

THE OHFAMA JOURNAL



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

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The APMA House of Delegates meeting took place March 18-19 in Washington, DC. Ohio was represented by seven Delegates and two Alternate Delegates.

From left: Executive Director Mike Mathy, CAE; Bruce Blank, DPM, Alternate Delegate; Marc Greenberg, DPM, Chief Delegate; Mark Gould, DPM, Delegate; Kelly Whaley, DPM, Delegate; Adam Thomas, DPM, Delegate; Stacy Koss, DPM, Delegate; Richard Kunig, DPM, Alternate Delegate; Karen Kellogg, DPM, Delegate; Thomas McCabe, DPM, Delegate

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A WORD FROM THE PRESIDENT

Adam Thomas, DPM



Adam Thomas, DPM

Spring is here and that means the OHFAMA annual seminar is just around the corner. I encourage our members who have not yet registered to please consider doing so.

For 106 years, the Annual Ohio Foot & Ankle Seminar has been our marquee education and networking event of the year. The widespread availability of virtual seminars since COVID-19 entered our world, along with the reduction of annual CME requirements by the State Medical Board of Ohio, have negatively impacted attendance at in-person seminars.

While attendance has slowly increased since the shutdown, we still have not reached pre-pandemic attendance levels. As your association, we feel it is vital to continue to keep the in-person annual seminar the premier annual event for our members.

We know you have several continuing education options available, including several virtual seminars offered by Academies, and many of you have already secured the continuing education hours needed to renew your license.

However, attending the seminar is not just about continuing education. It's also about reconnecting with friends, colleagues, and classmates at our networking receptions (or the hotel bar!)

It's about learning about the latest products and innovations from the dozens of exhibitors who support podiatry.

It's about supporting the next generation of podiatrists by attending the resident poster and paper competition or volunteering your time at our student recruitment event.

If you haven't attended the Annual Scientific Seminar in some time, make plans today to attend this year's seminar. You won't regret it!

OHFAMA Secures Increase in Medicaid Reimbursement Rate

I'm proud to serve this year with our fantastic Board of Trustees and dedicated executive staff who work tirelessly on our behalf, especially on the legislative front.

I'm pleased to report that thanks to OHFAMA's lobbying efforts, the state budget bill includes a 5% increase in Medicaid reimbursement rates. This is a big victory for many Ohio podiatric physicians who continue to serve and treat this patient population.

This victory would not have been possible without members' support of the Ohio Podiatric Political Action Committee (OPPAC). I would like to thank our members who continue to make generous contributions to OPPAC. Your support plays a critical role in preserving, protecting, and defending podiatry in our state.

Unfortunately, our support of pro-podiatry candidates during the 2022 election cycle has diminished the balance of our OPPAC account. We need your support more than ever! If you have not donated to OPPAC, I encourage you to please consider doing so.

Our 1st Vice President, Dr. Thom Arnold, will be leading our fundraising efforts at our OPPAC booth on May 18-19 at the Annual Seminar. To make things interesting, we have plans for a few games and raffle prizes for everyone who donates. Let's set a new record this year!

I would also like to thank the Academies that have invited me to attend their meetings. I look forward to visiting more of our Academies across the state over the next few months.

Adam Thomas
President OHFAMA



2023

May 18-19

The Annual Foot and Ankle Scientific Seminar

Columbus Hilton at Easton

August 3

Budget and Finance Meeting

OHFAMA Executive Office - 9:00 AM

August 3

Board of Trustees Meeting

OHFAMA Executive Office

August 10-11

GXMO - Didactic Course

Virtual

Saturday, August 12

GXMO - Clinical Course

Virtual

September 18, 2023

Executive Committee Meeting

Virtual Meeting - 7:00 PM

September 23

2023 Holy Toledo Seminar & Autumn Golf Outing

Brandywine Country Club, Maumee

September 30

2023 Quickie Seminar

Hilton Garden Inn Dayton South -
Austin Landing

October 12, 2023

Budget and Finance Meeting

OHFAMA Executive Office - 9:00 AM

October 12, 2023

Board of Trustees Meeting

OHFAMA Executive Office

November 4, 2023

OHFAMA Annual Business Meeting

Location TBD

For more calendar information
please visit the Events webpage at
www.ohfama.org

EXECUTIVE DIRECTOR'S REPORT

Mike Mathy, CAE, OHFAMA Executive Director

KSUCPM Seeks State Funding



Mike Mathy, CAE

Did you know Kent State University College of Podiatric Medicine (KSUCPM) is the only medical school in the state that does not receive State Share of Instruction (SSI) funds?

SSI funding represents taxpayers' investment in higher education. This critical support reduces tuition for in-state students and enhances clinical and research opportunities for medical students.

It is time for the Ohio General Assembly to fix this disparity and provide SSI funding to KSUCPM.

Kent State University, working with Senators Jerry Cirino and Vernon Sykes, has prepared a budget amendment that would include KSUCPM students in the Medical 1 SSI funding line, which is currently divided among Ohio's public in-state veterinary and dentistry students. The amendment would "hold harmless" other Medical 1 students while providing over \$3 million to support reducing tuition for Ohio's podiatric medical school students.

If the budget amendment is ultimately signed into law, KSUCPM estimates Ohio's in-state graduates would earn their degrees with a nearly 30% decrease in student debt.

In addition, inclusion in the Medical 1 line would allow KSUCPM to:

- Develop, maintain, and upgrade patient simulation instruction and interprofessional educational opportunities
- Improve clinical student experiences through enhanced educational experiences
- Increase the number of dedicated, paid part-time adjunct clinical faculty and lower its student to faculty ratio
- Improve student experiences with virtual anatomy and hands-on training for podiatric procedures
- Upgrade the radiology teaching center to utilize the technology used in hospitals and other universities, including digital radiography with appropriate monitors and viewing stations
- Enhance research capabilities aimed at amputation reduction in Ohio's growing diabetic population

KSUCPM is one of eleven podiatric medical schools in the country and over 80% of licensed Ohio podiatrists who live in Ohio graduated from KSUCPM (or its predecessor, Ohio College of Podiatric Medicine). Moreover, over 75% of the nearly 150 residents currently training in Ohio are KSUCPM graduates.

Considering the average age of practicing Ohio podiatrists is 50.2 years old, and applications to podiatric medical schools declined significantly in recent years, now is the time for the Ohio General Assembly to address the inequity in the SSI funding formula and financially support podiatric medical education in our state.

OHFAMA is asking all members to submit a letter to their elected leaders in the General Assembly to support KSUCPM's quest to secure state funding. Please check your email for instructions on how to quickly send a message to your legislators via APMA's eAdvocacy system.

With your help, we can support KSUCPM's efforts to ensure our podiatry workforce remains strong and vibrant into the future.

80.2%

Ohio Licensed Podiatrists Who Graduated from KSUCPM

75.7%

Residents Training in Ohio Who Attended KSUCPM

30%

Projected Decrease in Debt for Ohioans if State Funding is Approved

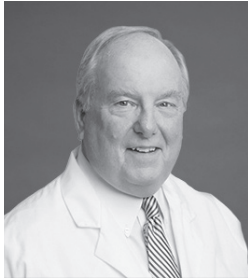
50.7

Average Age of a Licensed Podiatrist in Ohio

STATE MEDICAL BOARD OF OHIO

Boyle Appointed to State Medical Board of Ohio

Ohio Governor Mike DeWine announced the appointment of John Boyle, DPM, to a five-year term on the State Medical Board of Ohio.



John Boyle, DPM

Dr. Boyle, of Chillicothe, established a solo practice, Southern Ohio Foot and Ankle Associates, in 1984 and is currently affiliated with Adena Regional Medical Center. He is a 1977 graduate of Ohio Dominican University, a 1982 graduate of Ohio College of Podiatric Medicine, and completed his residency at Colemery-O'Neil Veterans Administration Medical Center in Topeka, Kansas in 1983.

Dr. Boyle is Certified in Foot Surgery by the American Board of Foot and Ankle Surgery a Certified Wound Specialist by the American Academy of Wound Management.

The State Medical Board of Ohio is comprised of twelve members, including seven allopathic physicians, one podiatric physician, one osteopathic physician, and three non-physician public members. The Board is responsible for licensing and regulating physicians, physician assistants, respiratory care professionals, and other health care professionals.

In Appreciation: Dr. Bruce Saferin

Dr. Bruce Saferin's term on the State Medical Board of Ohio expired on December 27.

During his tenure on the Board, which began in 2013, Dr. Saferin earned the respect of his colleagues who elected him Supervising Member. He further represented Ohio on the Board of Directors of the Federation of Podiatric Medical Boards, where he served as president in 2020-21.

Dr. Saferin is a longtime OHFAMA member who served as trustee, secretary, and president of our organization in a span of 40 years. He similarly served in a variety of leadership roles in the American Podiatric Medical Association and Northwest Ohio Academy of Podiatric Medicine.

His longstanding service to OHFAMA and the State Medical Board of Ohio has positioned Dr. Saferin as a trusted podiatry advocate who personifies our mission to protect the public's foot health and advance the professional practice of podiatric medicine and surgery in Ohio.

Thank you for your service, Dr. Saferin!



Bruce Saferin's, DPM

Podiatry Rules Up for Five-Year Review

The rules governing the definition of the foot and outlining the qualifications to perform surgery on the ankle joint will be reviewed starting on May 31 as part of a mandatory five-year review process.

As part of this process, the State Medical Board of Ohio will seek public comment from licensees and the public on the rules for possible amendments. OHFAMA will submit comments endorsing the current rules and monitor comments submitted by other parties throughout the multi-month rules review process.

ADVOCACY

Department of Medicaid Budget Includes Reimbursement Increase for Podiatrists

Through OHFAMA's lobbying efforts, the Ohio Department of Medicaid (ODM) budget includes a 5% increase in the Medicaid reimbursement rates for podiatrists.

The change was included in Governor Mike DeWine's budget proposal, which is now before the Ohio Senate for consideration.

OHFAMA Executive Director Mike Mathy testified before the Health and Human Services Subcommittee on March 22 to ask committee members to support ODM's budget recommendation and consider further boosting Medicaid reimbursement rates for podiatrists.

"Podiatry has always been an important part in the team concept of care in Ohio's Medicaid system, but like other providers, costs to administer care have significantly gone up for our members while reimbursement levels have remained flat," said Mathy. "OHFAMA members would appreciate your support of Medicaid's initial 5% reimbursement increase for podiatric physicians and surgeons contained in House Bill 33 and strongly consider building on that 'good start' by allocating an additional 5% in reimbursement levels for our valued providers."

House Bill 33 passed the Ohio House of Representatives on April 26 and must be approved by the Senate and be signed into law by Governor DeWine by June 30.



OHFAMA Supports Prior Authorization Gold Card Legislation

Proposed bill would ease regulatory burden of prior authorization, improve healthcare system and outcomes for patients.

OHFAMA joined a coalition of healthcare associations in March to support House Bill 130, sponsored by Representative Kevin Miller (R-Newark), which would create a Prior Authorization Gold Card Program for Ohio healthcare providers.

The process of getting prior authorization is frequently cited by all within the health care community as a major contributor to administrative burden, frustration, and hassle, and frequently causes roadblocks to care that increase risk of poor health outcomes and harm to patients.

This legislation will create a process to reward high performing health care providers who are consistently adhering to evidence-based medicine by exempting those providers from prior authorization requirements.

We applaud Rep Miller for attempting to reduce the barriers to care all Ohioans face by streamlining the prior authorization process and eliminating red tape and excessive overregulation of the health care community and the patients we proudly serve.

HB 130 was introduced on March 30 and referred to the House Insurance Committee. We will continue to provide updates to the OHFAMA community as the legislation makes its way through the legislative process.

CAC-PIAC Report

By: Sarah Abshier, DPM, PIAC Representative



Sarah Abshier, DPM

New Cigna Policy Requires Office Notes for E/M Codes

APMA joined several medical specialty and other organizations in signing a letter sponsored by the AMA asking Cigna to immediately rescind its policy requiring submission of office notes with all claims, including evaluation and management (E/M) CPT codes 99212, 99213, 99214, and 99215 and modifier 25 when a minor procedure is billed.

The coalition of organizations urged Cigna to reconsider this policy due to its negative impact on practice administrative costs and burdens across medical specialties and geographic regions, as well as its potential negative effect on patients, and instead partner with our organizations on a collaborative educational initiative to ensure correct use of modifier 25. APMA will also continue to reach out to Cigna directly to contest these policies.

Under the new policy, which is effective June 11, 2023, claims will be denied if a provider fails to submit supporting documentation. Members can find guidance regarding documentation guidelines for significant and separately identifiable E/M services at www.apma.org/25modifier.

Medicare's Surgical Treatment of Nails Policy

Members have been contacting us about "global periods" on 11730, 11732, and 11750.

The Centers for Medicare and Medicaid Services (CMS) has implemented a policy, apparently on a national level, concerning the surgical treatment of nails. This policy establishes utilization parameters regarding the use of CPT® 11730 and 11732. The policy states:

A medically reasonable and necessary repeat CPT 11730/11732 of the same nail within 32 weeks of a previous avulsion will be considered upon redetermination.

APMA released a statement on this earlier in the year and I have included it for your benefit:

On January 10, APMA met with CMS to discuss ongoing concerns with CMS' direction on local policies related to Surgical Treatment of Nails (CPT 11730/11750). APMA focused on the clinical issues with these policies, as well as the clumsy way these policies were initially implemented and then later modified or significantly changed by the contractors with no notice or opportunity for comment. APMA suggested changes to the process including opportunity for comment as well as changes to the policy to allow for repeat procedures to support sound clinical practice and to improve patient care. CMS is reviewing the information that APMA provided and will be meeting with APMA to follow up on these issues.

On February 8, APMA held a follow-up call with CMS to discuss CMS' responses to APMA's concerns and to once again call for the ability to append a modifier to claims to indicate that what CMS is referring to as "repeat" was actually medically necessary and

should be paid on initial submission without having to go through the redetermination process.

CMS is considering potential solutions and will notify APMA when those solutions have been determined and finalized. In the meantime, APMA has created a resource page for members at www.apma.org/surgicalnail; the page contains a recorded video that outlines coding for CPT 11730, 11732, and 11750, and the necessity of submitting a redetermination for certain claims when initially submitted and denied. It also outlines APMA's most up-to-date advocacy efforts, as well links to the guidelines covering these services.

Skin Substitute Draft LCD

There is still no final decision regarding the reworking of a draft Local Coverage Determination (LCD) related to Cellular and Tissue Based products (CTPs) for the treatment of diabetic foot ulcers and venous leg ulcers.

If you recall, stakeholders had the opportunity to submit statements back in late 2022. APMA sought feedback from our CGS CAC representatives in Ohio and Kentucky and collaborated with APMA's Clinical Practice Advisory Committee (CPAC) in developing comments.

In its letter, APMA underscored the medical, social, psychological, and financial burdens that chronic wounds present for patients and health systems and took exception to limitations on the number of applications of CTPs, required use of RT or LT Modifier, and the incomplete set of included ICD-10 codes.

As of today, the Medicare website shows no anticipated date for the final LCD publication.

Call to Action: Anthem Bundling Low-Level E&M Procedures

Anthem has been bundling low level E&Ms into procedures. If this has happened to you, please let OHFAMA know and submit redacted paperwork to help us counter this!

National Correct Coding Initiative (NCCI) Names New Contractor

The Centers for Medicare & Medicaid Services (CMS) National Correct Coding Initiative (NCCI) has a new contractor. This is exciting news and we hope to be able to address concerns that were previously not addressed to our satisfaction.

Updated Advance Beneficiary Notice Form, Instructions Approved

The Office of Management and Budget announced the Advance Beneficiary Notice of Noncoverage (ABN), Form CMS-R-131, and form instructions have been approved.

The use of the renewed form with an expiration date of 01/31/2026 will be mandatory on 6/30/23. Providers may continue to use the ABN form with the expiration date of 6/30/23 until the renewed form (expiration date 01/31/2026) becomes mandatory on 6/30/23.

ABN forms are issued by providers (including independent laboratories, home health agencies, and hospices), physicians, practitioners, and suppliers to Medicare beneficiaries in situations where Medicare payment is expected to be denied. The ABN is issued to transfer potential financial liability to the Medicare beneficiary in certain instances.

MEMBERSHIP NEWS AND NOTES

Dr. Elizabeth Wakefield Elected to OFHAMA BOT



Elizabeth Wakefield, DPM,

Elizabeth (Libby) Wakefield, DPM, was appointed by the North Central Academy to serve as its representative on the OHFAMA Board of Trustees.

Born and raised in the greater Cleveland area, Dr. Wakefield graduated Cum Laude from North Royalton High School in 2005. She

enjoyed four years at The College of Wooster, where she graduated in 2009 with a Bachelor of Arts degree in Biochemistry and Molecular biology.

In 2013, she graduated from Kent State University College of Podiatric Medicine. She moved to Columbus, OH, to complete a three-year podiatric medicine and surgical residency, with reconstructive rearfoot and ankle surgery, completed in 2016 at Grant Medical Center. Following three years of practice in Nashville, TN, she joined Schwein Foot and Ankle Clinic in Mansfield in 2019.

Dr. Wakefield replaces longtime North Central Academy Trustee Martin Lesnak, DPM, who was elected 2nd Vice President of OHFAMA in November.

Dr. Karen Kellogg Completes Term as KSUCPM Advisory Board Chair

Longtime OHFAMA leader Karen Kellogg, DPM, MBA, completed her term as chair of the Kent State College of Podiatric Medicine Advisory Board in March. Dr. Kellogg has held a seat on the board since 2013 and served as chair since 2018.

Dr. Kellogg graduated Magna Cum Laude from Siene Heights University with a Bachelor of Science in Biology in 1996 before going on to earn her Doctor of Podiatric Medicine degree from the former Ohio College of Podiatric Medicine in 2000. Following podiatry school, she completed her two-year surgical residency training at Dunlap Memorial Hospital in Orrville, Ohio. In 2018, Dr. Kellogg earned her Master of Business Administration from Kent State University.



Karen Kellogg, DPM, MBA

Dr. Tung Dao Celebrates Birth of Daughter

Dr. Tung Dao, a third-year resident at Grant Medical Center, and his wife, Courtney, are the proud parents of a baby girl, Olivia, who was born on March 8. Dr. Dao previously served as the Ohio Podiatric Medical Student Association representative on the OHFAMA Board of Trustees.

Our Relationship with OHFAMA

Since 2014, Dinsmore has held the distinct honor of serving OHFAMA as its outside general counsel. Daniel Zinsmaster, a partner in the Corporate Department and Health Care Practice Group, is proud to continue his service as the primary contact and resource for the Association. We have greatly appreciated the trust OHFAMA and its members have shown in us to guide the revision of Association and Foundation bylaws, advocate for enhancements to the podiatrist scope of practice, and help ensure compliance with APMA standards and procedures all while supporting OHFAMA regional academies.



Dan Zinsmaster
Partner · 614-628-6949
Daniel.Zinsmaster@Dinsmore.com

Daniel and Dinsmore attorneys have been a continuous presence at OHFAMA annual meetings and conferences, authored articles for the OHFAMA seasonal journal, and timely alerts for its website. Whether working with OHFAMA's executive staff, elected leadership, or its members, Dinsmore continues to advocate on behalf of the profession of podiatry and advance its interest to the betterment of its practitioners and their patients.

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in Leadership

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diverse leadership hiring initiative.

Forbes

Named "One of America's Best
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In Memoriam

OHFAMA is saddened to report the passing of two dedicated members of our profession.

William Saar, DPM

Dr. William Saar passed away April 23. Born May 25, 1944, in Williamsport, PA, Dr. Saar received his doctorate of podiatric medicine from the former Ohio College of Podiatric Medicine now Kent State University College of Podiatric Medicine.

Following a half century of dedicated service to clinical care and leadership he retired in 2019. He served as Administrative Director of Podiatric Medical Services and Director of Podiatric Medical Education. He also served as administrator for the program directors, fellowship directors, and on-site podiatric supervisors at all University Hospitals locations.

Under Dr. Saar's leadership the residency program became one of the largest and most successful podiatric training programs in the U.S. Dr. Saar was co-founder of the Center for Comprehensive Wound Treatment and served as Medical Director of the Wound Care Center at UH Richmond Medical Center. He was an adjunct faculty member of the Kent State University College of Podiatric Medicine and Ohio Heritage College of Osteopathic Medicine.

Eric Polansky, DPM

Dr. Eric Polansky passed away on Sunday, April 2. Dr. Polansky was a longtime member of the Midwest Academy who was the founder and director of Advanced Foot and Ankle Care Centers in Sidney, Piqua, Huber Heights, and Troy.

Born April 15, 1956 in Sharon, Pennsylvania, Dr. Polansky graduated from Hermitage High School and went on to attend Edinboro University, obtaining a Degree in Biology. His athletic career drew him to the field of medicine and he attended Pennsylvania State University graduate school before graduating from Temple University earning a Doctor of Science in Podiatric Medicine. Dr. Polansky continued his scholastic endeavors graduating from a comprehensive surgical residency program at Riverside Hospital, Toledo, Ohio.

Dr. Polansky was board certified and an active member of both the American College of Foot and Ankle Surgeons and the American Board of Podiatric Surgery and a Fellow of the American College of Foot and Ankle Surgery. He was proudly on staff at Wilson Hospital, Upper Valley Medical Center and Miami Valley North, Dayton, Ohio.

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THAN
THIS GUY**



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MEMBER BENEFITS

Want Your New 401(k) Plan to Cost Nothing? Check this out!

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



Peggy N. Slaughter

If cost has prevented you from adopting a new retirement plan, you might want to zero in on this feature of the new SECURE Act 2.0: you may not have to pay any fees for the first 3 years!

Small employers (50 or fewer employees) will receive a tax credit of 100% of the cost to start and administer a new retirement plan, up to the lesser of \$5,000 or \$250 times the number of non-highly compensated employees. This would cover most, if not all, of the cost to get the plan up and running the first year. And would likely cover the full cost of administering the plan for the next two years. (Reduced credits are also available for employers with 51-100 employees.)

In addition to this tax credit, the OHFAMA Members' 401(k) Exchange Plan is a great way to join forces with your fellow members to reduce the expense and fiduciary liability of operating a 401(k) plan. You may pay NOTHING for your start-up 401(k) for at least 3 years. A plan with zero assets will have an installation cost of \$1,000, a maximum annual administration fee of \$2,500 (or less, depending on plan design), and a per-participant charge of \$25. Even with 50 employees, the top fee would be: $\$1,000 + \$2,500 + (50 \times \$25) = \$4,750$. ALL of that would be paid for by the tax credit for three years! As assets grow, the fees reduce, giving you three years to get to the "sweet spot" with no billed fees.

Still not convinced? What if contributions of up to \$1,000 for each employee earning less than \$100,000 also get a tax credit? Let's say you have 20 employees; you give each of them a \$1,000 contribution, \$20,000 total, and it costs you nothing as the business owner! This full credit is available for the first two years, reducing to 75% in the third year, 50% in the fourth, and 25% in the fifth year. AND if you have automatic enrollment as a feature of your 401(k) Plan, there is an additional \$500 credit for the first three years.

By now, you must be asking, "Why would the government do this?" Over 40% of workers in the United States do not have access to an employer sponsored retirement plan. As a result, most of those employees won't save for retirement and will be relying on Social Security, a program which is expected to become insolvent by 2034. While most large companies offer a retirement plan, many small employers say it is too expensive to start and maintain a plan. So, the government is throwing everything they can into encouraging small employers to start a new plan.

If you would like to learn more about SECURE 2.0, please join us for lunch or happy hour at J. Liu Restaurant in Worthington, Ohio on May 10, 2023, where I will be conducting an educational seminar. Contact me at peggy.slaughter@salingsimms.com or call 614-841-1881 for details. 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. Investment advisory services offered through Saling Simms Associates, 7965 North High Street, Suite 130, Columbus, Ohio, 43235, 614-841-1881



New Opioid Training Requirements Impact DEA Licensees

On December 29, 2022, the Consolidated Appropriations Act of 2023 enacted a new one-time, eight-hour training requirement for all Drug Enforcement Administration (DEA)-registered practitioners on the treatment and management of patients with opioid or other substance use disorders. Below is information on this new requirement.

Who is responsible for satisfying this new training requirement?

- All DEA-registered practitioners, except for practitioners that are solely veterinarians.

How will practitioners be asked to report satisfying this new training requirement?

- Beginning on June 27, 2023, practitioners will be required to check a box on their online DEA registration form—regardless of whether a registrant is completing their initial registration application or renewing their registration—affirming that they have completed the new training requirement.

What is the deadline for satisfying this new training requirement?

- The deadline for satisfying this new training requirement is the date of a practitioner's next scheduled DEA registration submission—regardless of whether it is an initial registration or a renewal registration on or after June 27, 2023. This one-time training requirement affirmation will not be a part of future registration renewals.

How can practitioners satisfy this new training requirement?

- Practitioners can satisfy this training by engaging in a total of eight hours of training on treatment and management of patients with opioid or other substance use disorders from the groups listed below. A few key points related to this training:
 - The training does not have to occur in one session. It can be cumulative across multiple sessions that equal eight hours of training.
 - Past trainings on the treatment and management of patients with opioid or other substance use disorders can count towards a practitioner meeting this requirement. In other words, if you received a relevant training from one of the groups listed below — prior to the enactment of this new training obligation on December 29, 2022 — that training counts towards the eight-hour requirement.
 - Past DATA-Waived trainings count towards a DEA registrant's 8-hour training requirement.
 - Trainings can occur in a variety of formats, including classroom settings, seminars at professional society meetings, or virtual offerings.

Where can I find training courses?

CME Online

- OHFAMA has partnered with CME Online for physicians to offer the required DEA training webinar on June 17, 19, 20 and July 23 from 10:00 a.m. – 7:00 p.m. For discounted registration, use discount code: OH

AMA EdHub

- AMA membership for access to these courses is not required but DPMs will need to register and create an account.

CME Passport

- To find courses, refine results by selecting “Yes” under the REMS label (REMS refers to “Risk Evaluation and Mitigation Strategy”).

For information regarding the DEA Diversion Control Division, please visit www.DEAdiversion.usdoj.gov.

Deja Vu or a Glitch in the Matrix: The End of the Public Health Emergency

By Dan Zinsmaster, Dinsmore & Shohl



Daniel S. Zinsmaster

Prepare for another big shift in health care operations. On January 30, 2023, President Joe Biden announced he would not extend the COVID-19 Public Health Emergency (PHE) beyond its current expiration date of May 11, 2023.

The PHE was declared by former President Donald Trump in March of 2020 as COVID-19 began to spread around the nation. The waivers and other regulatory changes instituted in its wake have impacted nearly every facet of health care services. The expiration of the PHE will bring about the termination of several policy waivers and discretionary enforcement that have expanded federal health care programs, payments, and prescribing flexibilities to millions of Americans.

Approaching Reversions

A big point of uncertainty is the fate of telemedicine prescribing after May 11. Under non-PHE conditions, the Controlled Substances Act (CSA) — as modified by the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 — requires providers to conduct an in-person medical evaluation prior to prescribing controlled substances to the patient.

Additionally, under non-PHE conditions, the CSA requires practitioners to obtain a separate Drug Enforcement Agency (DEA) registration in each state in which they practice. Due to the PHE, the DEA currently has exceptions that permit controlled substances to be prescribed via telehealth without an in-person examination. Practitioners can also prescribe controlled substances in any state so long as they are registered with the DEA in at least one state. Both exceptions are explicitly linked to the PHE, and upon expiration of the PHE, the stricter requirements of the CSA will once again govern prescribing practices.

On February 24, the DEA announced proposed permanent rules for prescribing controlled substances through telemedicine. The proposed rules would provide narrow and limited instances for prescribing controlled substances via telemedicine without first conducting an in-person evaluation of the patient after expiration of the PHE. The timing of this announcement, and the following 30-day comment period, suggests the DEA is attempting to implement these changes prior to May 11. Without such a change prior to May 11, providers should anticipate the in-person exam requirement will be enforced in most situations where a course of treatment warrants the utilization of controlled substances.

Although not strictly linked to the PHE period, Medicaid's "continuous enrollment" provision is set to expire on April 1. The continuous enrollment provision has been used to expand and maintain Medicaid coverage to an estimated 8.2 million Americans by requiring states to maintain Medicaid coverage and barring terminations during the PHE. As of April 1, states returned to reviewing each enrollee's eligibility and terminating non-eligible enrollees. Providers should review the Medicaid status of their patients to ensure accurate accounting and that patients do not become personally responsible for treatment.

Future Changes

The Consolidated Appropriations Act of 2023 decoupled several PHE provisions from the PHE period and established December 31, 2024 as the date for a phase out of selected rule changes. The following provisions will continue until December 31, 2024:

- Providers can bill Medicare for telehealth services rendered to enrollees, regardless of the patient's or provider's location at the time of service.
- Audio-only telehealth visits are reimbursable.
- Expanded provider types eligible to deliver telehealth services, including audiologists, occupational and physical therapists, and speech language pathologists.
- Recertification for hospice care can be conducted through telehealth.
- Federally Qualified Health Centers and Rural Health Clinics can provide telehealth services to Medicare beneficiaries.

LEGAL

The COVID-19 vaccination requirement for designated health care workers will not be affected by the PHE expiration. The requirement was instituted through a Centers for Medicare and Medicaid (CMS) Condition for Coverage and survey rule change and is unrelated to the PHE declaration. Moreover, President Biden has indicated he will veto any Congressional bill that would eliminate COVID-19 vaccine mandates for health care providers. Hence, it is unlikely the vaccine requirement will significantly change. Providers will need to ensure continued adherence to CMS rules regarding vaccination status and documentation.

It is imperative that providers are aware of how the expiration of the PHE impacts their prescribing, billing, and practice, and prepare for a post-PHE regulatory environment accordingly.

OHFAMA CLASSIFIEDS

Central Ohio - Podiatric Surgeon Position Available

Hilliard Family PODIATRY, LLC is currently recruiting a motivated, enthusiastic podiatric surgeon qualified in forefoot and rearfoot surgery to join our one location expansion in Central Ohio. Our ideal candidate has excellent medical, surgical, communication, and organizational skills. We offer the flexibility to work a minimum of 2.5 days a week up to full-time. We have a competitive payment model.

Hilliard Family PODIATRY, LLC is podiatrist-owned by Dr. Adam Thomas, current OHFAMA state President, his wife, Dr. Jennifer Trinidad, OHFAMA Central Academy Past President, and Dr. Kartick Patel, current OHFAMA Central Academy President, joined the practice three years ago. Since joining our team, our practice has physically doubled in size and our patient volume is ready to add another Podiatrist to our well-rounded team. We have a cloud based EMR System (Athena), digital x-rays, are an approved Medicare DME supplier, Zimmer shockwave, PRP, Custom Orthotics and ultrasound. We have an excellent, well-trained office staff and practice manager. Our quality of service and care have generated dedicated referral relationships with numerous Primary Care Physicians, Pediatricians, and Family Practices. We take pride in our excellent community reputation by word of mouth and across multiple social media platforms. Please send CV to info@hilliardfamilypodiatry.com. We look forward to hearing from you.

Austintown/Columbiana - Employment Opportunity/Practice for Sale

Podiatrist needed for a busy established private practice of 35 years. Looking to sell or employ for these busy offices. Strong physician patient referrals, daily new and routine patients. Excellent location with good traffic flow and visibility. The candidate must be BE/BC. Candidate must have all aspects of podiatry and surgery. Please send CV or questions to janice@advancedpodiatry.com.

Cincinnati Ohio – Full-time Associate Opening

The Kenwood office of Choice Podiatry Associates is seeking a full-time podiatrist to join our growing practice in Cincinnati, Ohio. Our practice is well-established and provides comprehensive foot care, including general podiatry, foot and ankle surgery, sports medicine, and wound care.

We are seeking a podiatrist who is ABFAS certified or qualified in forefoot and rearfoot surgery to join our team. The ideal candidate is enthusiastic, collaborative, a hard worker, and a great communicator. The position is immediately available and offers the opportunity for growth and advancement.

We offer a competitive payment model, benefits, and partnership opportunity. Please submit a cover letter and CV to jmr.choicepodiatry@gmail.com.

Practice For Sale - Wadsworth, OH

Well-established practice owner in Wadsworth, Ohio desires to sell his practice and building. All aspects of podiatry treatment are performed. Storefront is located in Wadsworth Square. For more information, please contact Dr. Michael Boyer at mboyer444@yahoo.com

Practice For Sale - Toledo, OH

Rare turn key opportunity. Established practice located in the Toledo area. Excellent location with an established patient mix. Currently the provider shares time between other locations and is unable to keep up with the growth potential. Doctor is willing to stay and help transition with patients and insurance. Doctor is willing to help with practice management for any new graduating doctors. This practice is ideal for any individual that wants to open up days, and add surgery. The room for growth is unlimited. Serious candidates only, please reach out to dpmtledo@gmail.com



107th Annual Ohio Foot and Ankle Scientific Seminar May 18 – 19, 2023

Attendees will Receive Up to 18 CE Contact Hours
Register at www.ohfama.org

Physicians Seminar Schedule



Thursday, May 18, 2023

7:00 – 9:00 AM	Interesting Cases and/or Unusual Case Presentations
9:00 – 9:30 AM	Break
9:30 – 10:30 AM	The Right of Access Rule: What is it and why should you care?
10:30 – 11:30 AM	A Podiatric Dermatology Refresh for the Practitioner
11:30 – 1:00 PM	Lunch and Learn - Choose from 3 Presentations
11:30 – 1:00 PM	Silver Gavel Luncheon - Past OHFAMA Presidents
1:00 – 3:00 PM	Scientific Paper & Poster Competitions: Presentations from Podiatric Physician Residents in Ohio
1:30 – 3:00 PM	WVPMA Membership Meeting
3:00 – 3:30 PM	Break
3:30 – 5:30 PM	<i>PICA Risk Management Lecture</i> - Building Your Pre-Operative Blueprint: Tips for a more Successful Post Operative Patient Management Experience
5:30 – 6:30 PM	KSUCPM Welcome Reception

Friday, May 19, 2023

7:30 – 9:30 AM	Posterior Heel
7:30 – 9:00 AM	APMA Breakout Session: Coding and Documentation in 2023
9:00 – 10:00 AM	Break (depending on session)
9:30 – 11:30 AM	APMA Breakout Session: Coding and Documentation in 2023 continued
10:00 – 11:30 AM	Podiatric Jeopardy
10:00 – 11:30 AM	Breakout Session: Improving Wound Care Outcomes Through Evidence Based Practices
11:30 – 1:00 PM	Exhibitor's Marketplace Luncheon
1:00 – 2:30 PM	Reconstruction, Flaps and Trauma
1:00 – 2:30 PM	Breakout Session: OSHA What You Don't Know Can Hurt You – How to Implement an OSHA Compliance Plan
2:30 – 3:00 PM	Break
3:00 – 5:30 PM	Case Presentations of Failed Surgery for Forefoot, Hindfoot, Ankle and Diabetics
3:00 – 5:00 PM	Breakout Session: How to Create a HIPAA Security Manual and Risk Mitigation Plan

Assistant's Program –

Assistants may register for Thursday and/or Friday

Thursday, May 18, 2023

7:30 – 8:00 AM	Registration
8:00 – 8:45 AM	Foot and Ankle Anatomy, Conditions and Commonly Performed Procedures
8:45 – 9:45 AM	Interactive Hands-On Workshop
9:45 – 10:15 AM	Break
10:15 – 10:45 AM	Understanding the Importance of Proper Documentation
10:45 – 11:30 AM	Thorough Evaluations for New and Follow-up Patient Encounters
11:30 – 12:30 PM	Lunch (on your own)
12:30 – 1:15 PM	Lower Extremity Dermatopathology Overview
1:15 – 2:00 PM	Understanding Commonly Treated Podiatric Conditions and Tests Ordered by Your Physician
2:00 – 2:45 PM	Service, Collections and Dealing with Difficult Patients
2:45 – 3:15 PM	Break
3:15 – 3:45 PM	Pre-gaming for Successful Clinic Sessions
3:45 – 5:00 PM	Office Successes and Fails
5:00 – 6:00 PM	Staff Appreciation Reception

Friday, May 19, 2023

7:00 – 7:30 AM	Registration
7:30 – 9:00 AM	APMA Presents – Coding and Documentation
9:00 – 9:30 AM	Break
9:30 – 11:30 AM	APMA Presents – Coding and Documentation Continued
11:30 – 1:00 PM	Exhibitor Marketplace Luncheon – Easton Ballroom
1:00 – 2:30 PM	OSHA What You Don't Know Can Hurt You – How to Implement an OSHA Compliance Plan
2:30 – 3:00 PM	Break
3:00 – 5:00 PM	How to Create a HIPAA Security Manual and Risk Mitigation Plan

2023 Faculty:

Lawrence DiDomenico, DPM – Seminar Chair; Robert Mendicino, DPM – Seminar Chair; Sarah Abshier, DPM; Said Atway, DPM; Robert Brarens, DPM; Michael Brody, DPM; Michelle Butterworth, DPM; Windy Cole, DPM; Stephen Frania, DPM; Marc Greenberg, DPM; Mark Hardy, DPM; Mark Hofbauer, DPM; Jeffrey Lehrman, DPM; Jeffrey Loveland, DPM; Amy Masowick, DPM; Ashley Mychak, DPM; Amanda Quisno, DPM; Richard Schilling, DPM; Tracey Vlahovic, DPM



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PRESIDENT:

Adam Thomas, DPM, FACFAS

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;

lrldolfo@ohfama.org

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