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February 24, 2020

SENATE BILL NO. 1830

By: Stanley of the Senate

and

Roe of the House

An Act relating to professions and occupations; amending 59 O.S. 2011, Section 144, as last amended by Section 6, Chapter 363, O.S.L. 2019 (59 O.S. Supp. 2019, Section 144), which relates to the practice of podiatry; modifying requirements for examination; providing for expiration of temporary license; amending 59 O.S. 2011, Section 2059, as last amended by Section 68, Chapter 363, O.S.L. 2019 (59 O.S. Supp. 2019, Section 2059), which relates to licensed perfusionists; providing for temporary license; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 144, as last amended by Section 6, Chapter 363, O.S.L. 2019 (59 O.S. Supp. 2019, 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

1 Board. The Board may give the examination at any special meeting,
2 but shall not be required to do so. The Board may utilize the
3 National Board of Podiatric Examiners' National Board Examination
4 Part III as the written portion of the state licensing exam.

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

6 1. File a written or electronic online application on a form
7 prescribed by the Board;

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

10 3. Satisfy the Board that the person ~~is loyal to~~ legally
11 resides in the United States of America;

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

13 5. Not have been convicted of any felony crime that
14 substantially relates to the practice of podiatric medicine and
15 poses a reasonable threat to public safety;

16 6. ~~Be free from contagious or infectious disease;~~

17 ~~7.~~ Be a graduate of an accredited college of podiatric
18 medicine; and

19 ~~8.~~ 7. Have complied with applicable Board rules.

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

23 1. Takes the examination administered or approved by the Board
24 and receives a passing score of at least seventy-five percent (75%)

1 on both the written and oral portions. An applicant receiving less
2 than a score of seventy-five percent (75%) on either the written or
3 oral portion of the examination shall be deemed to have failed the
4 entire examination;

5 2. Satisfactorily completes a podiatric surgical residency,
6 approved by the Council of Podiatric Medical Education of the
7 American Podiatric Medical Association, of not less than three (3)
8 years; provided, the provisions of this paragraph shall only apply
9 to applicants after March 1, 2018;

10 3. Satisfies the Board that the applicant has not violated any
11 of the provisions of the Podiatric Medicine Practice Act or any of
12 the rules of the Board; and

13 4. Satisfies the Board, in the case of any criminal conviction,
14 that the crime does not substantially relate to the practice of
15 podiatric medicine nor pose a reasonable threat to public safety, or
16 constitute an act of moral turpitude that would affect the practice
17 of podiatric medicine or public safety. For purposes of this
18 paragraph:

19 a. "substantially relate" means the nature of criminal
20 conduct for which the person was convicted has a
21 direct bearing on the fitness or ability to perform
22 one or more of the duties or responsibilities
23 necessarily related to the occupation, and
24

1 b. "pose a reasonable threat" means the nature of
2 criminal conduct for which the person was convicted
3 involved an act or threat of harm against another and
4 has a bearing on the fitness or ability to serve the
5 public or work with others in the occupation.

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

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

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

20 2. Takes the examination administered or approved by the Board
21 and receives a passing score of at least seventy-five percent (75%)
22 on both the written and oral portions. An applicant receiving less
23 than a score of seventy-five percent (75%) on either the written or
24

1 oral portion of the examination shall be deemed to have failed the
2 entire examination;

3 3. Is within ninety (90) days of completing or has completed a
4 podiatric surgical residency, approved by the Council of Podiatric
5 Medical Education of the American Podiatric Medical Association, of
6 not less than three (3) years; provided, the provisions of this
7 paragraph shall only apply to applicants after March 1, 2018; and

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

11 A temporary license shall expire upon the Board's approval of a
12 permanent license or ten (10) calendar days following the Board's
13 denial of an application for a permanent license.

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 2059, as
15 last amended by Section 68, Chapter 363, O.S.L. 2019 (59 O.S. Supp.
16 2019, Section 2059), is amended to read as follows:

17 Section 2059. A. Except as otherwise provided in the Oklahoma
18 Licensed Perfusionists Act, no person shall practice perfusion in
19 this state unless licensed pursuant to the provisions of the
20 Oklahoma Licensed Perfusionists Act.

21 B. No person shall be licensed to practice perfusion in this
22 state except upon a finding by the State Board of Examiners of
23 Perfusionists that such person:

1 1. Has fully complied with all applicable licensure
2 requirements of the Oklahoma Licensed Perfusionists Act; and

3 2. Has produced satisfactory evidence to the Board of the
4 ability of the applicant to practice perfusion with reasonable skill
5 and safety.

6 C. An applicant for a perfusionist license must submit a sworn
7 application accompanied by an application fee specified in Section
8 2071 of this title in an amount set by rule of the Board.

9 D. The Board shall prescribe the form of the application and by
10 rule may establish dates by which applications and fees must be
11 received. These rules must not be inconsistent with present rules
12 of the State Board of Medical Licensure and Supervision related to
13 application dates of other licenses. The Board may review and
14 verify medical credentials and screen applicant records through
15 recognized national information services.

16 E. To qualify for the examination for licensure, the applicant
17 must have successfully completed a perfusion education program
18 approved by the Board.

19 F. In approving perfusion education programs necessary for
20 qualification for examination, the Board shall approve only a
21 program that has educational standards that are at least as
22 stringent as those established by the Accreditation Committee for
23 Perfusion Education and approved by the Committee on Allied Health
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1 Education and Accreditation of the American Medical Association or
2 their successors.

3 G. Not later than the forty-fifth day after the date of receipt
4 of a properly submitted and timely application and not later than
5 the thirtieth day before the next examination date, the Board shall
6 notify an applicant in writing that the applicant's application and
7 any other relevant evidence pertaining to applicant qualifications
8 established by the Board by rule have been received and
9 investigated. The notice shall state whether the application and
10 other evidence submitted have qualified the applicant for
11 examination. If the applicant has not qualified for examination,
12 the notice shall state the reasons for lack of qualification.

13 H. Prior to approval of an application, the Board may issue a
14 temporary license to an applicant who has submitted a completed
15 application and who, upon payment of the examination fee, has passed
16 the required examination with a score acceptable to the Board. A
17 temporary license shall expire upon the Board's approval of a
18 permanent license or ten (10) calendar days following the Board's
19 denial of an application for a permanent license.

20 SECTION 3. This act shall become effective November 1, 2020.

21 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
22 February 24, 2020 - DO PASS
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