

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 1038

By: Daniels

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5
6 AS INTRODUCED

7 An Act relating to practice of podiatry; amending 59
8 O.S. 2021, Section 137, as amended by Section 1,
9 Chapter 25, O.S.L. 2024 (59 O.S. Supp. 2024, Section
10 137), which relates to the Board of Podiatric Medical
11 Examiners; removing certain limitation on appointees;
12 permitting the Governor to consider certain
13 recommendations; updating statutory language; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 59 O.S. 2021, Section 137, as
17 amended by Section 1, Chapter 25, O.S.L. 2024 (59 O.S. Supp. 2024,
18 Section 137), is amended to read as follows:

19 Section 137. A. A Board of Podiatric Medical Examiners is
20 hereby re-created, to continue until July 1, 2027, in accordance
21 with the provisions of the Oklahoma Sunset Law. The Board shall
22 regulate the practice of podiatric medicine in this state in
23 accordance with the provisions of the Podiatric Medicine Practice
24 Act. The Board, appointed by the Governor, shall be composed of
25 five podiatric physicians licensed to practice podiatric medicine in
26 this state and one lay member representing the public.

1 B. Each podiatric physician member of the Board shall:

2 1. Be a legal resident of this state;

3 2. Have practiced podiatric medicine continuously in this state
4 during the three (3) years immediately preceding appointment to the
5 Board;

6 3. Be free of pending disciplinary action or active
7 investigation by the Board; and

8 4. Be a member in good standing of the American Podiatric
9 Medical Association and of the Oklahoma Podiatric Medical
10 Association.

11 C. The lay member of the Board shall:

12 1. Be a legal resident of this state;

13 2. Not be a registered or licensed practitioner of any of the
14 healing arts or be related, within the third degree of consanguinity
15 or affinity, to any such person; and

16 3. Participate in Board proceedings only for the purposes of:

17 a. reviewing, investigating and disposing of written
18 complaints regarding the conduct of podiatric
19 physicians, and

20 b. formulating, adopting and promulgating rules pursuant
21 to Article I of the Administrative Procedures Act.

22 D. Except as provided in subsection E of this section, the term
23 of office of each podiatric physician member of the Board shall be
24 five (5) years, with one such member being appointed to the Board

1 each year. The lay member of the Board shall serve a term
2 coterminous with that of the Governor. Each member shall hold
3 office until the expiration of the term for which he or she was
4 appointed or until a qualified successor has been duly appointed.
5 An appointment shall be made by the Governor within ninety (90) days
6 after the expiration of the term of any member, or the occurrence of
7 a vacancy on the Board due to resignation, death, or any other cause
8 resulting in an unexpired term. ~~The appointment of the podiatric~~
9 ~~physician members shall be made from a list of not less than five~~
10 ~~persons submitted annually to the Governor by the Oklahoma Podiatric~~
11 ~~Medical Association~~ In selecting appointees, the Governor may
12 consider recommendations from a statewide organization representing
13 podiatric physicians, a state chapter of a national organization
14 representing podiatric physicians, or other groups or individuals in
15 this state.

16 E. Each of the three podiatric physician members of the Board,
17 serving on September 1, 1993, shall complete the term of office for
18 which he or she was appointed, and the successor to each such member
19 shall be appointed for a term of five (5) years. Within sixty (60)
20 days after September 1, 1993, the Governor shall appoint two new
21 podiatric physician members to the Board, one for a term expiring
22 July 1, 1997, and one for a term expiring on July 1, 1998. The
23 successor to each such new member shall be appointed for a term of
24 five (5) years.

1 F. Before assuming duties on the Board, each member shall take
2 and subscribe to the oath or affirmation provided in Article XV of
3 the Oklahoma Constitution, which oath or affirmation shall be
4 administered and filed as provided in such article.

5 G. A member may be removed from the Board by the Governor for
6 cause which shall include, but not be limited to:

7 1. Ceasing to be qualified;

8 2. Being found guilty by a court of competent jurisdiction of a
9 felony or of any offense involving moral turpitude;

10 3. Being found guilty, through due process, of malfeasance,
11 misfeasance or nonfeasance in relation to Board duties;

12 4. Being found mentally incompetent by a court of competent
13 jurisdiction;

14 5. Being found in violation of any provision of the Podiatric
15 Medicine Practice Act; or

16 6. Failing to attend three consecutive meetings of the Board
17 without just cause, as determined by the Board.

18 SECTION 2. This act shall become effective November 1, 2025.

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