newest TPMA committee, the Young Members Committee. Recognizing that our future rests in the hands of the newer members in our profession, we felt it was essential for TPMA to encourage young members to become active in the association and to energize our base. The following members responded and now make up the Young Members Committee, chaired by Dr. Maureen Caldwell. Committee members include Drs. Jeremiah Graff, Nealand Willingham II, David Pytowski, Jason Hancock, Scott McTavish, Linnie Rabjohn, Jessica St. Louis, Karry Ann Shebetka, and Jonathan Hosch. Additionally, Dr. Rabjohn has agreed to serve as the Young Member on the CME committee. She is already actively working to incorporate topics of special interest to the new or young practitioner into the upcoming conferences. Also, Dr. McTavish is the first Young Member to serve on the TPMA's Board of Directors. I would encourage each of you, wherever you are practicing, to contact these members with questions or concerns. TPMA is here for you.

My vision as President, and that of the Executive Board, remains focused on Scope of Practice, Public Relations, Membership Campaign and energizing our base as we move into a legislative year in 2011. The battle to retain our scope of practice, to continue doing what we have been educated, trained and credentialed to do, continues. TPMA, as you know, met with TOA in mediation to resolve the lawsuit. While much was discussed and we believe an agreement is imminent, the issue remains open. We are prepared to proceed to the Texas Supreme Court later this year if necessary.

The PR campaign continues. We are still meeting with the Vollmer Group to plan and implement a program via the media and other sources. Our goal is to educate the public, the legislators, and the medical community about podiatry and its fundamental importance in the delivery of quality medical care. This will be followed by a TPMA grassroots effort to interact with and educate these same groups as we prepare for legislation. This will be essential to our long term security as a viable profession.

Lastly, we at TPMA are pleased that TSBPME proposed rules pertaining to scope of practice in Texas. The information can be found at

<http://www.sos.state.tx.us/texreg/sos/PROPOSED/22.EXAMINING%20BOARDS.html#123>

This rule in essence states that podiatrists may treat conditions at or below the ankle by any system or method and may perform procedures on skin and soft tissue up to the tibial tuberosity that affect foot function.

Thus far, if I have learned anything as President, it is that worthy goals require worthy effort; planning, perseverance, steadfastness and focus. Like our coaches used to say, we can't take our eye off the ball. I would encourage each of you to remain focused and to continue to take a stand for what is right for the public we serve. They deserve the best foot and ankle care.

Update on Proposed Rules Changes at TSBPME

The following rules have been posted in the Texas Register and will be considered by the TSBPME at their November 16, 2009 meeting.

<http://www.sos.state.tx.us/texreg/archive/September252009/PROPOSED/22.EXAMINING%20BOARDS.html#123>

continued on page 3



October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

22 TAC §375.1

The Texas State Board of Podiatric Medical Examiners proposes amendments to §375.1, concerning Definitions. The changes to §375.1 are being proposed to remove the definition of foot which is currently found in paragraph (2). The Board has determined that the practice of podiatry can be addressed by other sections of the rules, including §375.3, without the need for the Board to define the term "foot" at this time. The changes to §375.1 are also proposed to add a clarification to the term "condition" which is referenced in proposed amendments to §375.3.

Hemant Makan, Executive Director, has determined that for the first five year period the rule is in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Mr. Makan has also determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of adopting the changes for §375.1 will be a better understanding of the practice of podiatry and its scope, including its limitations. There will be no cost to small businesses, micro-businesses or individuals.

Comments on or about the proposed amendments may be submitted, in writing, within 30 days after this notice is published in the Texas Register to Janie Alonzo, Staff Services Officer V, Texas State Board of Podiatric Medical Examiners, P.O. Box 12216, Austin, Texas 78711-2216, janie.alonzo@foot.state.tx.us.

The amendments are proposed under Texas Occupations Code, §202.151, which provides the Texas State Board of Podiatric Medical Examiners with the authority to adopt reasonable or necessary rules and bylaws consistent with the law regulating the practice of podiatry, the laws of this state, and the law of the United States to govern its proceedings and activities, the regulation of the practice of podiatry and the enforcements of the law regulating the practice of podiatry.

The proposed amendments to §375.1 implement Texas Occupations Code §202.001(a) (4).

§375.1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context indicates otherwise:

(1) (No change.)

(2) **Condition**--Any disease, disorder, physical injury, deformity or ailment of the human foot.

~~[(2) **Foot**--The foot is the tibia and fibula in their articulation with the talus, and all bones to the toes, inclusive of all soft tissues (muscles, nerves, vascular structures, tendons, ligaments and any other anatomical structures) that insert into the tibia and fibula in their articulation with the talus and all bones to the toes.]~~

(3) **Medical Records**--Any records, reports, notes, charts, x-rays, or statements pertaining to the history, diagnosis, evaluation, treatment or prognosis of the patient including copies [~~copies~~] of medical records of other health care practitioners contained in the records of the podiatric physician to whom a request for release of records has been made.

(4) - (6) (No change.)

continued on page 4



October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 10, 2009.

22 TAC §375.3

The Texas State Board of Podiatric Medical Examiners proposes amendments to §375.3, concerning General. The changes to §375.3 are being proposed to address the practice of podiatry and to clarify its scope, including its limitations.

Hemant Makan, Executive Director, has determined that for the first five year period the rule is in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Mr. Makan has also determined that for each year of the first five years the rule is in effect, the public benefit anticipated as a result of adopting the amendments to §375.3 will be to address the practice of podiatry and to clarify its scope, including its limitations. There will be no cost to small businesses, micro-businesses or individuals.

Comments on or about the proposed amendments may be submitted, in writing, within 30 days after this notice is published in the Texas Register to Janie Alonzo, Staff Services Officer V, Texas State Board of Podiatric Medical Examiners, P.O. Box 12216, Austin, Texas 78711-2216, janie.alonzo@foot.state.tx.us.

The amendments are proposed under Texas Occupations Code, §202.151, which provides the Texas State Board of Podiatric Medical Examiners with the authority to adopt reasonable or necessary rules and bylaws consistent with the law regulating the practice of podiatry, the laws of this state, and the law of the United States to govern its proceedings and activities, the regulation of the practice of podiatry and the enforcements of the law regulating the practice of podiatry.

The proposed amendments to §375.3 implement Texas Occupations Code §202.001(a) (4); and Texas Health and Safety Code §241.101 and §241.102.

§375.3.General.

(a) - (b) (No change.)

(c) A licensed podiatric physician may treat conditions of that portion of the body at or below the ankle by any system or method.

(d) The intent of subsection (c) of this section is to clarify that treatment may also include procedures performed on soft tissue structures distal to the tibial tuberosity that treat conditions on that portion of the body at or below the ankle.

(e) Complex surgical procedures of the ankle by a podiatric physician shall be performed only in a JCAHO (Joint Commission on the Accreditation of Healthcare Organizations) approved hospital or a licensed ambulatory surgical center.

(f) The Texas State Board Podiatric Medical Examiners recommends individual privileging based on an individual practitioner's level of documented experience, documented training or board certification/board eligibility.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State on September 10, 2009.



Southwest Foot and Ankle Conference Follow-up

October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)



The 2009 Southwest Foot & Ankle Conference, held at the Embassy Suites & Convention Center in Frisco was plagued by rain storms throughout all three days of the meeting, however, by all accounts; the conference attendance was one of the highest to date. Thanks to membership support of the meeting, the registration numbers reached 250 DPM's with an additional 115 Assistants.

This year's seminar, which took place September 11-13, 2009, started off strong with three phenomenal workshops sponsored by Osteomed, Synthes Inc. and Wright Medical Technologies, Inc., where attendee's received hands on experience with fixation tools and cadavers. Also on Friday, a special conflict management workshop was held with national speaker Richard Voyles, PhD, during which attendee's were given personality tests and received guidance towards improving professional and personal development skills in the workplace.



Once the conference was in full swing, it became apparent that the attendees were receiving what they came for with education geared toward sports medicine of the foot and ankle. Highlights of this year's conference include guest lecturer Richard Ferkel, MD, from Southern California Orthopedic Institute who presented lectures on the arthroscopic anatomy and pathology of the ankle and the subtalar joint. Also, Richard Bouche, DPM, with The Sports Medicine Clinic in Seattle, Washington, gave presentations on sick sesamoids in the athlete as well as compartment syndromes of the foot and ankle in the athlete. Both were very well received by attendee's at the fall meeting based on evaluations that the attendee's completed. Not to be forgotten are Amol Saxena's, DPM, four presentations on topics ranging from evaluation and treatment of navicular injuries in the athlete to peroneal tendon pain in the athlete.

Overall we received many supportive comments from our members about the content and presenters of each session. Hopefully, this year's meeting served the attendees with a solid conference, a place to obtain CPME credits and revitalize their practice protocols with evidence based medicine. Thank you for all who attended and supported this year's Fall Seminar. See you next year!

Shana Spring
TPMA Association Manager



TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org



Executive Director Report

Don Canada

don@txpma.org

October
2009

in this issue

Click here

Editor's Note

President's Message

Update on Proposed
Rule Changes at
TSBPME

Southwest Foot and
Ankle Conference
Followup

Executive Director's
Report

Mediation Update

Letter to the Editor



As you know, TPMA engaged the services of the Vollmer Public Relations firm (www.vollmerpr.com) to develop a communications plan of action leading up to the 2011 Legislative Session. Vollmer is working with the TPMA to support its public relations and marketing communications needs. This will include both short term as well as long term initiatives. Vollmer is available for strategic counsel at all times to TPMA.

Specific objectives are to:

- 1) Position, message and brand TPMA to its many constituents.
- 2) Develop and implement a public awareness campaign, including
 - a) Ongoing media and influencer outreach, and
 - b) Collateral and support materials (on and offline), as needed.
- 3) Provide legislative support, as needed.
- 4) Provide crisis communication, as needed.

Our first effort was to develop a messaging document that can be used to help with branding and positioning of the organization. This will be used anytime we develop a press release or develop a media event to give background information on TPMA – who we are and what you do. The following is our messaging document that has been developed by Vollmer along with a series of meetings with the TPMA Public Relations committee. Thanks to Christina Felton of Vollmer and to Angel Lopez, DPM who chairs the PR committee for a good start to our PR plan of action.

TEXAS PODIATRIC MEDICAL ASSOCIATION (TPMA) WHAT WE DO

On behalf of its members, the profession, and consumers, TPMA works to:

PROMOTE

- Promote the understanding and awareness of the specialization of podiatrist, and the quality care they provide to the citizens of Texas.

PROTECT

- Maintain the highest standards for the profession.
- Ensure access to quality foot and ankle care for the citizens of Texas.
- Establish and maintain relationships with healthcare and related organizations with common interests to address mutual concerns and identify possible solutions.

continued on page 7

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org



October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

ADVOCATE

- Advance the growth and stability of podiatric medicine by increasing awareness of foot and ankle health through public education and legislative advocacy.
- Seek to secure the enactment and enforcement of fair laws for podiatric medicine through regulatory and legislative processes.

COMMUNICATE

- Provide important programs, services and information to its members, including:
 - Quality Continued Medical Education (CME)
 - Medical research and development updates
 - News about licensing, standards and best practices
 - Member networking
 - Ongoing communication via E-newsletters and updates on the critical changes and activities relating to scope of practice

TEXAS PODIATRIC MEDICAL ASSOCIATION (TPMA)

OVERVIEW

The Texas Podiatric Medical Association (TPMA) is a professional membership organization – currently more than 600 members strong – that is the recognized resource in the state for Doctors of Podiatric Medicine (DPMs) and the patients they serve.

Doctors of Podiatric Medicine (podiatrists) are specialists who manage diseases and conditions affecting the foot and ankle.

- Podiatrists are health care professionals whose practice focuses solely on the foot, ankle, and related body systems.
- To obtain a doctorate, a podiatrist attends four years of undergraduate studies followed by completion of four years of post graduate education in a college of podiatric medicine, now followed by three-year post-graduate residency program at an approved hospital or university.
- Podiatrists have full authority to diagnose, treat, prescribe medicine and perform surgery.
- Podiatrists are on staff at Texas hospitals, surgical centers, and diabetic wound care clinics.

Three out of four Americans will experience some kind of foot problem in their life.

Podiatrists are valued members of a community's health care team, and are often the first doctors to notice signs of systemic conditions such as diabetes, arthritis, and circulatory disease.

DPMs specialize in diagnosing and providing relief for any foot and ankle problem including:

- Pain from bunions, boney deformities, heel pain, hammertoes, fallen arches, pinched nerves, corns and calluses, and sports-related conditions
- Injuries from sprains, fractures, and tendonitis
- Skin conditions from ingrown toenails, warts, and infections

continued on page 8



- Wound care
- Surgery
- Physical therapy
- Prescription orthotics

Every 30 seconds, someone loses a lower limb to diabetes.

More and more, podiatrists are diagnosing and treating complications of diabetes, which is a leading cause of foot and leg amputations in the United States, second only to physical injury. Comprehensive foot care programs can reduce amputation rates by as much as 85 percent. More than half of those who suffer from diabetes have diabetic nerve damage, which often includes impaired sensation or pain in the feet.

Podiatrists improve the quality of life for hundreds of thousands of Texans by providing the kind of treatment and relief that allow them to live healthier, more active lives.

TEXAS PODIATRIC MEDICAL ASSOCIATION
A Professional Organization
Advocating for Podiatrists and the Patients They Serve

Mediation Update

We have nothing to report since the August 18th Mediation meeting in Austin except the wheels are still rolling and we hope an agreement that all parties can sign off on is attained in the near future. In the meantime, we could expect to hear from the Supreme Court on our Petition for Review sometime this month or next. If they grant our petition, the case will probably be heard sometime in 2010. Along those same lines, the TSBPME is considering new rules at their meeting on November 16th and in the absence of an agreement with TOA and TMA, TPMA feels it is imperative that the Board passes those proposed rules (enclosed elsewhere in this publication).

Upcoming Conference

**TPMA & Dallas County
 Winter Conference
 January 22-24, 2010
 Dallas, Texas**



**October
 2009**
in this issue

[Click here](#)

Editor's Note

President's Message

Update on Proposed
 Rule Changes at
 TSBPME

Southwest Foot and
 Ankle Conference
 Followup

Executive Director's
 Report

Mediation Update

Letter to the Editor

TPMA
 918 Congress Avenue
 Suite 200
 Austin, TX 78701
 (512) 494-1123 phone
 (512) 494-1129 fax
 www.txpma.org



October
2009

in this issue

[Click here](#)

[Editor's Note](#)

[President's Message](#)

[Update on Proposed
Rule Changes at
TSBPME](#)

[Southwest Foot and
Ankle Conference
Followup](#)

[Executive Director's
Report](#)

[Mediation Update](#)

[Letter to the Editor](#)

Letter to the Editor

Subject:

Latest issue of Journal of the Texas Podiatric Medical Association

Dear Colleagues,

I have never been more proud of my association than when I received and read (every word) my latest issue of the Journal of the Texas Podiatric Medical Association. I have watched with pride its improvement issue after issue until finally this most beautiful, professional specimen.

I am equally proud of the quality of content. Each contributor gives his report in such a thorough and concise manner, that reading it is a pleasure in itself. I am equally pleased and appreciative to see many of the same department heads report year after year. Dr. Paul Kinberg, possibly the most informed insurance writer in the whole Association, with his contributions year after year, takes the guess work out of insurance coding and relating the latest rules. Talk about a treasure!!!

Don Canada, along with his excellent staff, has made a first class organization out of what used to be a sort of shambles club doing its best without expert professional guidance. I am also pleased that Mark Hanna has stayed with us over the years. He is the best.

We are also fortunate to still have Dr. Bill Van Pelt taking such an interest in our profession and staying active with the missionary gigs in not so fortunate countries. He is a real giver in his semi retirement.

I was equally impressed with Dr. Martin Sloan's President's Message. He along with the board just exudes intelligence and ability. Our future is in good hands!! Thank you!

Last but not least, my admiration and deepest appreciation for our ever faithful editor, Dr. Ken Dennis. Ken has stayed with this sometimes thankless job for many years and always strives for improvement with each issue, and see how effective his vision has been viz a` viz this beautiful latest issue! I have been a editor for numerous house organs over my years (and even worked on the Chiropody Society of Texas publication early on) and I am cognizant of the responsibility and many hours it requires of the editor. To show my appreciation for Ken, I am donating in his honor to The Podiatric Medical Foundation.

This profession has been a big part of my 85+ years. Beginning with my uncle, J. Edwin Taylor, DSC (license # 17) during my formative years, followed by Ohio College of Chiropody after my four years as a pilot in WW II, then 44 years of wonderful practice of Podiatry. I practiced in a medical building with 300 other physicians and never once did I wish I could trade places with any of their specialties. Podiatry provided me with a good and happy life, and a carefree retirement.

I can't help but feel very close to my association, and it does my heart good to see it continue to thrive and grow, thanks to you wonderful stewards.

May God bless and keep you all.

Charley

Charles B. Fladger, DPM

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org



October
2009

in this issue

Click here

Editor's Note

President's Message

Update on Proposed
Rule Changes at
TSBPME

Southwest Foot and
Ankle Conference
Followup

Executive Director's
Report

Mediation Update

Letter to the Editor

TPMA
918 Congress Avenue
Suite 200
Austin, TX 78701
(512) 494-1123 phone
(512) 494-1129 fax
www.txpma.org

EXPERTISE

**What we were. What we are.
What we always will be.**

For over 25 years, we have protected and defended podiatrists against risk.

Combined, our claims and risk management professionals have over 100 years of podiatric malpractice experience.

We are recognized for our unmatched knowledge of the industry.

That's why you pick PICA.

For more information or a no-obligation quote, visit us online at www.picagroup.com or call us at (800) 251-5727.



PICA