

1 Board of Podiatric Medicine

2

3 Adopted Permanent Rules Relating to Training and Licensing

4

5 Rules as Adopted

6 6900.0010 DEFINITIONS.

7 [For text of subpart 1, see M.R.]

8 Subp. 1a. **Acceptable graduate training.** "Acceptable
9 graduate training" means at least 12 consecutive months of
10 postgraduate training in a clinical residency, preceptorship, or
11 other graduate training as described in part 6900.0020, subparts
12 5, 6, 7, or 8.

13 Subp. 2. and 3. [See repealer.]

14 [For text of subps 4 and 5, see M.R.]

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

18 [For text of subp 7, see M.R.]

19 Subp. 8. **Initial licensure period.** For a license issued
20 after the date on which the biennial renewal period becomes
21 effective, "initial licensure period" means the period which
22 begins on the date licensure is granted and ends on June 30 of
23 the first fiscal year following the fiscal year in which the
24 license is granted.

25 6900.0020 LICENSURE REQUIREMENTS.

26 [For text of subps 1 to 3, see M.R.]

27 Subp. 4. **Graduate training.** Applicants graduating in 1987
28 and thereafter from a podiatric medical school must present
29 evidence of satisfactory completion of acceptable graduate
30 training.

31 Subp. 5. **Clinical residency.** A clinical residency is a
32 formal, structured postdoctoral training program approved by the
33 Council on Podiatric Medical Education of the American Podiatric
34 Medical Association and sponsored by and conducted in an
35 institution such as a hospital or ambulatory health care

1 facility or conducted by a college of podiatric medicine
2 accredited by the Council on Podiatric Medical Education of the
3 American Podiatric Medical Association. The residency must:

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

8 B. develop the podiatric medical graduate in the art
9 of preventing and controlling podiatric conditions and diseases
10 and in the promotion of foot health principally through
11 mechanical and rehabilitative methods;

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

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

19 Subp. 6. **Preceptorship.** A preceptorship is a formal,
20 structured postdoctoral training program, with written
21 objectives appropriate to all aspects of the program and a
22 written evaluation process, conducted by a podiatrist primarily
23 in an office-based setting and controlled and supervised by a
24 college of podiatric medicine accredited by the Council on
25 Podiatric Medical Education of the American Podiatric Medical
26 Association. The preceptorship must provide the recent
27 podiatric medical graduate sufficient experiences to have
28 further patient care exposure, to improve clinical management
29 and communication skills, and to obtain increased self
30 confidence.

31 Subp. 7. **Preceptor requirements.** The preceptor must:

32 A. provide training in the care of children and
33 adults that offers experience as defined by the statutory scope
34 of practice including drug therapy, radiology, local anesthesia,
35 analgesia, biomechanics, physical medicine, rehabilitation, and
36 the following surgeries:

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

8 B. hold a clinical appointment at a podiatric medical
9 school or be a member of the teaching staff of a hospital
10 sponsoring a residency program;

11 C. have a hospital staff appointment with podiatric
12 surgical privileges; however, the granting of staff privileges
13 is solely within the discretion of individual institutions;

14 D. not have been the subject of disciplinary action
15 concerning professional conduct or practice; and

16 E. instruct and direct the unlicensed podiatrist in
17 the podiatrist's duties, oversee and check the work, provide
18 general directions, and comply with at least the following
19 criteria:

20 (1) review and evaluate patient services provided
21 by the unlicensed podiatrist on a daily basis from information
22 in patient charts and records; review may either be in person or
23 by telecommunication;

24 (2) be on-site at facilities staffed by an
25 unlicensed podiatrist;

26 (3) be present during the performance of surgical
27 treatment by the unlicensed podiatrist; and

28 (4) supervise no more than two unlicensed
29 podiatrists at any one time.

30 Subp. 8. **Other graduate training.** Other graduate training
31 must meet the requirements of items A to C and of subpart 7,
32 items A, D, and E, and include written goals, objectives, and an
33 evaluation process.

34 A. A licensed podiatrist must be designated as the
35 unlicensed podiatrist's supervisor and assume full podiatric
36 responsibility for patient services provided by the unlicensed

1 podiatrist.

2 B. The supervisor must obtain the approval of the
3 board for the proposed graduate training, including its written
4 goals and objectives, before the training begins.

5 C. The supervisor must have a hospital appointment
6 with surgical privileges or have a written arrangement for the
7 unlicensed podiatrist to have at least four months experience
8 with a licensed podiatrist who holds a hospital appointment with
9 surgical privileges. However, the granting of staff privileges
10 is solely within the discretion of individual institutions. The
11 podiatrist with a hospital appointment and surgical privileges
12 must be present during the performance of surgical treatment by
13 the unlicensed podiatrist.

14 Subp. 9. **Personal appearance.** The applicant shall be
15 scheduled for a personal appearance before one or more members
16 of the board or the executive director when the other
17 requirements for licensure have been met. Applicants must be
18 prepared to answer questions regarding ethics of practice.

19 Subp. 10. **License in other states.** If an applicant is
20 licensed in one or more states other than Minnesota, the
21 applicant must cause a form supplied by the board to be
22 submitted from the board of podiatric medicine in the state of
23 original licensure and each state in which a license was held
24 during the five years immediately preceding application.

25 6900.0160 TEMPORARY PERMIT.

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

32 The applicant must submit written evidence that the
33 applicant has been accepted as a resident, preceptee, or
34 graduate trainee in an acceptable graduate training program.

35 Subp. 2. **Term of permit.** A granted permit is valid for

1 the period of graduate training of 12 months beginning with the
2 first day of graduate training. A permit may be reissued once
3 if the applicant submits acceptable evidence that the training
4 was interrupted by circumstances beyond the control of the
5 applicant and that the sponsor of the program agrees to the
6 extension.

7 Subp. 2a. **Revocation.** The permit may be revoked if an
8 applicant has engaged in conduct that constitutes grounds for
9 denial of licensure or disciplinary action, discontinues
10 training, or moves out of Minnesota.

11 Subp. 3. **Scope of practice.** The scope of practice of the
12 permit holder is limited to the performance of podiatric
13 medicine within the structure of the acceptable graduate
14 training program within which the permit holder is enrolled.

15 6900.0200 LICENSE RENEWAL.

16 Subpart 1. **Active status.** The license renewal term is 24
17 months beginning on July 1 and ending on June 30. Applications
18 received and postmarked after June 30 in the year due will be
19 returned for addition of the late renewal fee. The term of
20 renewal begins on July 1 in odd-numbered years for a licensee
21 whose license number is an odd number and in even-numbered years
22 for a licensee whose license number is an even number. The July
23 1, 1991, renewal term for a licensee who renews in even-numbered
24 years shall end June 30, 1992, and the renewal fee and
25 continuing education hours shall be half the amount required for
26 a 24-month renewal period. For the first renewal period
27 following the initial licensure period, the fee for renewal of
28 license is that fraction of \$450, to the nearest dollar, that is
29 represented by the ratio of the number of days the license is
30 held in the initial licensure period to 730 days.

31 An applicant for license renewal must submit to the board:

32 A. an application form, renewal fee, and, if
33 applicable, the late renewal fee. The application form must
34 provide a place for the renewal applicant's signature and
35 solicit information including the applicant's office address,

1 and other information that may be reasonably requested by the
2 board;

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

5 C. other evidence as the board may reasonably require.

6 [For text of subp 2, see M.R.]

7 Subp. 3. **Notice.** Any time after July 1 of the applicable
8 year, the board will send to the last address on file with the
9 board, a notice to licensees who have not applied for license
10 renewal. The notice will state that the licensee has failed to
11 make application for renewal; the amount of renewal and late
12 fees and information about continuing education that must be
13 submitted in order for the license to be renewed; that the
14 licensee may voluntarily terminate the license by notifying the
15 board; and that failure to respond to the notice by the date
16 specified, which date must be at least 30 days after the notice
17 is sent by the board, either by applying for license renewal as
18 provided in subpart 1 or by notifying the board that the
19 licensee has voluntarily terminated the license, will result in
20 expiration of the license and terminating the right to practice.

21 Subp. 4. **Result.** If the application for renewal as
22 provided in subpart 1 or notice of voluntary termination is not
23 received by the board by the date specified in the notice, the
24 license will expire and the licensee's right to practice
25 terminates on the date specified in the notice. The expiration
26 and termination will not be considered a disciplinary action
27 against the licensee.

28 [For text of subp 5, see M.R.]

29 Subp. 6. **Disciplinary action.** The board, in lieu of the
30 procedure in subpart 3, may initiate disciplinary action against
31 any licensee for failure to submit fees or provide documentation
32 of completion of continuing education requirements, and may add
33 such failure to other grounds specified in Minnesota Statutes,
34 sections 153.01 to 153.25 in any contested case proceeding
35 initiated by the board against the licensee on the other grounds.

36 Subp. 7. **Name and address change.** A podiatrist who has

1 changed names must notify the board in writing as soon as
2 possible and request a revised renewal certificate. The board
3 may require substantiation of the name change by requiring
4 official documentation.

5 A podiatrist must maintain with the board a correct mailing
6 address to receive board communications and notices. A
7 podiatrist who has changed addresses must notify the board in
8 writing as soon as possible. Placing a notice in first class
9 United States mail, postage prepaid and addressed to the
10 licensee at the licensee's last known address, constitutes valid
11 service.

12 6900.0210 REINSTATEMENT OF LICENSE.

13 Subpart 1. **Requirements.** Upon a podiatrist's compliance
14 with the requirements in this part, the podiatrist's license
15 must be reinstated. The podiatrist requesting reinstatement of
16 a license shall submit the following materials:

17 A. an application form and relicensure fee;

18 [For text of items B to E, see M.R.]

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

1 [For text of subp 3, see M.R.]

2 6900.0250 FEES.

3 Subpart 1. Amounts. Fees are as follows:

4 A. licensure, \$450;

5 B. renewal of a license, \$450;

6 C. late renewal of a license, an additional \$100;

7 D. temporary permit, \$200;

8 E. replacement of an original license document or
9 renewal certificate, \$10; and

10 F. relicensure following expiration of license, \$550.

11 Subp. 2. Requirements. Fees must be paid in United States
12 money and are not refundable.

13 6900.0300 CONTINUING EDUCATION.

14 Subpart 1. Requirement. Every podiatrist licensed to
15 practice in Minnesota shall obtain 30 clock hours of continuing
16 education in each two-year cycle of license renewal. The number
17 of continuing education hours required during the initial
18 licensure period is that fraction of 30 hours, to the nearest
19 whole hour, that is represented by the ratio of the number of
20 days the license is held in the initial licensure period to 730
21 days.

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

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

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

29 C. participation in acceptable graduate training.

30 Subp. 3. Requirements of program approval. Each
31 continuing education program used to meet the license renewal
32 requirements must be approved by the board before the program is
33 accepted as meeting requirements of this part.

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

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

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

9 C. The sponsor must provide the attendee a written
10 statement of attendance that includes the name and dates of the
11 program, the name and address of the sponsor, the number of
12 continuing education clock hours granted by the sponsor and
13 approved by the board if prior approval has been sought, the
14 name of the attendee and a signature of the sponsor or designee,
15 or upon completion of the program, the sponsor must send the
16 board a list of attendees.

17 Subp. 3a. **Procedure for program approval.** Either the
18 sponsor of a continuing education program or a licensee may
19 submit the program for approval by the board.

20 The following information about the program is required:

21 A. name and address of the program sponsor;

22 B. dates and times of the program;

23 C. subject or content matter of each item on the
24 program together with the amount of time devoted to the subject;

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

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

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

35 Subp. 4. **Proof of attendance.** Proof of attendance at
36 continuing education programs meeting the requirement of this

1 part shall be submitted to the board within the renewal period
2 in which it was attended in the form of a certificate,
3 descriptive receipt, or affidavit.

4 Subp. 5. [See repealer.]

5 6900.0500 WAIVERS AND VARIANCES.

6 Subpart 1. **Application.** A licensee or applicant for
7 licensure may petition the board for a time-limited waiver or
8 variance of any rule except for any part of a rule which
9 incorporates a statutory requirement. The waiver or variance
10 shall be granted if:

11 A. adherence to the rule would impose an undue burden
12 on the petitioner;

13 B. the granting of a waiver or variance will not
14 adversely affect the public welfare; and

15 C. in the case of a variance, the rationale for the
16 rule in question can be met by alternative practices or measures
17 specified by the petitioner.

18 Subp. 2. **Renewal, reporting, and revocation.** A waiver or
19 variance shall be renewed upon reapplication according to the
20 procedure described in subpart 1 if the circumstances justifying
21 its granting continue to exist. Any petitioner who is granted a
22 waiver or variance shall immediately notify the board in writing
23 of any material change in the circumstances which justify its
24 granting. A waiver or variance shall be revoked if a material
25 change in the circumstances which justify its granting occurs
26 or, in the case of a variance, if the petitioner has not
27 complied with the alternative practices or measures specified in
28 the petition.

29 Subp. 3. **Burden of proof.** The burden of proof is upon the
30 petitioner to demonstrate to the board that the requirements in
31 subpart 1 have been met.

32 Subp. 4. **Statement of reasons.** The minutes of any meeting
33 at which a waiver or variance is granted, denied, renewed, or
34 revoked shall include the reason for the action.

35 REPEALER. Minnesota Rules, parts 6900.0010, subparts 2 and 3;

05/06/91

[REVISOR] CMR/LY AR1876

1 6900.0030; and 6900.0300, subpart 5, are repealed.