

# THE OHFAMA JOURNAL



THE OHIO FOOT AND ANKLE MEDICAL ASSOCIATION + WWW.OHFAMA.ORG

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## 2022 OHFAMA Service Award Winners Charles Marlowe, DPM, and Karen Kellogg, DPM, MBA

### IN THIS ISSUE

President's Message .....	2	Residency Competition Winners .....	7	COCR Highlights HIPAA	
Calendar of Events.....	2	It's Time to Reform the ABFAS		Enforcement Actions .....	14
Foundation Board Votes to Change		Board Exam .....	9	Need for Secure Email Systems .....	15
Annual Seminar Format.....	3	OHFAMA Service Award Recipients .....	10	Stock Market Volatility .....	16
Executive Director's Report .....	4	Membership News and Notes .....	11	Premium installment &	
2022 Annual Seminar a Success .....	6	Spotlight: Northeast Academy .....	12	true-up reporting .....	18

## A WORD FROM THE PRESIDENT

Sarah Abshier, DPM



Sarah Abshier, DPM

It's hard to believe the year is halfway over. So far it has been my pleasure to visit a handful of academies and speak with leaders across the state.

Our Annual Seminar took place May 12-14 and was well attended. It was great to see friends and colleagues as the event returned to an in-person format. Next year's seminar will be held May 18-19, 2023, in Columbus. Be sure to save the date!

Although the worst of COVID appears to be over, it has forever changed the landscape of our daily lives and businesses. OHFAMA is working hard to adapt and thrive as associations continue to struggle in our current environment.

To chart our future course, the OHFAMA Board of Trustees will be having a strategic planning session in August. For those unfamiliar, a strategic planning session assists organizations in identifying and prioritizing goals along with creating action items that can help achieve those goals. Our last session was in 2015 and a lot has changed since then! Keep an eye out for an upcoming membership survey. We would appreciate your input and ideas, which we will incorporate into our planning session.

Our OHFAMA website will be undergoing a facelift this year to improve our online presence. Be sure to check out the upgraded platform and easier access to vital information. The project is slated to be completed by this fall.

Speaking of fall, please save the date for our 2nd Annual Wound Care Seminar and Annual Business Meeting on November 19 at the Embassy Suites Columbus. Your participation in both of these events will help us build on the success of the inaugural events held last year.

I hope you had a great Fourth of July and enjoy the rest of the summer!

Dr. Sarah Abshier



Dr. Sarah Abshier gathers with former OHFAMA presidents at the Silver Gavel luncheon at the Annual Seminar



## 2022

August 11, 2022

**Budget and Finance Meeting** - 1:00 PM  
Nationwide Hotel and Conference Center

August 11, 2022

**Board of Trustees Meeting** - 2:00 PM  
Nationwide Hotel and Conference Center

August 11-12, 2022

**Strategic Planning Session**  
Nationwide Hotel and Conference Center

August 25-26, 2022

**GXMO - Didactic Course - Virtual**

August 27, 2022

**GXMO - Clinical Course - Virtual**

September 19, 2022

**Executive Committee Meeting**  
Teleconference - 7:00 PM

September 30, 2022

**Holy Toledo Seminar & Autumn Golf Outing**  
Brandywine Country Club, Maumee

October 6, 2022

**Budget and Finance Meeting**  
OHFAMA Executive Office - 9:00 AM

October 6, 2022

**Board of Trustees Meeting**  
OHFAMA Executive Office  
10:00 AM – 3:00 PM

October 27-29, 2022

**NEOAPM Fall Classic – Virtual**

November 10-11, 2022

**GXMO - Didactic Course - Virtual**

November 12, 2022

**GXMO - Clinical Course – Virtual**

November 18, 2022

**Budget and Finance Meeting**  
Embassy Suites - Columbus Airport  
2:00 PM – 3:00 PM

November 18, 2022

**Board of Trustees Meeting**  
Embassy Suites-Columbus Airport  
3:00 PM – 5:30 PM

November 19, 2022

**2022 Wound Care Seminar**  
Embassy Suites-Columbus Airport  
7:00 AM – 2:00 PM

November 19, 2022

**OHFAMA Annual Business Meeting**  
Embassy Suites-Columbus Airport -  
2:00 PM – 5:00 PM

# Foundation Board Votes to Change Annual Seminar Format

The Ohio Foot and Ankle Medical Foundation Board of Directors voted June 15 to change the format of the Annual Seminar to a two-day seminar with an accompanying one-day virtual seminar to be held in the weeks prior to the in-person event.

The change comes in response to growing demand for virtual learning combined with members' desire to secure up to 25 CME credits through the Annual Seminar.

"The new Annual Seminar format will give attendees the best of both worlds – the convenience of online learning coupled with the networking opportunities that only an in-person seminar can offer," said Foundation Board president Sarah Abshier, DPM. "Our hope is

the changes will result in a better overall experience for members, faculty, and our generous sponsors and exhibitors."

Attendees will be able to register for the virtual seminar (8 CME Hours), in-person seminar (17 CME Hours), or both events at a special price.

The traditional, in-person Annual Scientific Seminar will be held May 18-19, 2023, and will feature two full days of lectures, workshops, and the exhibit hall.

Details about the location of the 2023 event and virtual seminar will be announced in the coming weeks.



## Thank you to our 2022 OPPAC Contributors:

as of 06/30/22

Please consider financial support of our state legislative efforts by contributing to the Ohio Podiatric Political Action Committee (OPPAC).

### **Central Academy**

Sarah Abshier, DPM  
Eric Anderson, DPM  
Nicklaus Bechtol, DPM  
Macaira Dyment, DPM  
Roderick Fuller, DPM  
Timothy Holmes, DPM  
Anastasia Koss, DPM  
Donnalyn Moeller, DPM  
Carly Robbins, DPM  
Richard Schilling, DPM  
Mark Stanos, DPM  
Adam Thomas, DPM  
Jennifer Trinidad, DPM  
Christopher Walker, DPM

### **Eastern Academy**

Bruce Blank, DPM  
John Chiaro, DPM  
Mitchell Dalvin, DPM  
  
**Mideast Academy**  
Thomas Arnold, DPM  
Richard Hofacker, DPM  
Karen Kellogg, DPM  
Richard Kunig, DPM  
Renee Mackey, DPM  
Leslie Niehaus, DPM  
Kenneth Nixon, DPM  
Eric Paul, DPM  
Lee Sayner, DPM  
Rodney Scott, DPM

### **Midwest Academy**

Philip Cain, DPM  
Marc Greenberg, DPM  
Richard Jennings, DPM  
Donald LeMelle, DPM  
Elizabeth Nicely, DPM  
Gerald Perelman, DPM  
John Phillips, DPM  
Eric Plumley, DPM  
Jennalee Rauh, DPM  
John Stevenson, DPM  
Kevin Sunshein, DPM  
Susan Yu, DPM

### **North Central Academy**

Christopher Bohach, DPM  
Eugene Kubitz, DPM  
Martin Lesnak, DPM  
Elizabeth Wakefield, DPM

### **Northeast Academy**

Allan Boike, DPM  
Jerry Lamendola, DPM  
Debra Thornton, DPM  
Kelly Whaley, DPM

### **Northwest Academy**

John Carroll, DPM  
John Clarke, DPM  
Charles Marlowe, DPM  
Thomas McCabe, DPM  
Corey Russell, DPM  
Pamela Sheridan, DPM

### **Southern Academy**

Brian Ash, DPM  
Renee Ash, DPM  
Ruth Ann Cooper, DPM  
Todd Loftus, DPM  
Amy Masowick, DPM

### **Additional Contributors**

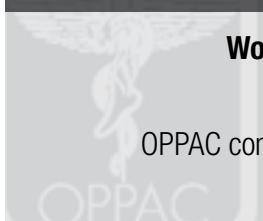
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## EXECUTIVE DIRECTOR'S REPORT

Mike Mathy, CAE, OHFAMA Executive Director | Luci Ridolfo, CAE, OFAMF Executive Director

# The Future of Continuing Education

One of the positive outcomes from the pandemic is it changed perceptions about online learning.

It wasn't that long ago that association staff and progressive-minded leaders were urging seminar planners and members to embrace virtual learning as an alternative means to complete mandatory training and learn about industry trends and innovations.

These calls were typically met with some level of resistance since most members were accustomed to receiving their continuing education credits through in-person events like the Annual Scientific Seminar or similar events offered by our Academies.

When COVID-19 arrived on the scene in 2020, both the Ohio Foot and Ankle Medical Foundation and several Academies had no choice but to transition their traditional in-person events to virtual seminars due to ongoing uncertainty and restrictions on the size of indoor events that persisted into 2021.

Not surprisingly, many members reported they enjoyed the flexibility that online learning offers. Post-meeting surveys demonstrated that virtual meeting attendees appreciated the convenience of continuing education in the comfort of their own home or office, which reduced travel expenses and limited time away from their practice. More importantly, a majority of seminar attendees reported getting just as much value out of virtual seminars as through traditional events.

The transition to more virtual learning has not come without negative consequences, however. The lack of in-person events in 2020 limited networking opportunities for members and our generous sponsors and exhibitors who support our profession and association. Similarly, to our surprise, more attendees of the 2021 Ohio Foot and Ankle Seminar chose to attend the hybrid event virtually rather than in person.

While attendance at the 106th Annual Ohio Foot and Ankle Scientific Seminar in May rebounded, we have not yet returned to pre-pandemic attendance levels. This prompted the Ohio Foot and Ankle Foundation to put out a survey to gather members' thoughts on the future of continuing education.

The survey results, which are outlined below, led the Foundation Board of Directors to change the format of the Annual Seminar—which has traditionally offered 25 CME credits over three days—to a one-day virtual seminar on a Saturday followed by a two-day in-person seminar weeks later to be held on Thursday and Friday.

It is our belief the changes will both satisfy those who enjoy virtual learning while continuing to facilitate the networking and camaraderie that can only be found at an in-person meeting.

## CONTINUING EDUCATION SURVEY RESULTS

### **COVID-19 had a significant, but not overwhelming impact on in-person attendance**

- Nearly half of respondents said COVID was not a factor in their decision not to attend the 2022 Annual Seminar

### **Respondents primarily earned continuing education credits through virtual seminars over the past two years**

- 44% of survey participants said they received most, if not all, of their continuing education credits via virtual seminars
- Another 28% stated they received their credits through an equal mix of virtual and in-person events

### **Members plan to attend more in-person events in the future**

- 51% of respondents plan to attend more in-person events than they did in the past two years
- 66% said shorter seminars/fewer days out of the office would motivate them to attend future seminars

### **However, members want virtual learning options in the future**

- 38% of respondents noted they would like an equal mix of in-person and virtual seminars in the future
- 60% of physicians prefer changing the current Annual Seminar format to incorporate virtual learning into the equation

### **A majority of members participate in less than three educational events**

- 64% of respondents participate in 1 or 2 seminars per year
- 73% of respondents said it is important that seminars offer at least 25 CME credits



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## FOUNDATION NEWS



# 2022 Annual Seminar a Success

The 106th Annual Ohio Foot and Ankle Scientific Seminar took place May 12-14 at the Columbus Hilton at Easton. 224 physicians and 28 assistants attended the event, which featured 82 exhibitors.



Platinum Seminar Sponsor: Bako Diagnostics



Platinum Seminar Sponsor: PICA



Gold Seminar Sponsor: Stryker



Gold Seminar Sponsor: Horizon Therapeutics



Gold Seminar Sponsor: Ohio Foot and Ankle Specialists



Silver Seminar Sponsor: ModMed



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Exhibits Chair Tom McCabe, DPM (left), awards a door prize from 4Path representative Paula Pitts to Michael Brondon, DPM at the Exhibitor Marketplace Luncheon. 82 exhibitors showcased their products and services at the Scientific Seminar.

## Thank You to Our Generous Sponsors

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Richard Schilling, DPM, gives a presentation at the Assistant's Program at the 106th Annual Ohio Foot & Ankle Scientific Seminar. 28 assistants participated in this year's program.

# Residency Competition Winners Announced

The 106th Annual Foot & Ankle Scientific Seminar featured the annual Gerard V. Yu Scientific Paper Competition on Thursday, May 12.

This year's paper competition featured 8 total submissions from Grant Medical Center, The Jewish Hospital, and UC Medical Center. The initial papers were distributed to a panel of judges, who evaluated the papers blindly and selected five finalists:

- Alex Bischoff, DPM –  
Grant Medical Center (presenting 2 papers)
- Alec Dierksheide, DPM –  
University of Cincinnati Medical Center
- Alex Schaeffer, DPM –  
University of Cincinnati Medical Center
- Zachary Washburn, DPM –  
University of Cincinnati Medical Center

The five finalists presented to a five-judge panel of physicians, who scored the presentations. The winning paper, based on a combination of the blind judges' scores of the papers and the judges' scores was (bolded name represents the presenter),

**First Place:** **Zachary Washburn, DPM**; Peter A Crisologo, DPM; Anthony Blanchard, DPM FACFAS

*The Effects of Cold-Forging Process Applied to Fine Wires for the Ilizarov External Fixator Apparatus: A Pilot Study*

**Second Place:** **Alex Schaeffer, DPM**; Suhail Masadeh, DPM; Ghaleb Darwazeh, MD; William Perry, DPM; Mohammed Ellabban, MD; Christopher Bibbo, DO DPM, Michael Liette DPM

*Anatomical Variations of the Medial Plantar Artery Flap:  
A Cadaveric Study with Clinical Applications*

**Third Place:** **Alex Bischoff, DPM**; Ryan Stone, DPM; Tung Dao, DPM; Steven Anderson, DPM; Zachary Hill, DPM; Brian Steginsky, DO DPM; Robert Mendicino, DPM FACFAS  
*Functional Outcomes and Complications Associated with Total Talus Arthroplasty: A Systemic Review*

**Honorable Mention:** **Alec Dierksheide, DPM**; Michael Liette, DPM; Zachary Washburn, DPM, Peter Crisologo, DPM; Benjamin Haberer, DPM; Jordan Henning, DPM  
*Complications of Percutaneous Tendo-Achilles Lengthening for Treatment and Prevention of Diabetic Foot Ulcers: A Systemic Review*

**Alex Bischoff, DPM**; Ryan Stone, DPM; Tung Dao, DPM; Randall Thomas, DPM FACFAS; Amanda Quisno, DPM FACFAS, Mallory Faherty, PHD ATC  
*Resident Run Clinic in Podiatric Foot and Ankle Surgery Residency Training: A Preliminary Study of Resident Perceived Benefit*

Thank you to our 2022 Resident Paper Competition Live Presentation Judges:

- Dr. Elizabeth Hewitt – Foundation Director
- Dr. Karen Kellogg – OHFAMA Past President and Foundation Director
- Dr. Richard Kunig – OHFAMA Past President
- Dr. Todd Loftus – OHFAMA & OFAMF Past President
- Dr. Corey Russell – OHFAMA Past President

A special thank you to resident paper and poster competition sponsors ACFAS Great Lakes Region, Gill Podiatry, Lucky Shoes, and The Tetra Corp.

Continued on Next Page

## By the Numbers – Annual Seminar

**224** Physician Attendees

**21**

Educational Sessions

**24** Speakers

**82** Exhibitors

**25** Available CME Credits

## Poster Competition

This year's poster competition featured 11 total submissions from Grant Medical Center, The Ohio State Medical Center, The Jewish Hospital, and UC Medical Center. The posters were distributed to a separate panel of judges from the paper competition, who evaluated the posters and selected five finalists:

- Alex Bischoff, DPM –  
Grant Medical Center (presenting 2 posters)
- Dominick Casciato, DPM –  
Grant Medical Center (presenting 2 posters)
- Ryan Stone, DPM –  
Grant Medical Center

The finalists presented their posters while the paper competition scores were being tabulated (bolded name represents the presenter):

**First Place:** **Dominick Casciato, DPM;** Alex Bischoff, DPM; Robert Mendicino, DPM FACFAS

*Anatomic Description of the Calcaneocuboid Joint: Implications for Staple Fixation*

**Second Place:** **Dominick Casciato, DPM;** Amar Chandra, DPM; Kevin Nguyen, DPM; John Thompson, DPM AACFAS; Nathaniel Starcher, MS-II; Robert Mendicino, DPM FACFAS; Benjamin Taylor, MD

*Correlation of Lisfranc Injuries with Regional Bone Density*

**Third Place:** Dominick Casciato, DPM; **Ryan Stone, DPM;** John Thompson, DPM; Marissa Venero, DPM; Michael Chiu, DPM; Jonathan Blum, DPM FACFAS; Ian Barron, DPM AACFAS; Christopher Hyer, DPM FACFAS

*Radiodensity Analysis of Lateral Column Superconstruct Fixation Sites in Midfoot Charcot Neuroarthropathy*

**Honorable Mention:** **Alex Bischoff, DPM;** Ryan Stone, DPM; Tung Dao, DPM; Steve Anderson, DPM; Zack Hill, DPM; Brian Steginsky, DO; Robert Mendicino, DPM FACFAS

*Functional Outcomes and Complications Associated with Total Talus Arthroplasty: A Systemic Review*

**Alex Bischoff, DPM;** Ryan Stone, DPM; Ross Groeschl, DPM; Mallory Faherty, PHD ATC; Richard Weiner, DPM AACFAS

*Postoperative Maintenance of Sagittal Plane Positioning of the First Metatarsophalangeal Joint Following Arthrodesis with an Isolated Dorsal Plate Construct: A Retrospective Review of 43 Feet*



2022 Gerard V. Yu, DPM Scientific Paper Competition Finalists with Chairman Robert Brarens, DPM.



2022 Resident Poster Competition Finalists with Chairman Robert Brarens, DPM.



2022 Winners of the Resident Poster and Paper Competition – Dominick Casciato, DPM (Poster Competition Winner), Robert Brarens, DPM (Resident Competition Chairman), and Zachary Washburn, DPM (Paper Competition Winner)

# Opinion: It's Time to Reform the ABFAS Board Exam

By: Aarondeep Deol, DPM

Over the past 40 years, our profession has grown leaps and bounds – from the expansion of our scope of practice to being recognized as physicians within our communities. However, one lingering limitation within podiatry is our board qualification and certification process, more specifically the American Board of Foot and Ankle Surgery (ABFAS) board exam.

To put it simply, it is time ABFAS implements a fairer board exam that is on par and equivalent in style and pass rates to MD/DO medical specialties in the United States.

For example, the American Board of Orthopedic Surgery has had a consistent 97% pass rate for all first-time test takers from 2017-2020. In contrast, ABFAS cumulative pass rates in 2021 were 95% for the Forefoot section of the exam and just 77% for the Rearfoot section\*.

In addition to spending thousands of dollars and hours towards our education & training, the board exams should not stand as an additional obstacle, but rather be a fair assessment of our abilities.

There are other board exams, such as the American Podiatric Medical Licensing Examination, that have higher equivalent pass rates to other medical specialties.

However, most hospital systems do not accept these board certifications, forcing us to take the ABFAS exam to obtain surgical privileges. This is a step backwards compared to what our profession has achieved in our quest toward parity with our allopathic and osteopathic colleagues.

An exam that does not have proper, standardized study material is also a problem that leaves all residents confused on how and what to study. Many third-party websites are created trying to help achieve some sort of resemblance to the exam, but the practice questions and cases are not truly indicative of what is being tested on the exam.

The ABFAS board exam is also split into Forefoot and Rearfoot sections. No other medical specialty has a division in their board exams like we do. If we are already so specialized from the get-go through our education and training, why divide our exam only to make things harder for our young physicians?

## Three-Pronged Plan to Reform the ABFAS Exam

- Align ABFAS board exams with minimal competency of our scope of practice and training
- Develop standardized study materials
- Create unified forefoot and rearfoot board examination

As we've progressed and adapted three-year PMSR/RRA residencies throughout the country the past 15 years, we should restructure the exam to become a combined two section Forefoot/Rearfoot exam instead of a divided, four section exam. Not having a unified single board exam covering our full scope of practice only hinders our profession to move forward as a whole together.

In the coming weeks, with the support of my fellow residents in the state, we will be launching a campaign to change the narrative on the ABFAS boards qualification exam – an exam we all know does not truly portray minimal competency of our scope of practice and training.

With your support, we can push the ABFAS to align its board examination with minimal competency of our scope of practice and training, develop standardized study materials, and create unified forefoot and rearfoot board examination.

Please join us in showing your support for changing the ABFAS boards for the betterment of our profession. Together, we can ensure podiatry earns the respect and recognition our medical specialty deserves.

\* ABFAS does not release first-time test-taker scores, only cumulative scores of all test takers

*Dr. Deol is a third-year resident at Aultman Hospital in Alliance. He can be reached at adeol@kent.edu.*

## MEMBERSHIP NEWS AND NOTES

### Drs. Marlowe, Kellogg Awarded OHFAMA Service Award

The OHFAMA Service Award was bestowed to Charles Marlowe, DPM, and Karen Kellogg, DPM, MBA, May 12 at the 106th Annual Ohio Foot & Ankle Scientific Seminar.

The Service Award is given to deserving recipient(s) who have demonstrated commitment to fulfilling the mission of OHFAMA by devotion to the association through dedicated leadership and volunteerism at the academy and state level.

OHFAMA Past President Kelly Whaley, DPM, places the OHFAMA Service Award on Charles Marlowe, DPM



Dr. Marlowe celebrates earning the OHFAMA Service Award with his family



Dr. Kellogg and her partner, David, following the award ceremony

## MEMBERSHIP NEWS AND NOTES

### Ohio Podiatrist Inducted into Ohio Basketball Hall of Fame

Longtime Lima basketball official Denny Morris, DPM was inducted into the Ohio Basketball Hall of Fame. He was the seventeenth official to join the Ohio Basketball Hall of Fame, which has been in existence since 2005. He has officiated high school basketball for 47 years and high school football for 46 years. He also has been a Big Ten football official for 20 years.

Dr. Morris is the Chief Medical Officer and Vice-President of Medical Affairs at Lima Memorial Hospital. He has been the Rules Interpreter for the OHSAA since 2005 and its Director of Officiating Development since 2010.

### LaPolla Earns International Aurora Award

Dr. James J. LaPolla, Jr., podiatrist and owner of Northeast Ohio Foot, Ankle & Wound Centers, is a 2021 recipient of the International Aurora Award. The award is presented by Kerecis Corp. to doctors who provide outstanding case presentations and research papers pertaining to the science of dermatology, wound care, and burn treatments.

LaPolla, affiliated with Steward Sharon Wound Care Center, was one of the 12 recipients of this award from over several hundred submissions. His case presentation focused on a patient who was scheduled to have a below knee amputation due to an extensive infection of the foot and ankle, secondary to complications of his diabetes



### Member Spotlight: OHFAMA Service Award Winner Karen Kellogg, DPM, MBA

#### What motivated you to get involved with the Mideast Academy and OHFAMA?

I became a member of Mideast during my residency. Dr. Richard Hofacker, who was our Trustee at the time, sparked my interest in OHFAMA. I was impressed by his pride in the Academy and dedication to our members. When OHFAMA added the Young Physician Trustee, it was Dr. Hofacker who encouraged me to run for the position.

#### Who served as mentors to you during your career? How did they shape you as a physician?

I have been very fortunate for the mentors who helped shape my career, Drs. Marchelle Suppan and Richard Hofacker. Their teaching and mentorship extend beyond the clinical practice of medicine. Dr. Suppan has always helped me seek out opportunities for professional development and leadership. Dr. Hofacker helped me understand the importance of OHFAMA membership and service to the organization.

#### How has being involved at the Academy/State/ National level impacted you?

Involvement at Academy/State/and National level has had a significant impact on my career. Through my OHFAMA experience, I have learned about leadership, running meetings, public speaking, political process, and strategic planning. These skills have been key in my professional development. I would encourage all young members to hold an office with their Academy or OHFAMA. The experience may lead to many new leadership opportunities.

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## MEMBERSHIP NEWS AND NOTES

# Spotlight: Northeast Academy

By: Joy Rowland, DPM

### What makes the Northeast Academy unique?

We have our annual Fall Classic seminar that has been ongoing now for 35 years and is well attended.

We have members who have served and continue to serve both at the local and state level.

- Dr. Mark Gould - The recipient of the OHFAMA Service Award, Past President, served as Trustee for over 20 years, Delegate and Chief APMA Delegate for several years
- Dr. Kelly Whaley - Immediate Past President of OHFAMA, current Vice President of NEOAPM and served as President of our Academy for 12 years
- Dr. Michael Bodman served as Vice President of our Academy for 12 years and is currently an OHFAMA Trustee
- Dr. Brian Weiss has continued to serve as Treasurer for the Academy for over 15 years

### What types of events does the Academy hold each year?

- This year will be the 35th year for the Fall Classic so please come join us October 27-29; 25 CME - Virtual Seminar
- Cleveland Guardians game: Meet and Greet with members and residents
- Every other year we offer a Seminar-at-Sea for active members
- Support and attend events at OHFAMA and at KSUCPM
- This year we also held a membership drive at TopGolf; Many members attended but we also had 4 non-members attend with possible memberships

### Why should podiatrists in NE Ohio participate in the Academy?

- We stand with OHFAMA, OPPAC, APMA and other programs to support the efforts that fight for podiatric equality and privileges.
- We support one another in our day-to-day practice and provide useful educational information to help your practice run efficiently
- We address what you want to know about at our meetings and help you network



**How has your participation in the Academy helped you personally and professionally?**

Being a member of the Academy has allowed me to network with my colleagues and discuss challenging practice situations and work out possible solutions. There is a sense of camaraderie within our Academy—there is support both professionally and personally.

I personally have become more in-tune with the challenges we as podiatrists face being part of this Academy. I have also been part of the change to influence our profession—whether it is writing letters in support of privileges for podiatrists, contacting State Representatives, or reaching out to non-members to discuss these challenges and asking them for their support.

If I were not in this Academy, I would be shielded from the opportunity to be able to serve our profession and support these efforts.

## Academy Profile

**Geographic Region:** Ashtabula, Cuyahoga, Geauga, Lake Counties

**Number of Members:** 108

### Academy Officers:

- |                 |                   |
|-----------------|-------------------|
| President:      | Joy Rowland, DPM  |
| Vice-President: | Kelly Whaley, DPM |
| Secretary:      | Joe Favazzo, DPM  |
| Treasurer:      | Brian Weiss, DPM  |

### OHFAMA Representatives:

- |                      |                     |
|----------------------|---------------------|
| Trustee:             | Michael Bodman, DPM |
| Trustee:             | Stephen Smik, DPM   |
| Imm. Past President: | Kelly Whaley, DPM   |
| APMA Delegate:       | Mark Gould, DPM     |

**Educational Event:** Fall Classic Seminar, 25 CME Hours

### Residency Programs:

Louis Stokes Cleveland VA Medical Center  
Mercy Health Regional Medical Center  
Southwest General Health Center  
University Hospitals  
Western Reserve Hospital

# Growing the profession starts with you!

No one is better suited to talk about the benefits of a career in podiatry than current podiatrists. Sign up today to serve as a mentor for prospective students in the Mentor Network! You can now sign up through your account profile on [www.apma.org](http://www.apma.org).

- Log into [www.apma.org](http://www.apma.org).
- Click on “My Account” in the top right corner.
- Scroll to “Update Contact and Mentor Info.”

If you cannot remember your password, use the “Forgot Password” link, and an email with reset instructions will be sent to your email address. Not an APMA member yet? Non-members are still eligible to join the Mentor Network!

For additional recruitment resources, visit [www.apma.org/recruitmenttoolkit](http://www.apma.org/recruitmenttoolkit).

Questions? Contact Tiffany A. Kildale, Associate Director of Young Physicians & Students, at [tkildale@apma.org](mailto:tkildale@apma.org).



**STEP  
INTO  
PODIATRY**

## COMPLIANCE

# OCR Highlights HIPAA Enforcement Actions under Right of Access Initiative

By: Dan Zinsmaster, Dinsmore & Shohl



Daniel S. Zinsmaster

This past spring the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) announced the resolution of three investigations and one matter before an Administrative Law Judge related to compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. In a press release, OCR Director Lisa Pino stated that “OCR

will continue our steadfast commitment to protect individuals’ health information privacy and security through enforcement, and we will pursue civil money penalties for violations that are not addressed.”

These actions and the statements from Director Pino make it clear that OCR will continue to focus on right of access initiatives. Additionally, covered entities such as health care providers are only permitted to use and disclose patient PHI as permitted by HIPAA rules. These enforcement actions reinforce the need to have robust HIPAA policies and procedures in place and for health care providers to ensure their staff is routinely trained on HIPAA compliance.

Two of the cases are part of OCR’s HIPAA Right of Access Initiative, bringing the total number of these enforcement actions to 27 since the initiative began. OCR created this initiative to enforce individuals’ right to timely access their health records at a reasonable cost under the HIPAA Privacy Rule. The other enforcement actions result from health care providers impermissibly disclosing their patients’ protected health information (PHI). The enforcement actions highlighted by OCR include:

- 1.** A solo dental practitioner in Butler, Pennsylvania, entered into a settlement agreement with OCR. In this case, the practitioner failed to provide a patient with a copy of the patient’s medical record, agreed to pay \$30,000 and take corrective actions to comply with the HIPAA Privacy Rule’s right-of-access standard, including implementing and distributing HIPAA policies and procedures and training each workforce member on them.
- 2.** A California-based psychiatric medical services provider agreed to take corrective action and pay OCR \$28,000 to settle potential violations of the HIPAA Privacy Rule, including provisions of the right-of-access standard. The investigation revealed that the provider failed to respond to a patient’s mailed written access request for medical records. The provider later provided

medical records to the patient, but only provided the records electronically after the patient traveled to the provider’s office to complete its form to exercise the right to access, imposed a flat fee that was not cost-based (\$25 per medical records request), and initially provided an incomplete (one page) paper copy of the records. Additionally, OCR’s investigation determined that the provider failed to designate a privacy official, and its Notice of Privacy Practices lacked required content. Accordingly, this provider was required to remedy these deficiencies as part of the OCR settlement.

- 3.** OCR imposed a \$50,000 civil monetary penalty on a North Carolina-based dental practice. OCR found that the practice impermissibly disclosed a patient’s identity and PHI online after the patient, who used a pseudonym, submitted a negative review on the practice’s Google webpage. The practice did not respond to OCR’s data request, did not respond or object to an administrative subpoena, and waived its rights to a hearing by not contesting OCR’s findings.
- 4.** A dental practice in Fairhope, Alabama, entered into a resolution agreement with OCR and agreed to take corrective action and pay \$62,500 to settle potential violations of the HIPAA Privacy Rule. OCR found that the practice impermissibly disclosed the name and address of approximately 3,658 individual patients to a campaign manager and the names and email addresses of approximately 5,385 individual patients to a third-party marketing company hired to help with the practice owner’s primary election in the Alabama state senate. OCR’s investigation determined that the practice did not designate a privacy official or implement HIPAA policies and procedures. The practice was required to remedy these deficiencies as part of the settlement with OCR.

As outlined in OCR’s recent enforcement actions, covered entities can easily run afoul of HIPAA for impermissibly withholding or delaying access to PHI, and providers should be cognizant that outstanding balances for health care services are not a justification for failing to produce PHI pursuant to a valid request. Moreover, responding to a negative online review is almost always a bad idea, no matter how tempting. Bottom line, covered entities should periodically take an in-depth look at their internal policies, procedures and training programs to ensure they are protecting their patients’ health information in accordance with legal requirements.

## COMPLIANCE

# Recent HIPAA Breaches Showcase Need for Secure Email Systems

By: Dr. Michael Brody, TLD Systems

Alameda Health Systems in California recently reported a patient data breach that impacted the information of approximately 90,000 patients. This breach involved unauthorized access to the email accounts of staff members. This enabled the hackers to use the email accounts to gain access to the patient information.

Being aware of this situation is very important because it highlights that patient data systems such as EHR, Imaging Systems and Billing Systems are not the only areas we need to monitor and protect to ensure the security of our patient data. It is time for you to think about what type of security you have in place in the email system for your office. Options to consider when securing your email systems include:

Are you using a FREE email system for yourself and your staff? Free email systems typically have less security and are more vulnerable to intrusion than paid services. For example, if you are using a Yahoo email address you are at much higher risk because Yahoo is not HIPAA compliant; the encryption is not adequate, and Yahoo will not sign a Business Associate Agreement.

If you are using the email address provided to you by your internet provider that also may not have the security you need to properly protect your inbox.

If you are using a paid email service, you may not have all the tools turned on that you need to be properly HIPAA compliant. You want to know you have the following features turned on for your email:

- Flag emails that came from outside your practice as from an external email address
- Prescreen emails to identify potential spam and phishing emails
- Implement a Sender Policy Framework
- Implement DomainKeys Identified Mail
- Implement Domain Based Message Authentication Reporting and Conformance
- Require Multi Factor Authentication when accessing email from a computer that is not inside your organization
- What type of encryption is implemented on the email?
- Do you have a signed Business Associate Agreement with your email provider?

You may have none, some, or all of these in place. A Business Associate Agreement and encryption are both an absolute must. Other security measures are recommended and the more the better. If your email provider can provide more of the other features that is better.

We know that email security is vital to protecting patient records and it is your responsibility to do a good faith effort to ensure the security of the email system you use for your practice.

## PICA Warns of DEA License Scam

Our exclusive medical malpractice liability and risk management partner PICA has notified APMA that podiatrists across the country have been receiving telephone calls from individuals alleging to be DEA agents. These individuals inform doctors or their staff that a complaint has been filed and that they are in jeopardy of losing their DEA license for writing illegal narcotic prescriptions. **Please note this may be a scam.**

If you receive such a call, PICA recommends you take the following action:

- Request a notice of the complaint on official letterhead be mailed or faxed to your office. It is the opinion of PICA consulted counsel that this will discourage most scammers from continuing their efforts to obtain information from your office.
- If you receive a letter from the individual, you should immediately report the matter to PICA or your medical malpractice insurance carrier for evaluation of its legitimacy and response on your behalf.
- You should not release any information to these individuals without counsel retained by you, or for you, confirming it is appropriate to do so.

PICA policyholders may contact PICA Risk Management by email at [picarm@picagroup.com](mailto:picarm@picagroup.com) or by calling 800-251-5727.



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*Dr. Darby was a graduate of OCPM*  
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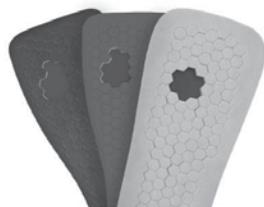
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## FINANCE

# Recent Stock Market Volatility – Are you Fearful?

By Peggy N. Slaughter, CFP®, CRPS®, AIF®, CPFA®

**“Be fearful when others are greedy and be greedy when others are fearful.”** This quote from Warren Buffett references a truism of stock market psychology. When markets go up, investors feel good and keep buying as prices increase. When markets go down, people become fearful and sell, often at a loss. While it can take an iron stomach to watch the value of your investments drop, you haven’t lost anything unless you sell at the lower value.

At its mid-point, 2022 has been a turbulent year, with interest rates rising, inflation being stickier than originally believed, and a war in Ukraine with its resulting global implications. As I write this article on June 24, 2022, the S&P 500 Index is down (18%) year-to-date. But just one week ago, it was down over (24%). If you decided to sell on June 17, you would have missed a nice rally and a chance to recoup some of your losses.

When discussing investment risk with our clients, we talk about frequency of market downturns. Looking at the S&P 500 stock index from 1980 through 2021, we have experienced annual declines averaging (14%) at some point during the year. Despite this, the annualized return over the 22-year period was up an average of 9.4% per year.

Looking at market returns on a short-term basis, we might lose sight of long-term performance. Here is a sampling of bull market periods followed by a bear market (defined as a broad market drop of over 20%) and their duration, as represented by the S&P 500 index, which tracks 500 large U.S. companies:

If you sell your stock holdings during a bear market, when do you get back in? Despite a total downturn of (57%) during the financial crisis that began in October 2007, the next 5 years were up over 15% annually. Following the gut-wrenching COVID downturn of (34%) in March 2020, the year ended with a positive 16% return. And while the three-year period 2000 – 2002 (tech bust through 9/11) had an average annual loss of over (15%), the next five years had annualized gains of over 10%.

I could do this all day – look in the past where news was bleak and market performance dismal. In all cases, times of prosperity followed, though there were certainly periods when it took years to break out into another bull market. While past returns are no guarantee of future performance, if you don’t have to sell investments during one of these downturns, it has historically been better to let the market, and the world, heal in its own time.

If you would like to discuss this topic with one of our advisors, please give us a call. And for more ways to save, remember to check out the 401(k) Exchange Plan for OhFAMA Members. Contact me at [peggy.slaughter@salingsimms.com](mailto:peggy.slaughter@salingsimms.com) or call us at 614-841-1881 for more information. I look forward to hearing from you!

*Peggy Slaughter is a retirement plan specialist at Saling Simms Associates and has been working with Associations for over 20 years. Statistics from “Equity Scenarios: Bull, Bear and In-Between” provided by J.P. Morgan Asset Management. Investment advisory services offered through Saling Simms Associates, 7965 North High Street, Suite 130, Columbus, Ohio, 43235, 614-841-1881.*

Bull Market Start Date	Return	Duration (Months)	Bear Market Start Date	Return	Duration (Months)
August 1982	229%	60	August 1987	(34%)	3
October 1990	417%	113	March 2000	(49%)	30
October 2002	101%	60	October 2007	(57%)	17
March 2009	401%	156	February 2020	(34%)	1
March 2020	75%	15	June 2022	?	?

# Premium Installment & True-up Reporting for Private Employers

Employers must pay premiums timely to the Ohio Bureau of Workers' Compensation (BWC) to receive and maintain workers' compensation coverage.

Through the year, employers have been making premium installment payments based on estimated payroll. As we near the conclusion of the 2021 policy year (July 1, 2021 through June 30, 2022), BWC will be requiring all employers to reconcile ("true-up") the payroll that was used to estimate their premium with their actual payroll for the policy year.

## Important reminders

BWC mailed 2022 estimated annual premium notices along with your installment schedule around May 1, 2022.

- If you expect your payroll to change during the 2022 rating year from the estimate provided, you can call BWC at 800-644-6292 and request a change to your payroll and installment schedule.
- Failure to make installment payments based on the installment schedule can result in lapses in coverage, therefore make sure installment payments are paid by the due dates as noted on the installment schedule. The first installment payment will be due by mid/late June 2022.
- If you pay your full 2022 premium by the June installment due date, you can earn a 2% Early Payment Discount. There is no need to switch to an annual installment, but the premium must be paid in full by the due date. BWC will issue the 2% refund the following month.

BWC will mail notices regarding the July 1, 2021 through June 30, 2022 true-up around July 1, 2022.

True-up reporting and payment is due by August 15, 2022.

- Failure to true-up and pay any additional premium will result in your policy being removed from all discount and rebate programs and it will remain ineligible for discounts and rebate in future years.

Employers can receive a rebate for paying premiums and completing true-up online with BWC's Gogreen Rebate Program.

If you have any questions regarding premium installments or the true-up process, contact Paul Feck, Sedgwick Director of Client Services, at 614.906.0535.



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PRESIDENT:  
Sarah Abshier, DPM

PUBLISHED BY:  
Mike Mathy, CAE, Executive Director

ADVERTISING:  
Luci Ridolfo, CAE, Assistant Executive Director

CONTACT INFORMATION:  
1960 Bethel Rd., Ste. 140 | Columbus, Ohio 43220

Phone: 614.457.6269 | Fax: 614.457.3375

Web page: <http://www.ohfama.org>

[mmathy@ohfama.org](mailto:mmathy@ohfama.org);  
[lradolfo@ohfama.org](mailto:lradolfo@ohfama.org)

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