

ENROLLED HOUSE  
BILL NO. 2763

By: Cox of the House

and

Ford of the Senate

An Act relating to public health and safety; amending 59 O.S. 2001, Section 144, as amended by Section 1, Chapter 118, O.S.L. 2002 (59 O.S. Supp. 2007, Section 144), which relates to the Podiatric Medicine Practice Act; authorizing issuance of temporary licenses under certain circumstances; amending 59 O.S. 2001, Section 493.4, as amended by Section 5, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2007, Section 493.4), which relates to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act; providing for additional special license; amending 63 O.S. 2001, Section 1-218.1, which relates to travel expenses and reimbursement for employees of city-county health departments; providing for issuance of credit cards to employees of a city-county health department; limiting chargeable expenses; defining term; specifying payment procedures for charges; providing for receipts; providing for certain form developed by the State Auditor and Inspector; providing for procedures for form and recording of certain information; prohibiting reimbursement under certain circumstance; amending 59 O.S. 2001, Section 2306, which relates to the Oklahoma Licensed Pedorthists Act; modifying licensure requirements; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 144, as amended by Section 1, Chapter 118, O.S.L. 2002 (59 O.S. Supp. 2007, Section 144), is amended to read as follows:

Section 144. A. The fee for examination for a license to practice podiatric medicine in this state shall be One Hundred Dollars (\$100.00). The Board of Podiatric Medical Examiners may increase this fee by not more than an additional Two Hundred Dollars (\$200.00). The examination for such license shall be given by the Board. The Board may give the examination at any special meeting, but shall not be required to do so.

B. To be entitled to take the examination, a person shall:

1. File a written application on a form prescribed by the Board;

2. Pay to the secretary-treasurer of the Board in advance the fee for examination;

3. Satisfy the Board that the person is loyal to the United States of America;

4. Be more than twenty-one (21) years of age;

5. Be of good moral character;

6. Not have been finally convicted of any crime involving moral turpitude or of any felony;

7. Be free from contagious or infectious disease;

8. Be a graduate of an accredited college of podiatric medicine; and

9. Have complied with applicable Board rules.

C. An applicant satisfying the requirements of subsection B of this section shall receive a license to practice podiatric medicine in this state, to be issued by the Board, if the applicant:

1. Takes the examination administered by the Board and receives a passing score of at least seventy-five percent (75%) on both the written and oral portions. An applicant receiving less than a score of seventy-five percent (75%) on either the written or oral portion

of the examination shall be deemed to have failed the entire examination;

2. Satisfactorily completes a podiatric surgical residency, approved by the Council of Podiatric Medical Education of the American Podiatric Medical Association, of not less than three hundred sixty-five (365) days; and

3. Satisfies the Board that the applicant has not violated any of the provisions of the Podiatric Medicine Practice Act or any of the rules of the Board.

D. The examination administered by the Board shall include both a written and an oral portion, shall be administered in the English language, and shall cover areas in anatomy, pathology, podiatric medicine and surgery, dermatology, pharmacology, biomechanics, anesthesia, radiology, Oklahoma law relating to podiatric medicine, and such other subjects as the Board from time to time determines necessary and appropriate. The Board may authorize examination papers to be graded by one or more of its own members or by any one or more licensed podiatric physicians selected by the Board. Each license issued by the Board shall be signed by each member of the Board, bear the seal of the Board, and designate the licensee as a licensed podiatric physician.

E. The Board may issue a temporary license if the applicant:

1. Has met the requirements of subsection B of this section;

2. Takes the examination administered by the Board and receives a passing score of at least seventy-five percent (75%) on both the written and oral portions. An applicant receiving less than a score of seventy-five percent (75%) on either the written or oral portion of the examination shall be deemed to have failed the entire examination;

3. Is within ninety (90) days of completing a podiatric surgical residency, approved by the Council of Podiatric Medical Education of the American Podiatric Medical Association, of not less than three hundred sixty-five (365) days; and

4. Satisfies the Board that the applicant has not violated any of the provisions of the Podiatric Medicine Practice Act or any of the rules of the Board.

SECTION 2. AMENDATORY 59 O.S. 2001, Section 493.4, as amended by Section 5, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2007, Section 493.4), is amended to read as follows:

Section 493.4 A. No person who is granted a special license or a special training license shall practice outside the limitations of ~~such~~ the license.

B. To be eligible for special or special training licensure, the applicant shall have completed all the requirements for full and unrestricted medical licensure except graduate education and/or licensing examination or other requirements relative to the basis for the special license or special training license.

C. By rule, the State Board of Medical Licensure and Supervision shall establish restrictions for special and special training licensure to assure that the holder will practice only under appropriate circumstances as set by the Board.

D. A special license or special training license shall be renewable annually upon the approval of the Board and upon the evaluation of performance in the special circumstances upon which the special license or special training license was granted.

E. The issuance of a special license or a special training license shall not be construed to imply that a full and unrestricted medical license will be issued at a future date.

F. All other provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act shall apply to holders of special licenses or special training licenses.

G. This section shall not limit the authority of any state agency or educational institution in this state which employs a special or special training licensed physician to impose additional practice limitations upon such physician.

SECTION 3. AMENDATORY 63 O.S. 2001, Section 1-218.1, is amended to read as follows:

Section 1-218.1 A. Upon direction of the director of a city-county health department, with approval of the board of county commissioners of the county, employees of such city-county health department may be reimbursed for use of their personally owned automobiles while performing their duties on official business for

the Department at a rate not to exceed that allowed for mileage to state employees. Travel claims for reimbursement on a mileage basis shall be accompanied by a detailed statement showing an adequate basis for computing the miles of travel and the purpose for the travel, and may be paid from any funds available for that purpose.

B. Subject to the limitations and procedures provided by this section, approved employees of a city-county health department may purchase materials, supplies, or services necessary for travel out of the county in which the city-county health department operates by use of one or more credit cards issued to the city-county health department. Purchases made with the credit cards shall be limited to actual expenses for travel out of the county by employees in the performance of their official duties. For purposes of this section, "actual expenses for travel" shall mean expenses for travel by public or private railroads, airplanes, buses, rental cars, or other public or private conveyances, fuel, oil, meals, lodging, parking fees, or telephone expenses.

C. The city-county health department shall encumber sufficient funds each month to pay for the estimated charges made with the cards including any annual or other fee owed for use of the cards. Payment for charges incurred on any card shall be made in a timely manner so that no interest charges or penalties accrue and so that the total payment amount corresponds to the balance of charges for purchases in addition to any applicable annual fee or service charge.

D. All receipts for charges made by use of any card issued to a city-county health department shall be maintained to facilitate accurate records of total monthly expenditures for which the city-county health department shall be obligated.

E. Employees who make credit purchases with credit cards issued to a city-county health department shall immediately and accurately document the expenditures on a form prepared by the State Auditor and Inspector, attaching receipts and a written explanation of each expenditure as to the date, case number, or other identification number, area or location, reason for expenditure and amount expended. A copy of the form shall be submitted to the director of the city-county health department for approval and the original form shall be attached to the purchase order and shall be submitted for payment. A copy of the form shall be retained for the records of the city-county health department.

F. An employee of the city-county health department shall not receive any reimbursement pursuant to the provisions of subsection A of this section for any expenses for which a credit card issued pursuant to the provisions of this section has been used.

SECTION 4. AMENDATORY 59 O.S. 2001, Section 2306, is amended to read as follows:

Section 2306. A. The State Board of Medical Licensure and Supervision, with the assistance of the Advisory Committee on Podorthics, shall establish qualifications for licensure and registration under the Oklahoma Licensed Podorthists Act. The Board shall also provide, as set forth herein, an alternative qualification licensure opportunity for current practitioners in this state and for practitioners coming into this state prior to November 1, 2004, who are unable to meet standard qualifications.

B. To be licensed to practice podorthics according to standard qualifications, a person shall have passed all examinations required for certification by ~~the Board for Certification in Podorthics (BCP)~~ an entity approved by the Board as a certification organization for licensure purposes. Once licensed, a podorthist shall meet continuing education and annual renewal requirements to maintain podorthic licensure. The licensed podorthist shall also adhere to a code of ethics adopted by the Board upon recommendation of the Committee. Absent another professional certification or credential, a licensed podorthist shall not diagnose, prescribe, provide prognosis, perform invasive procedures, or make, without a prescription, any custom or customized shoe, device, or modification addressing a medical condition.

C. To be licensed under alternative qualification a person shall:

1. Pass an examination, which may be an available examination designated by the State Board of Medical Licensure and Supervision or an examination developed by the Board; or

2. Enter into an alternative qualification contract with the State Board of Medical Licensure and Supervision, the conditions of which shall be based on the Board's evaluation of the applicant's experience and the Board's determination of further experience needed or other requirements to be met, which contract shall specify a period of time not to exceed ten (10) years for completion of the further experience or requirements.

D. Upon execution of the alternative qualification contract, the Board shall issue a license and shall renew the license subject to the licensee's making satisfactory progress as required by the contract. Persons who satisfactorily complete the alternative qualification contract shall be thereafter considered as having met the qualification necessary for license renewal.

E. No person shall be permitted to enter into an alternative qualification contract after October 31, 2004. A person who has not done so by October 31, 2004, shall not be issued a license to practice pedorthics without meeting standard qualifications.

F. Notwithstanding any other provision of this section, a person who has practiced full time during the three-year period immediately preceding the effective date of this act in a pedorthic facility as a pedorthist, may file an application with the Board within ninety (90) days from the effective date of this act for permission to continue to practice at his or her identified level of practice. The Board, after verifying the applicant's work history and receiving payment of the application fee as established pursuant to this act, shall without examination of the applicant, issue the applicant a license or certificate of registration. For making investigations necessary to verify the work history, the Board may require that the applicant complete a questionnaire regarding the work history and scope of practice. The Board shall take no more than six (6) months to make the investigations necessary to verify the work history. Applicants applying after the ninety-day application period of this subsection has expired, shall meet the qualifications elsewhere set forth for standard or alternative qualification for licensure or for registration as determined by the Board.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 7th day of May, 2008.

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Presiding Officer of the House of  
Representatives

Passed the Senate the 16th day of April, 2008.

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Presiding Officer of the Senate