

**TITLE 545. STATE BOARD OF PODIATRIC MEDICAL EXAMINERS
CHAPTER 15. EXAMINATION/ LICENSURE**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

545:15-1-1.1. Definitions [NEW]

545:15-1-2. Examination [AMENDED]

545:15-1-5. License [AMENDED]

545:15-1-5.1. Training License [NEW]

SUMMARY:

Senate bill 302 authorized the Board of Podiatric Medical Examiners to use certain examinations for the licensing exam and permitting the issuance of a training license. These rule changes specify the National Board of Podiatric Medical Examiners' (NBPME) examination, American Podiatric Medical Licensing Examinations (APMLE), as part of the Oklahoma licensing exam, adds definitions for NBPME, APMLE, and sets out parameters for issuing the training license.

AUTHORITY:

TITLE 59 O.S., Sections 141 and 144.1, State Board Podiatric Medicine Practice Act

COMMENT PERIOD:

The comment period will run from November 15, 2013 to December 17, 2013. Written comments may be sent to the office of the Board, 101 N.E. 51st Street, Oklahoma City, OK 73154-0256.

PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views on December 17, 2013, 5:00 P.M. at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma. Written notice of intent to make oral comment must be received by this office no later than December 13, 2013.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma.

RULE IMPACT STATEMENT:

A rule impact statement will be prepared and available after November 15, 2013 at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma, 73015.

CONTACT PERSON:

Kathy Plant, Executive Secretary (405) 962-1400, ext. 122

Proposed Rules

(Underline denotes new language. Strikeouts denote deleted language.)

TITLE 545. STATE BOARD OF PODIATRIC MEDICAL EXAMINERS CHAPTER 15. EXAMINATION/ LICENSURE

545:15-1-1.1 Definitions [NEW]

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"APMLE" means the American Podiatric Medical Licensing Examinations.

"National Board examination" means the AMPLE, formerly known as the Podiatric Medical Licensing Examination for States or PMLexis.

"NBPME" means the National Board of Podiatric Medical Examiners.

"Podiatric resident" means an individual enrolled in a podiatric medicine and surgery residency accredited by the Council on Podiatric Medical Education.

545:15-1-2. Examination

~~(a) Examination for licensure to practice podiatry in the State of Oklahoma shall be given by the Board.~~

~~(b) The Board may give the examination at any special meeting, but it shall not be required to do so.~~

~~(1) In general, the examination for licensure shall be given during the month of March on an annual basis on a date set by the Board.~~

~~(2) The written portion and oral portion of the exam must be passed within the same calendar year. Any person who fails both the oral and written portions of the exam and who still seeks licensure shall be required to sit for the entire examination. Any person who fails the written portion, passes the oral portion and who still seeks licensure may retake the written portion on a date set by the Board.~~

(a) Upon submission and approval of a completed application for licensure by examination, and the payment of all fees, an applicant may sit for an examination approved by the Board. The Board has adopted the APMLE Part III as the written portion of the licensure examination. The applicant also must pass a jurisprudence exam and an oral exam as authorized in 59 O.S. Section 144 as administered by the Board.

(e) Applicants shall file a written application for examination as required by the Board as set out in OAC 435:15-1-3 of this Subchapter and pay, in advance, the fee for examination.

(1) The application must be received at least 30 days prior to the date the exam is to be administered.

(2) The application fee must be submitted in the form of a cashier's check or certified check with the completed application form.

(3) If the application for examination is unacceptable, the fee shall be returned to the candidate along with the application.

(4) If the application is deemed acceptable, the candidate shall be notified of same in writing and scheduled for examination. The application fee shall be deposited with the office of the State Treasurer of the State of Oklahoma and shall at that point become non-refundable.

~~(d)~~ Any person who is otherwise qualified for licensure shall receive a license to practice

podiatry in this State who meets the requirements set out in Title 59 O.S. § 144.

~~(e) The examination shall include a written and an oral portion. In addition, it shall be administered in the English language.~~

~~(f) The examination shall cover areas in anatomy, podiatric medicine and surgery, pathology, dermatology, pharmacology, biomechanics, anesthesia, radiology, Oklahoma law relating to podiatry and any other areas deemed relevant by the Board.~~

~~(g) The Board hereby authorizes examination papers to be graded by one or more of its own members or by any one or more licensed podiatrist it shall select at a meeting of the Board.~~

~~(h) The Board further may employ any national examination administered by any person or entity approved by the Council on Podiatric Medical Education to administer any such examination in their behalf.~~

545:15-1-5. License

(a) Each license issued by the Board shall be signed by each member of the Board, shall bear the Seal of the Board, and shall designate the licensee as a licensed podiatrist.

(b) Licenses, to remain effective, must be renewed ~~annually~~ biennially or reinstated as provided by the Act.

545:15-1-5.1. Training License [NEW]

(a) The Secretary of the Board is authorized to issue a training license to podiatric residents. Unless otherwise renewed, amended, suspended or revoked by the Board, a training license issued under this section may be extended without renewal by the Secretary for a period not to exceed ninety (90) days until scores from the first-year resident's final licensing examination are received and application for full licensure is acted on by the Board.

(b) No person granted a training license to practice podiatric medicine within a post-graduate training program within this state shall practice outside the scope of the training license. Any practice outside the scope of a training license shall be deemed to be the unlicensed practice of podiatric medicine. The Secretary is authorized to seek injunctive action to prevent any person from violating terms or limitations of a training license granted by the Board.

(c) Upon application for renewal, the Secretary shall review all training licenses granted on an annual basis to determine if such license should be renewed by the Board or amended as to its terms or limitations.

(b) No special license for post-graduate training may be issued unless the applicant has passed all sections of Part I and Part II of the America Podiatric Medical Licensing Examination (APMLE).