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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2428

02/27/2014 Authored by Halverson and Morgan

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health occupations; making changes to licensure of podiatrists;
1.3 amending Minnesota Statutes 2012, section 153.16, subdivisions 1, 2, 3, by
1.4 adding subdivisions.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 153.16, subdivision 1, is amended to read:

1.7 Subdivision 1. **License requirements.** The board shall issue a license to practice
1.8 podiatric medicine to a person who meets the following requirements:

1.9 (a) The applicant for a license shall file a written notarized application on forms
1.10 provided by the board, showing to the board's satisfaction that the applicant is of good
1.11 moral character and satisfies the requirements of this section.

1.12 (b) The applicant shall present evidence satisfactory to the board of being a graduate
1.13 of a podiatric medical school approved by the board based upon its faculty, curriculum,
1.14 facilities, accreditation by a recognized national accrediting organization approved by the
1.15 board, and other relevant factors.

1.16 (c) The applicant must have received a passing score on each part of the national board
1.17 examinations, parts one and two, prepared and graded by the National Board of Podiatric
1.18 Medical Examiners. The passing score for each part of the national board examinations,
1.19 parts one and two, is as defined by the National Board of Podiatric Medical Examiners.

1.20 (d) Applicants graduating after 1986 from a podiatric medical school shall present
1.21 evidence satisfactory to the board of the completion of (1) one year of graduate, clinical
1.22 residency or preceptorship in a program accredited by a national accrediting organization
1.23 approved by the board or (2) other graduate training that meets standards equivalent to
1.24 those of an approved national accrediting organization or school of podiatric medicine

2.1 of successful completion of a residency program approved by a national accrediting
 2.2 podiatric medicine organization.

2.3 (e) The applicant shall appear in person before the board or its designated
 2.4 representative to show that the applicant satisfies the requirements of this section,
 2.5 including knowledge of laws, rules, and ethics pertaining to the practice of podiatric
 2.6 medicine. The board may establish as internal operating procedures the procedures or
 2.7 requirements for the applicant's personal presentation.

2.8 (f) The applicant shall pay a fee established by the board by rule. The fee shall
 2.9 not be refunded.

2.10 (g) The applicant must not have engaged in conduct warranting disciplinary action
 2.11 against a licensee. If the applicant does not satisfy the requirements of this paragraph,
 2.12 the board may refuse to issue a license unless it determines that the public will be
 2.13 protected through issuance of a license with conditions and limitations the board considers
 2.14 appropriate.

2.15 (h) Upon payment of a fee as the board may require, an applicant who fails to pass
 2.16 an examination and is refused a license is entitled to reexamination within one year of
 2.17 the board's refusal to issue the license. No more than two reexaminations are allowed
 2.18 without a new application for a license.

2.19 Sec. 2. Minnesota Statutes 2012, section 153.16, is amended by adding a subdivision
 2.20 to read:

2.21 Subd. 1a. **Relicensure after two-year lapse of practice; reentry program.** A
 2.22 podiatrist seeking licensure or reinstatement of a license after a lapse of continuous
 2.23 practice of podiatric medicine of greater than two years must reestablish competency by
 2.24 completing a reentry program approved by the board.

2.25 Sec. 3. Minnesota Statutes 2012, section 153.16, subdivision 2, is amended to read:

2.26 Subd. 2. **Applicants licensed in another state.** The board shall issue a license
 2.27 to practice podiatric medicine to any person currently or formerly licensed to practice
 2.28 podiatric medicine in another state who satisfies the requirements of this section:

2.29 (a) The applicant shall satisfy the requirements established in subdivision 1.

2.30 (b) The applicant shall present evidence satisfactory to the board indicating the
 2.31 current status of a license to practice podiatric medicine issued by the first state of
 2.32 licensure and all other states and countries in which the individual has held a license.

2.33 (c) If the applicant has had a license revoked, engaged in conduct warranting
 2.34 disciplinary action against the applicant's license, or been subjected to disciplinary action,

3.1 in another state, the board may refuse to issue a license unless it determines that the
 3.2 public will be protected through issuance of a license with conditions or limitations the
 3.3 board considers appropriate.

3.4 (d) The applicant shall submit with the license application the following additional
 3.5 information for the five-year period preceding the date of filing of the application: (1) the
 3.6 name and address of the applicant's professional liability insurer in the other state; and (2)
 3.7 the number, date, and disposition of any podiatric medical malpractice settlement or award
 3.8 made to the plaintiff relating to the quality of podiatric medical treatment.

3.9 (e) If the license is active, the applicant shall submit with the license application
 3.10 evidence of compliance with the continuing education requirements in the current state of
 3.11 licensure.

3.12 (f) If the license is inactive, the applicant shall submit with the license application
 3.13 evidence of participation in ~~one-half~~ the same number of hours of acceptable continuing
 3.14 education required for biennial renewal, as specified under Minnesota Rules, up to five
 3.15 years. If the license has been inactive for more than two years, the amount of acceptable
 3.16 continuing education required must be obtained during the two years immediately before
 3.17 application or the applicant must provide other evidence as the board may reasonably
 3.18 require.

3.19 Sec. 4. Minnesota Statutes 2012, section 153.16, subdivision 3, is amended to read:

3.20 Subd. 3. **Temporary permit.** Upon payment of a fee and in accordance with the
 3.21 rules of the board, the board may issue a temporary permit to practice podiatric medicine
 3.22 to a podiatrist engaged in a clinical residency ~~or preceptorship for a period not to exceed~~
 3.23 ~~12 months.~~ A temporary permit may be extended under the following conditions:

3.24 ~~(1) the applicant submits acceptable evidence that the training was interrupted by~~
 3.25 ~~circumstances beyond the control of the applicant and that the sponsor of the program~~
 3.26 ~~agrees to the extension;~~

3.27 ~~(2) the applicant is continuing in a residency that extends for more than one year; or~~

3.28 ~~(3) the applicant is continuing in a residency that extends for more than two years.~~

3.29 approved by a national accrediting organization. The temporary permit is renewed
 3.30 annually until the residency training requirements are completed or until the residency
 3.31 program is terminated or discontinued.

3.32 Sec. 5. Minnesota Statutes 2012, section 153.16, is amended by adding a subdivision
 3.33 to read:

4.1 Subd. 4. **Continuing education.** (a) Every podiatrist licensed to practice in this
4.2 state shall obtain 40 clock hours of continuing education in each two-year cycle of license
4.3 renewal. All continuing education hours must be earned by verified attendance at or
4.4 participation in a program or course sponsored by the Council on Podiatric Medical
4.5 Education or approved by the board. In each two-year cycle, a maximum of eight hours of
4.6 continuing education credits may be obtained through participation in online courses.

4.7 (b) The number of continuing education hours required during the initial licensure
4.8 period is that fraction of 40 hours, to the nearest whole hour, that is represented by the
4.9 ratio of the number of days the license is held in the initial licensure period to 730 days.