

# An Act

ENROLLED SENATE  
BILL NO. 302

By: Jolley of the Senate

and

Grau of the House

An Act relating to podiatry; amending 59 O.S. 2011, Section 144, which relates to licenses for podiatric physicians; authorizing the Board of Podiatric Medical Examiners to use certain examinations for licensing exams; permitting the Board of Podiatric Medical Examiners to issue training licenses; providing standards for issuance and renewal of training licenses; amending 59 O.S. 2011, Section 145, which relates to renewals of licenses; removing certain licensing standards; providing new issuance standards for licenses; providing determination of renewal fees; requiring monitoring of license records; amending 59 O.S. 2011, Section 145.1, which relates to continuing education requirements; clarifying required hours and duration of license issuance; providing for codification, and providing an effective date.

SUBJECT: Podiatric medicine licensing requirements

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

SECTION 1. AMENDATORY 59 O.S. 2011, 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. The Board may utilize the National Board of Podiatric Examiners' National Board Examination Part III as the written portion of the state licensing exam.

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 or approved 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 or approved 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 or approved 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 or has completed 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. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 59 of Title 144.1, unless there is created a duplication in numbering, reads as follows:

A. No person who is granted a training license shall practice outside the limitations of the license.

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

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

D. A 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 training license was granted.

E. The issuance of a training license shall not be construed to imply that a full and unrestricted license to practice podiatric medicine will be issued at a future date.

F. All other provisions of the Podiatric Medicine Practice Act shall apply to the holders of training licenses.

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

SECTION 3. AMENDATORY 59 O.S. 2011, Section 145, is amended to read as follows:

Section 145. A. ~~Each license to practice podiatric medicine heretofore issued which remains effective under the provisions of~~

~~this act and each such license issued hereafter pursuant to law shall entitle the licensee, subject to law, to practice podiatric medicine in this state as defined by law and to hold himself out as a licensed podiatric physician, doctor of podiatric medicine or podiatrist from the date of issuance thereof until the following July 1, and as long as lawfully renewed, unless suspended or revoked as authorized by law~~ Each license to practice podiatric medicine shall be renewed by June 30 of even-numbered years. Such license shall entitle the licensee to practice podiatric medicine in this state as defined by law and to hold himself/herself out as a licensed podiatric physician, doctor of podiatric medicine or podiatrist as long as lawfully renewed, unless suspended or revoked as authorized by law.

B. ~~Upon such application therefor, if any, as the Board of Podiatric Medical Examiners requires from time to time, and upon first satisfying the Board that he is not at the time violating any applicable law or any of the rules of the Board which are applicable to him or the Code of Ethics, and upon the payment in advance to the secretary-treasurer of the Board of the annual renewal fee required by law and the rules of the Board, and upon showing proof of compliance with Section 145.1 of this title, a licensee shall be entitled to have his license to practice podiatric medicine renewed annually on or before July 1 of each year, upon which date such annual renewal fee shall become due and owing~~ Upon application and payment of required fees, and upon first satisfying the Board of Podiatric Medical Examiners that the licensee is not at the time violating any applicable law or any of the rules of the Board or the Code of Ethics, and upon showing proof of compliance with Section 145.1 of this title, a licensee shall be entitled to have his/her license to practice podiatric medicine renewed until June 30 of the following even-numbered year.

C. ~~A licensed podiatric physician who does not so satisfy the Board and pay the annual renewal fee required by law and the rules of the Board, in the time and manner required thereby, shall cease to be entitled to have such license renewed. If not paid on or before September 30 immediately following July 1, the annual renewal fee shall become delinquent and the license shall be automatically suspended and not entitled to renewal thereafter, though it may be reinstated as provided by law and the rules of the Board. Upon such suspension, all the rights of the licensee by virtue of the license~~

~~shall be suspended and cease and shall remain suspended unless or until the license is reinstated as authorized by law, and the rules of the Board. The license shall be renewed by the Board upon the payment of the delinquent annual renewal fee, without penalty, between July 1 and September 30 immediately following, if, and only if, the licensee first satisfies the Board that during the then immediately preceding twelve (12) months he did not violate, and that at the time he is not violating, any applicable law or the Code of Ethics or any of the rules of the Board which are applicable to him; and the renewal, if granted by the Board, shall operate to remove the suspension aforesaid. After that September 30 and on or before the close of the next following June 30, and upon such application therefor, if any, as the Board requires, and upon first satisfying the Board that during the then immediately preceding twelve (12) months he did not violate, and at the time is not violating, any applicable law or the Code of Ethics or any of the rules of the Board which are applicable to him, a licensee shall be entitled to have his license to practice podiatric medicine reinstated, upon the payment first of the delinquent annual renewal fee, plus such penalty additional as the Board imposes, not to exceed in all four times the delinquent fee; and the reinstatement shall operate to reinstate the license and remove such suspension. But such a license to practice podiatric medicine not so reinstated in such time shall become void at the close of that June 30; and thereafter it shall not be renewed or reinstated. A license not renewed in the time and manner required by this section shall become inactive and the licensee may not practice as a licensed podiatric physician, doctor of podiatric medicine or podiatrist. The license may be renewed on or before September 30 following the June 30 deadline by payment of the delinquent renewal fee upon satisfying the Board of compliance with subsection B of this section. After that September 30 and on or before the close of June 30 of the next even-numbered year, the license may be reinstated upon satisfying the Board of compliance with subsection B of this section and upon the payment first of the delinquent renewal fee, plus such additional penalty as the Board imposes, not to exceed in all four times the delinquent fee. Any license to practice podiatric medicine not reinstated in such time shall become void at the close of June 30 of the next even-numbered year; and thereafter it shall not be renewed or reinstated.~~

~~D. The annual renewal fee shall be such sum as the Board from time to time sets. Upon the timely payment of the annual renewal fee or the reinstatement fee, as the case may be, the secretary-treasurer of the Board shall issue and mail to the licensee such certificate of renewal or reinstatement as the Board shall direct, which when so mailed shall operate to renew or reinstate the license, as the case may be, for the period ending at the close of the immediately following July 1, after which it must be renewed again or be reinstated in the same time and manner to continue effective~~ The renewal fee shall be such sum as the Board from time to time sets. Upon the timely payment of the renewal fee or the reinstatement fee, as the case may be, the secretary-treasurer of the Board shall provide to the licensee such certificate of renewal or reinstatement as the Board shall direct, which shall operate to renew or reinstate the license, as the case may be, until June 30 of the next even-numbered year, after which it must be renewed again or be reinstated in the same time and manner to continue to be effective.

~~E. The secretary-treasurer of the Board shall keep a license record showing each license issued by the Board, the name and last mailing address furnished to said secretary-treasurer by each licensee, the year of issuance of the license, whether by examination or otherwise, the renewals, reinstatements, suspensions and revocations thereof, and the fact as to whether the license be in force or suspended or void. Such record as to any license, or a copy thereof certified to by said secretary-treasurer as complete and true as to the license in question, shall constitute prima facie evidence of the recitals therein and the fact disclosed thereby as to whether the license described is in force or suspended or void~~ The secretary-treasurer of the Board shall keep a license record showing each license issued by the Board, the name and last mailing address furnished to said secretary-treasurer by each licensee, the year of issuance of the license, whether by examination or otherwise, the renewals, reinstatements, suspensions and revocations thereof, and the fact as to whether the license be in force or suspended or void. Such record as to any license, or a copy thereof certified to by said secretary-treasurer as complete and true as to the license in question, shall constitute prima facie evidence of the recitals therein and the fact disclosed thereby as to whether the license described is in force or suspended or void.

SECTION 4. AMENDATORY 59 O.S. 2011, Section 145.1, is amended to read as follows:

Section 145.1. A. ~~Thirty (30)~~ Sixty (60) hours of continuing education shall be required for renewal of an individual license to practice podiatric medicine in this state. This must be obtained in the ~~twelve-month~~ two-year period immediately preceding the ~~year~~ two-year period for which the license is to be issued. The continuing education required by this section shall be any of the following:

1. Education presented by an organization approved by the Council on Continuing Education of the American Podiatric Medical Association;

2. A national, state or county podiatric medical association meeting approved by the Board of Podiatric Medical Examiners;

3. Hospital-sponsored scientific programs approved by the Board; or

4. ~~Three (3)~~ Six (6) hours of continuing education credit may be obtained by attending meetings and hearings of the Board.

At least ~~fifteen (15)~~ thirty (30) hours of the required ~~thirty (30)~~ sixty (60) hours must be obtained in this state.

B. Any practitioner not so satisfying the Board of the fulfillment of the continuing education requirements required by subsection A of this section shall cease to be entitled to have such license renewed.

C. Any practitioner fully retired from the practice of podiatric medicine shall be exempt from compliance with the requirements imposed by subsection A of this section. However, upon resuming the practice of podiatric medicine, the individual shall fulfill such requirements which have accrued from the effective date of this act to the time of resumption of practice.

SECTION 5. This act shall become effective November 1, 2013.

Passed the Senate the 12th day of March, 2013.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2013.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_