

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2763

By: Cox

4
5 AS INTRODUCED

6 An Act relating to professions and occupations;
7 amending 59 O.S. 2001, Section 493.2, as last amended
8 by Section 4, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
9 2007, Section 493.2), which relates to the Oklahoma
10 Allopathic Medical and Surgical Licensure and
11 Supervision Act; modifying foreign application
12 requirements; authorizing Executive Director of the
13 State Board of Medical Licensure to commission
14 certain employees as peace officers; specifying
15 authority and procedures for qualification; amending
16 59 O.S. 2001, Section 2306, which relates to the
17 Oklahoma Licensed Pedorthists Act; modifying
18 licensure requirements; providing for codification;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. AMENDATORY 59 O.S. 2001, Section 493.2, as
23 last amended by Section 4, Chapter 523, O.S.L. 2004 (59 O.S. Supp.
24 2007, Section 493.2), is amended to read as follows:

Section 493.2 A. Foreign applicants shall meet all
requirements for licensure as provided in Sections 492.1 and 493.1
of this title.

B. 1. A foreign applicant shall possess the degree of Doctor
of Medicine or a Board-approved equivalent based on satisfactory

1 completion of educational programs from a school with education and
2 training ~~substantially~~ equivalent to that offered by the University
3 of Oklahoma College of Medicine.

4 2. In the event the foreign medical school utilized clerkships
5 in the United States, its territories or possessions, such
6 clerkships shall have been performed in hospitals and schools that
7 have programs accredited by the Accreditation Council for Graduate
8 Medical Education (ACGME).

9 C. A foreign applicant shall have a command of the English
10 language that is satisfactory to the State Board of Medical
11 Licensure and Supervision, demonstrated by the passage of an oral
12 English competency examination.

13 D. The Board may promulgate rules requiring all foreign
14 applicants to satisfactorily complete at least twelve (12) months
15 and up to twenty-four (24) months of Board-approved progressive
16 graduate medical training as determined necessary by the Board for
17 the protection of the public health, safety and welfare.

18 E. All credentials, diplomas and other required documentation
19 in a foreign language submitted to the Board by such applicants
20 shall be accompanied by notarized English translations.

21 F. Foreign applicants shall provide satisfactory evidence of
22 having met the requirements for permanent residence or temporary
23 nonimmigrant status as set forth by the United States Immigration
24 and Naturalization Service.

1 G. Foreign applicants shall provide a certified copy of the
2 Educational Commission for Foreign Medical Graduates (ECFMG)
3 Certificate to the Board at such time and in such manner as required
4 by the Board. The Board may waive the requirement for an
5 Educational Commission for Foreign Medical Graduates Certificate by
6 rule for good cause shown.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 512.1 of Title 59, unless there
9 is created a duplication in numbering, reads as follows:

10 The Executive Director of the State Board of Medical Licensure
11 and Supervision hereinafter referred to as "Board" shall have the
12 authority to commission certified employees within the Department of
13 Investigations of the Board as peace officers. The authority of
14 employees so commissioned shall include the authority to investigate
15 crimes committed against the Board, crimes committed in the course
16 of any program administered by the Board, or any violations
17 committed by persons under the jurisdiction of the board against the
18 peace and dignity of the State of Oklahoma and its Statutes.
19 Furthermore, these commissioned employees shall also have the
20 authority to serve and execute process, bench warrants and other
21 court orders in any judicial or administrative proceeding in which
22 the Board is a party or participant. Use and possession of firearms
23 shall be at the discretion of the Executive Director or the Board,
24 and for the Investigations Unit only. To become qualified as peace

1 officers for the Board, employees shall first obtain a certificate
2 as provided for in Section 3311 of Title 70 of the Oklahoma
3 Statutes, or have resigned or retired from active police service in
4 good standing, and within the statutorily required period of time
5 reapplied for, and been accepted for recertification.

6 SECTION 3. AMENDATORY 59 O.S. 2001, Section 2306, is
7 amended to read as follows:

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

16 B. To be licensed to practice pedorthics according to standard
17 qualifications, a person shall have passed all examinations required
18 for certification by ~~the Board for Certification in Pedorthics (BCP)~~
19 an entity approved by the Board as a certification organization for
20 licensure purposes. Once licensed, a pedorthist shall meet
21 continuing education and annual renewal requirements to maintain
22 pedorthic licensure. The licensed pedorthist shall also adhere to a
23 code of ethics adopted by the Board upon recommendation of the
24 Committee. Absent another professional certification or credential,

1 a licensed pedorthist shall not diagnose, prescribe, provide
2 prognosis, perform invasive procedures, or make, without a
3 prescription, any custom or customized shoe, device, or modification
4 addressing a medical condition.

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

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

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

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

23 E. No person shall be permitted to enter into an alternative
24 qualification contract after October 31, 2004. A person who has not

1 done so by October 31, 2004, shall not be issued a license to
2 practice pedorthics without meeting standard qualifications.

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

22 SECTION 4. This act shall become effective July 1, 2008.

23 SECTION 5. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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