

CHAPTER 6900
BOARD OF PODIATRY
LICENSURE

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6900.0010 DEFINITIONS.

Subpart 1. Scope. For purposes of this chapter, the following terms have the meanings given them.

Subp. 2. Clinical residency. "Clinical residency" means a formal, structured postdoctoral training program sponsored by and conducted in an accredited institution such as a hospital or ambulatory health care facility or conducted by a college of podiatric medicine accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association, and designed to:

A. provide the podiatric medical graduate with a well-rounded exposure in preparation for management of podiatric conditions and diseases as they are related to systemic diseases;

B. develop the podiatric medical graduate in the art of preventing and controlling podiatric conditions and diseases and to promote foot health principally through mechanical and rehabilitative methods;

C. provide the podiatric medical graduate with clinical experience necessary to refine competency in the podiatric medical and surgical care of the foot as defined by the statutory scope of practice; or

D. provide the podiatric medical graduate with clinical experience necessary to become competent in the full scope of advanced podiatric medicine and surgery.

Subp. 3. Preceptorship. "Preceptorship" means a formal, structured postdoctoral training program conducted by a podiatrist primarily in an office based setting and controlled and supervised by a college of podiatric medicine accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association, and designed to provide the recent podiatric medical graduate sufficient experiences to have further patient care exposure, to improve clinical management and communication skills, and to obtain increased self confidence.

Subp. 4. Board. "Board" means the Minnesota Board of Podiatric Medicine.

Subp. 5. Revoke a license. "Revoke a license" means to rescind the right to practice and cause the podiatrist to reapply and meet the licensure requirements at the time of application.

Subp. 6. Suspend a license. "Suspend a license" means to discontinue a licensee's right to practice for a definite or indefinite time until specified conditions are met.

Subp. 7. False or misleading advertising. "False or misleading advertising" means a statement or claim that:

A. contains a misrepresentation of fact;

B. is likely to mislead or deceive because in context it makes only a partial disclosure of relevant facts;

C. is intended or is likely to create false or unjustified expectations of favorable results;

D. appeals to an individual's anxiety in an excessive or unfair way;

E. contains material claims of superiority that cannot be substantiated;

F. misrepresents a podiatrist's credentials, training, experience, or ability; or

G. contains other representations or implications that in reasonable probability will cause an ordinary, prudent person to misunderstand or be deceived.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*

6900.0020 LICENSURE REQUIREMENTS.

Subpart 1. Moral character. The applicant must respond to questions on the application that pertain to the grounds for denial of a license found in Minnesota Statutes, section 153.19, subdivision 1.

A personal recommendation must be received from at least one podiatrist who is licensed in any state and who can recommend the applicant for licensure in Minnesota.

Subp. 2. Education. The applicant must submit a complete transcript of education obtained in one of the following accredited colleges of podiatric medicine:

A. California College of Podiatric Medicine, San Francisco, California;

B. New York College of Podiatric Medicine, New York, New York;

C. Ohio College of Podiatric Medicine, Cleveland, Ohio;

D. Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania;

E. Scholl College of Podiatric Medicine, Chicago, Illinois;

F. University of Osteopathic Medicine and Health Sciences College of Podiatric Medicine and Surgery, Des Moines, Iowa; or

G. any other college accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association.

The transcript must contain the date of graduation, degree granted, and an original seal of the college.

Subp. 3. Examination. The applicant must have received a passing score on each section of all parts of the National Board of Podiatric Medical Examiners Licensing Examination. A passing score is the number corresponding to or greater than the cut score recommended by the national board. The cut score is the score which separates passing scores from failing scores.

A copy of the applicant's scores must be submitted. The copy must contain an original seal of the national board.

The applicant must pass a state clinical examination as required in Minnesota Statutes, section 153.16, subdivision 1, paragraph (d).

A state clinical examination shall include demonstration of the clinical application of podiatric medical knowledge and skill, but need not include demonstrations on actual patients. The examination may be developed in cooperation with boards of podiatric medicine in other states. A passing score is the number corresponding to or greater than the cut score recommended by a test development consultant.

Subp. 4. Graduate training. Applicants graduating in 1987 and thereafter from a podiatric medical school must present evidence of satisfactory completion of a clinical residency, preceptorship, or other graduate training as required in Minnesota Statutes, section 153.16, subdivision 1, paragraph (d), and described in subparts 5, 6, and 7 or 8.

Subp. 5. Clinical residency. An acceptable clinical residency must be at least 12 consecutive months in length and be approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

Subp. 6. Preceptorship. An acceptable preceptorship must:

- A. consist of a minimum of 12 consecutive months of study;
- B. operate under the control and supervision of an accredited college of podiatric medicine; and
- C. have written objectives appropriate to all training aspects of the program.

Subp. 7. Preceptor requirements. The preceptor must:

A. Provide training that offers experience as defined by the statutory scope of practice including drug therapy, radiology, local anesthesia, analgesia, biomechanics, physical medicine, rehabilitation, and the following surgeries:

- (1) nail;
- (2) digital;
- (3) soft tissue;
- (4) forefoot;
- (5) metatarsal;
- (6) midfoot; and
- (7) rearfoot or ankle.

The care of children and adults must be included.

B. Hold a clinical appointment at a college or be a member of the teaching staff of a hospital sponsoring a residency program.

C. Have a hospital staff appointment with podiatric surgical privileges, however, the granting of staff privileges is solely within the discretion of individual institutions.

D. Not have been the subject of disciplinary action concerning professional conduct or practice.

Subp. 8. Other graduate training. Other acceptable training must meet the following standards:

A. The program must be 12 consecutive months of formal, structured study started after graduation from a college of podiatric medicine, have written objectives appropriate to all training aspects of the program, and have a written evaluation process.

B. Experience within the statutory scope of practice must include drug therapy, radiology, local anesthesia, analgesia, biomechanics, physical medicine, rehabilitation, and the following surgeries:

- (1) nail;
- (2) digital;
- (3) soft tissue;
- (4) forefoot;
- (5) metatarsal;
- (6) midfoot; and
- (7) rearfoot or ankle.

The care of children and adults must be included.

C. A licensed podiatrist must be designated as the unlicensed podiatrist's supervisor and assume full podiatric responsibility for patient services provided by the unlicensed podiatrist. The supervisor must not have been the subject of disciplinary action concerning professional conduct or practice.

D. The supervisor must have a hospital appointment with surgical privileges or have a written arrangement for the unlicensed podiatrist to have at least four months experience with a licensed podiatrist who holds a hospital appointment with surgical privileges, however, the granting of staff privileges is solely within the discretion of individual institutions.

E. The supervisor shall instruct and direct the unlicensed podiatrist in his or her duties, oversee and check the work, and provide general direction to the unlicensed podiatrist. The unlicensed podiatrist and supervising podiatrist shall comply with at least the following criteria:

(1) A supervisor shall review and evaluate patient services provided by the unlicensed podiatrist on a daily basis from information in patient charts or records. Review may either be in person or by telecommunication.

(2) A supervisor shall be on site at facilities staffed by an unlicensed podiatrist.

(3) One of the licensed podiatrists referred to in item D must be present during the performance of surgical treatment by the unlicensed podiatrist.

(4) A supervising podiatrist may not supervise more than two unlicensed podiatrists.

Subp. 9. Personal appearance. The applicant shall be scheduled for a personal appearance before one or more members of the board or the executive director when the other requirements for licensure have been met. The board may waive the personal appearance if one or more board members has personal knowledge of the accuracy of the applicant's application.

Subp. 10. License in another state. If an applicant is licensed in another state, the applicant must cause a form supplied by the board to be submitted from the board of podiatric medicine in the state of original licensure and the other states in which a license was held during the five years immediately preceding application.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*

6900.0030 APPLICATION NULLIFICATION.

Subpart 1. Reasons. The board will nullify an application for licensure if the applicant fails to complete the application process within 36 months after submission of the application or notification by the board of a deficiency, whichever is later, unless a different action is agreed upon during a disciplinary proceeding.

Subp. 2. Effect. For a nullified application, the fees are forfeited and the application and other documents may be destroyed under the process specified in Minnesota Statutes, section 138.17, subdivision 7. If the applicant later desires licensure, a new application must be submitted and the applicable requirements must be met.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*

6900.0160 TEMPORARY PERMIT.

Subpart 1. Prerequisites. An applicant for a temporary permit to practice podiatric medicine must submit a complete, acceptable application for a Minnesota license and pay the required fees. The clinical examination and personal interview may be completed during the permit period.

The applicant must submit written evidence that the applicant has been accepted as a resident, preceptee, or graduate trainee in a program and that the program meets the standards in part 6900.0020, subpart 4, 5, 6, or 7.

Subp. 2. Term of permit. The permit is issued for a period not to exceed 12 months of training that must occur within 18 consecutive months. A permit may be reissued once to a qualified applicant. A permit expires when an applicant is licensed, or must be revoked if an applicant has engaged in conduct that constitutes grounds for denial of a license, discontinues training, or moves out of Minnesota.

Subp. 3. **Scope of practice.** The scope of practice of the permit holder is limited to the performance of podiatric medicine within the structure of the residency, preceptorship, or other graduate training program within which the permit holder is enrolled.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*

6900.0200 LICENSE RENEWAL.

Subpart 1. **Active status.** The license renewal term is 12 months beginning on July 1 and ending on June 30. Applications received and postmarked after June 30 will be returned for addition of the late renewal fee.

An applicant for license renewal must submit to the board:

A. an application form, renewal fee, and, if applicable, the late renewal fee; the application form must provide a place for the renewal applicant's signature and must solicit information including the applicant's office address, and other information that may be reasonably requested by the board;

B. evidence of participation in approved continuing education programs as described in part 6900.0300; and

C. other evidence as the board may reasonably require.

Subp. 2. **Failure to submit renewal application.** The procedures in subparts 3 to 6 will be followed by the board for licensees who have failed to submit the renewal application including information about continuing education and applicable fees.

Subp. 3. **Notice.** Any time after July 1, the board will send to the last address on file with the board, a notice to licensees who have not applied for license renewal. The notice will state that the licensee has failed to make application for renewal; the amount of renewal and late fees and the information required about continuing education that must be submitted in order for the license to be renewed; that the licensee may voluntarily terminate the license by notifying the board; and that failure to respond to the notice by the date specified, which date must be at least 30 days after the notice is sent by the board, either by submitting the renewal application and applicable fees and information required about continuing education or by notifying the board that the licensee has voluntarily terminated the license, will result in expiration of the license and terminating the right to practice.

Subp. 4. **Result.** If the application for renewal, including required information about continuing education and the applicable renewal and late fees or notice of voluntary termination, is not received by the board by the date specified in the notice, the license will expire and the licensee's right to practice terminates on the date specified in the notice. The expiration and termination will not be considered a disciplinary action against the licensee.

Subp. 5. **Reinstatement.** A license that has expired under this part may be reinstated under part 6900.0210.

Subp. 6. **Contested case proceeding.** The board, in lieu of the process in subpart 3, may initiate a contested case hearing to revoke or suspend a license for failure to submit fees and continuing education information requested on the renewal application at the time it initiates disciplinary proceedings against the licensee for other grounds specified in Minnesota Statutes, sections 153.01 to 153.25.

Subp. 7. **Name and address change.** A podiatrist who has changed names shall notify the board in writing as soon as possible and request a revised renewal certificate. The board may require substantiation of the name change by requiring official documentation.

A podiatrist shall maintain with the board a correct mailing address to

receive board communications and notices. A podiatrist who has changed addresses shall notify the board in writing as soon as possible. Placing a notice in first class United States mail, postage prepaid and addressed to the licensee at the licensee's last known address, constitutes valid service.

Statutory Authority: *MS s 16A.128; 153.02; 214.06*

History: *11 SR 1408; 13 SR 1237*

6900.0210 REINSTATEMENT OF LICENSE.

Subpart 1. Requirements. Upon complying with the requirements in this part, the applicant's license must be reinstated. The podiatrist desiring the reinstatement of a license shall submit the following materials:

A. an application form, license renewal fee, and, if the request is received within 12 months of a previous license expiration, the late renewal fee;

B. verification of licensure status from each state in which the podiatrist has held an active license during the five years preceding application;

C. if the license has been inactive for five years or less, evidence of participation in 15 hours of acceptable continuing education for each year that the license was expired or terminated up to 75 hours;

D. if the license has been inactive for more than five years, evidence of continuing competency as shown by submission of 75 hours of acceptable continuing education obtained during the five years immediately before application; or

E. other evidence as the board may reasonably require.

Subp. 2. Revoked or suspended license. No license that has been suspended or revoked by the board will be reinstated unless the applicant for reinstatement provides evidence of full rehabilitation from the cause for which the license was suspended or revoked and complies with the other reasonable conditions imposed by the board for the purpose of establishing the extent of rehabilitation. In addition, if the disciplinary action was based in part on failure to meet continuing education requirements, the license will not be reinstated until the applicant has successfully completed the requirements. The board may require the licensee to pay the costs of the proceedings resulting in the suspension or revocation of a license under its disciplinary authority and the reinstatement or issuance of a new license. A licensee who has been disciplined by the board in a manner other than by suspension or revocation may be required by the board to pay the costs of the proceedings resulting in the disciplinary action.

Subp. 3. Licensure application not precluded. Nothing in this part prohibits a podiatrist from applying for licensure under Minnesota Statutes, section 153.16.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*

6900.0250 FEES.

Subpart 1. Amounts. Fees for podiatrists are as follows:

A. licensure, \$200;

B. reexamination by the board under an original application for licensure, \$200;

C. renewal of a license, \$75;

D. late renewal of a license, an additional \$50;

E. temporary permit, \$200; and

F. replacement of an original license or renewal certificate, \$10.

Subp. 2. Requirements. Fees must be paid in United States money. A personal check is not acceptable for payment of a license or temporary permit. Fees are not refundable.

Statutory Authority: *MS s 16A.128; 153.02; 214.06*

History: *11 SR 1408; 13 SR 1237*

6900.0300 CONTINUING EDUCATION.

Subpart 1. Requirement. Every podiatrist licensed to practice in Minnesota shall obtain 15 clock hours of continuing education each license renewal period.

Subp. 2. Obtaining continuing education hours. Continuing education hours shall be obtained in the following manner:

A. attendance at educational programs approved by the board under subpart 3;

B. attendance at hospital staff meetings (no more than three hours of hospital staff meetings may be used for license renewal each year); or

C. participation in a clinical residency, preceptorship, or graduate training that meets the requirements of part 6900.0020, subpart 4, 5, 6, or 7.

Subp. 3. Requirements of program approval. Approval of each continuing education program that the licensee desires to use to meet the license renewal requirements should be approved by the board before registration for the program but must be approved by the board before license renewal is granted.

In order for a continuing education program to be approved by the board, the program must meet the following criteria:

A. The content must be directly related to the practice of podiatric medicine as defined in Minnesota Statutes, section 153.01, subdivision 2. Subjects such as practice management, risk management, or those not of a scientific nature are not acceptable.

B. The speaker must be a licensed podiatrist, other credentialed health care professional, or person especially qualified to address the subject.

C. The sponsor must provide the attendee a written statement of attendance that includes the name and dates of the program, the name and address of the sponsor, the number of continuing education clock hours granted by the sponsor, the name of the attendee and a signature of the sponsor or designee, or upon completion of the program, the sponsor must send the board a list of attendees.

Subp. 3a. Procedure for program approval. Either the sponsor of a continuing education program or a podiatrist may submit the program for approval by the board.

The following information about the program is required:

A. name and address of the program sponsor;

B. dates and times of the program;

C. subject or content matter of the program;

D. name of and identifying information about the speakers or instructors; and

E. assurance that a written statement of attendance will be given to the podiatrist or that a list of attendees will be sent to the board.

The board shall approve each continuing education program for a specific number of clock hours of continuing education. One clock hour is 60 minutes. Partial hours will not be granted. Lunch breaks, rest periods, greetings, and other noneducational time will not be included.

Subp. 4. Proof of attendance. Proof of attendance at continuing education programs meeting the requirement of this part shall be submitted to the board at the time of license renewal in the form of a certificate, descriptive receipt, or affidavit.

Subp. 5. Failure to comply. The board may take disciplinary action to suspend, revoke, limit, or refuse to renew the license of any podiatrist failing to comply with these continuing education requirements.

Subp. 6. [Repealed, 13 SR 1237]

Statutory Authority: *MS s 153.02; 214.12*

History: *13 SR 1237*

MINNESOTA RULES 1989

6900.0400 LICENSURE

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6900.0400 DISCIPLINE.

Insurers required to submit reports to the board under Minnesota Statutes, section 153.24, subdivision 4, shall send the reports to the board by the first day of the months of February, May, August, and November of each year.

Grounds for disciplinary action include failure to supervise a resident, preceptee, other graduate trainee, or undergraduate student.

Statutory Authority: *MS s 153.02*

History: *13 SR 1237*