Disclaimer: APMA created this document as a general resource for members about state statutes pertinent to the practice of podiatric medicine. However, APMA is not offering legal or other professional advice, and this material is not a substitute for the services of an attorney in a particular jurisdiction. APMA encourages users of this reference who need legal advice on issues involving state statutes to consult with a competent attorney. Additionally, since state law is subject to change, users of this guide should refer to state governments and case law for current or additional applicable material.

**CODE OF ALABAMA**

**TITLE 34. PROFESSIONS AND BUSINESSES**

**CHAPTER 24. PHYSICIANS AND OTHER PRACTITIONERS OF HEALING ARTS**

**ARTICLE 6. PODIATRISTS**

**DIVISION 1. GENERAL PROVISIONS**

For purposes of this title, the following terms shall have the respective meanings ascribed by this section:

(1) **PODIATRY.** The diagnosis and treatment of disorders of the human foot, as described herein.

(2) **PRACTICE OF PODIATRY.** The diagnosis and medical or surgical or mechanical or manipulative or electrical treatment of any ailment of the human foot except such definition does not include the amputation of the foot or the administering of an anesthetic other than local.

(3) **DIAGNOSIS.** The process of ascertaining a disease or ailment by its general symptoms.

(4) **MEDICAL TREATMENT.** The application to or prescription for the foot of pads, adhesives, felt, plaster or any medicinal agency for both external and internal use in connection with treatment of local ailments of the human foot, except such definition does not include the medical treatment of any systemic disease, but does allow treating the local manifestations of those systemic diseases in the foot.

(5) **SURGICAL TREATMENT.** The use of any cutting instrument to treat a disease, ailment or condition of the human foot as defined herein, except that a podiatrist shall not be authorized to amputate the human foot, or perform any surgery on the human body at or above the ankle joint, or administer anesthetics other than local anesthetics.

(6) **MECHANICAL TREATMENT.** The application of any mechanical appliance made of steel, leather, felt or any material to the foot or in the shoe for the purpose of treating any disease, deformity or ailment.
(7) MANIPULATIVE TREATMENT. The use of the hand or machinery in the operation or working upon the foot and its articulations.

(8) ELECTRICAL TREATMENT. Any treatment by means and methods supplied by electric current.

(9) HUMAN FOOT. The terminal appendage of the lower extremity. It contains 26 bones and is divided into three parts -- the forefoot, the midfoot, and the hindfoot. The forefoot consists of 14 phalanges and five metatarsals. The midfoot consists of five tarsal bones and their articulations. The hindfoot consists of two tarsal bones, the calcaneus and the talus. The foot is defined as including all 26 complete boney structures below the ankle joint, which ankle joint consists of the distal tibia and fibula and their articulations with the talus. The distal aspect of the tibia and fibula, the Achilles tendon, and all structures above the dome of the talus reside within the leg.

Noteworthy case:

It cannot be reasonably concluded that the Legislature, having authorized a podiatrist to perform limited surgery on the human foot, did not intend that a podiatrist could not prescribe medicine to discourage infection, to abate swelling and to alleviate pain resulting from treatment of the local disease of the foot, whether such medicine be taken internally or applied externally. State Licensing Bd. for Healing Arts v. Alabama Bd. of Podiatry, 287 Ala. 132, 249 So.2d 611 (Ala.1971).

Current through end of 2005 First Special Session.

ALASKA STATUTES
TITLE 8. BUSINESS AND PROFESSIONS.
CHAPTER 64. MEDICINE.
ARTICLE 4. GENERAL PROVISIONS.

Sec. 08.64.380 Definitions.
In this chapter,

(6) “practice of medicine” or “practice of osteopathy” means:
(A) for a fee, donation or other consideration, to diagnose, treat, operate on, prescribe for, or administer to, any human ailment, blemish, deformity, disease, disfigurement, disorder, injury, or other mental or physical condition; or to attempt to perform or represent that a person is authorized to perform any of the acts set out in this subparagraph;

(B) to use or publicly display a title in connection with a person’s name including “doctor of medicine,” “physician,” “M.D.,” or “doctor of osteopathic medicine” or “D.O.” or a specialist designation including “surgeon,” “dermatologist,” or a similar title in such a manner as to show that the person is willing or qualified to diagnose or treat the sick or injured;

(7) “practice of podiatry” means the medical, mechanical, and surgical treatment of ailments of the foot, the muscles and tendons of the leg governing the functions of the foot, and superficial lesions of the hand other than those associated with trauma; the use of preparations, medicines, and drugs as are necessary for the treatment of these ailments; the treatment of the local manifestations of systemic diseases as they appear in the hand and foot, except that

(A) a patient shall be concurrently referred to a physician or osteopath for the treatment of the systemic disease itself;

(B) general anaesthetics may be used only in colleges of podiatry approved by the State Medical Board and in hospitals approved by the joint commission on the accreditation of hospitals, or the American Osteopathic Association; and

(C) the use of X-ray or radium for therapeutic purposes is not permitted.

Cite to: Alaska Stat. § 08.64.380 (2006).
Current through all 2005 Legislation.

ARIZONA REVISED STATUTES
TITLE 32. PROFESSIONS AND OCCUPATIONS
CHAPTER 7. PODIATRY
ARTICLE 1. BOARD OF PODIATRY EXAMINERS

§ 32-801. Definitions
In this chapter, unless the context otherwise requires:

1. “Board” means state board of podiatry examiners.
2. “Electrical treatment” means the use of electricity in the diagnosis or treatment of an ailment of the foot or leg by electrodes, lights, rays, vibrators or a machine run by electricity.

3. “Leg” means that part of the lower limb between the knee and the foot.

4. “Letter of concern” means an advisory letter to notify a podiatrist that while there is insufficient evidence to support a disciplinary action the board believes the podiatrist should modify or eliminate certain practices and that continuation of the activities which led to the information being submitted to the board may result in action against the podiatrist’s license.

5. “License” means a license to practice podiatry.

6. “Manipulative treatment” means the use of the hand or machinery in treatment of the foot or leg.

7. “Mechanical treatment” means application of a mechanical appliance of whatever material to the foot or leg, or to the shoe or other footwear.

8. “Medical treatment” means recommendation, prescription or local application of a therapeutic agent for relief of a foot or leg ailment.

9. “Podiatrist” is synonymous with podiatric physician and surgeon and means a person who, within the limitations of this chapter, is registered and licensed to practice podiatry by means of diagnosis or medical, surgical, mechanical, manipulative or electrical treatment of ailments of the human foot and leg, but does not include amputation of the foot, toe or leg nor administration of an anesthetic other than local.

10. “Podiatry” is synonymous with chiropody and means diagnosis or medical, surgical, mechanical, manipulative or electrical treatment of ailments of the human foot and leg, but does not include amputation of foot, toe or leg nor administration of an anesthetic other than local.

11. “Surgical treatment” means the use of a cutting instrument to treat an ailment of the foot or leg.

**Noteworthy opinion:**


**Current through legislation effective January 30, 2006.**
§17-96-101. Definitions
As used in this chapter, unless the context otherwise requires:

(1) “Board” means the Arkansas Board of Podiatric Medicine;

(2) “Podiatric medicine” means the diagnosis and medical, mechanical, and surgical treatment of ailments of the human foot and ankle;

(3) “Podiatrist” means a physician legally licensed to practice podiatric medicine. However, no podiatrist shall amputate the human foot or perform nerve or vascular grafting or administer any anesthetic other than a local anesthetic. All ankle surgery performed above the level of the foot other than skin and skin structures shall be performed in a facility accredited by either Medicare or by the Joint Commission on Accreditation of Health Care Organizations.


§ 2472. Certificate to practice; podiatric medicine defined; anesthetic administration; surgical treatment and procedures of ankle and tendons; Medicare regulation limitations; status of podiatrists as health care practitioners
(a) The certificate to practice podiatric medicine authorizes the holder to practice podiatric medicine.

(b) As used in this chapter, “podiatric medicine” means the diagnosis, medical, surgical, mechanical, manipulative, and electrical treatment of the human foot, including the ankle and tendons that insert into the foot and the nonsurgical treatment of the muscles and tendons of the leg governing the functions of the foot.
(c) A doctor of podiatric medicine may not administer an anesthetic other than local. If an anesthetic other than local is required for any procedure, the anesthetic shall be administered by another licensed health care practitioner who is authorized to administer the required anesthetic within the scope of his or her practice.

(d)(1) A doctor of podiatric medicine who is ankle certified by the board on and after January 1, 1984, may do the following:

(A) Perform surgical treatment of the ankle and tendons at the level of the ankle pursuant to subdivision (e).

(B) Perform services under the direct supervision of a physician and surgeon, as an assistant at surgery, in surgical procedures that are otherwise beyond the scope of practice of a doctor of podiatric medicine.

(C) Perform a partial amputation of the foot no further proximal than the Chopart’s joint.

(2) Nothing in this subdivision shall be construed to permit a doctor of podiatric medicine to function as a primary surgeon for any procedure beyond his or her scope of practice.

(e) A doctor of podiatric medicine may perform surgical treatment of the ankle and tendons at the level of the ankle only in the following locations:

(1) A licensed general acute care hospital, as defined in Section 1250 of the Health and Safety Code.

(2) A licensed surgical clinic, as defined in Section 1204 of the Health and Safety Code, if the doctor of podiatric medicine has surgical privileges, including the privilege to perform surgery on the ankle, in a general acute care hospital described in paragraph (1) and meets all the protocols of the surgical clinic.

(3) An ambulatory surgical center that is certified to participate in the Medicare Program under Title XVIII (42 U.S.C. Sec. 1395 et seq.) of the federal Social Security Act, if the doctor of podiatric medicine has surgical privileges, including the privilege to perform surgery on the ankle, in a general acute care hospital described in paragraph (1) and meets all the protocols of the surgical center.

(4) A freestanding physical plant housing outpatient services of a licensed general acute care hospital, as defined in Section 1250 of the Health and Safety Code, if the doctor of podiatric
medicine has surgical privileges, including the privilege to perform surgery on the ankle, in a
general acute care hospital described in paragraph (1). For purposes of this section, a
“freestanding physical plant” means any building that is not physically attached to a building
where inpatient services are provided.

(5) An outpatient setting accredited pursuant to subdivision (g) of Section 1248.1 of the Health
and Safety Code.

(f) A doctor of podiatric medicine shall not perform an admitting history and physical
examination of a patient in an acute care hospital where doing so would violate the regulations
governing the Medicare program.

(g) A doctor of podiatric medicine licensed under this chapter is a licentiate for purposes of
paragraph (2) of subdivision (a) of Section 805, and thus is a health care practitioner subject to the
provisions of Section 2290.5 pursuant to subdivision (b) of that section.


Noteworthy cases and opinions:

Podiatrists licensed under §§ 2135 (repealed; see, now, § 2050) 2139 (repealed; see now, this
section) by the board of medical examiners were not considered "physicians" under §§ 2137
(repealed; see, now, § 2051), 2142.10 (repealed; see, now, § 2054), within the narrow definition
of a physician or surgeon contained in the State Medical Practice Act. 57 Op.Atty.Gen. 79,
1/31/74.

Any practitioner of the healing arts may, in a broader sense and for purposes not confined to the
Medical Practice Act, be considered to be a "physician" depending on the context in which the
term is used. 57 Op.Atty.Gen. 79, 1/31/74.

Under statutes authorizing board of directors governing local hospital district to provide for
organization of physicians and surgeons and dentists licensed to practice in California who are
permitted to practice in the hospital into a formal medical staff and to restrict membership on
medical staff to physicians and surgeons competent in their respective fields, chiropodists may not

Under former §§ 2139, 2141, 2392 (repealed; see, now, this section and §§ 2052, 2264), a
chiropodist could not perform amputations, nor assist a physician and surgeon in doing so, and the
physician and surgeon participating in such arrangement would likewise be subject to disciplinary
action and criminal prosecution for aiding and abetting a person not licensed to do the type of
operation undertaken jointly by him and such chiropodist. 7 Op.Atty.Gen. 139.
Under former § 2139 (repealed; see, now, this section), chiropodists could perform any surgery on the muscles of the leg or foot unless it amounted to amputation, and only local anesthetic could be used. 4 Op.Atty.Gen. 386.

Former § 2139 (see, now, this section) was not intended to prohibit chiropodists from performing acts generally permitted to be done by everyone, and since it precluded a chiropodist from administering general, spinal or epidural anesthetics, it clearly indicated that the right to give such anesthetics was restricted. Magit v. Board of Medical Examiners, 17 Cal.Rptr. 488, 57 Cal.2d 74, 366 P.2d 816 (1961).

COLORADO REVISED STATUTES
TITLE 12. PROFESSIONS AND OCCUPATIONS
HEALTH CARE
ARTICLE 32. PODIATRISTS
PART 1. GENERAL PROVISIONS

§ 12-32-101. Definitions
As used in this article, unless the context otherwise requires:
(1) “Podiatric medicine” means the practice of podiatry.

(2) “Podiatric physician” or “podiatrist” means any person who practices podiatry.

(3)(a) “Practice of podiatry” means:

(I) Holding out one’s self to the public as being able to treat, prescribe for, palliate, correct, or prevent any disease, ailment, pain, injury, deformity, or physical condition of the human toe, foot, ankle, and tendons that insert into the foot by the use of any medical, surgical, mechanical, manipulative, or electrical treatment, including complications thereof consistent with such scope of practice;

(II) Suggesting, recommending, prescribing, or administering any podiatric form of treatment, operation, or healing for the intended palliation, relief, or cure of any disease, ailment, injury, condition, or defect of the human toe, foot, ankle, and tendons that insert into the foot, including complications thereof consistent with such scope of practice, with the intention of receiving, either directly or indirectly, any fee, gift, or compensation whatsoever; and

(III) Maintaining an office or other place for the purpose of examining and treating persons afflicted with disease, injury, or defect of the human toe, foot, ankle, and tendons that insert into the foot, including the complications thereof consistent with such scope of practice.
(b) The “practice of podiatry” does not include the amputation of the foot or the administration of an anesthetic other than a local anesthetic.


§ 12-32-101.5. Podiatric surgery

(1) Surgical procedures on the ankle below the level of the dermis may be performed by a podiatrist licensed in this state who is:

(a) Certified by the American Board of Podiatric Surgery; or

(b) Performing surgery under the direct supervision of a licensed podiatrist certified by the American Board of Podiatric Surgery; or

(c) Performing surgery under the direct supervision of a person licensed to practice medicine and certified by the American Board of Podiatric Surgery or by the American Osteopathic Board of Orthopedic Surgery.


COLORADO REVISED STATUTES
TITLE 25. HEALTH
HOSPITALS
ARTICLE 3. HOSPITALS
PART 1. HOSPITALS

§ 25-3-103.5. Nondiscrimination— hospital surgical privileges – hospital rules and regulations
(1) The bylaws of any hospital licensed pursuant to the provisions of part 3 of this article or established pursuant to section 32-1-1003, C.R.S., which does not limit staff privileges to employees or contracting physicians of such hospital, shall include provisions for the use of the facility by, and staff privileges for, duly licensed doctors of medicine, osteopathy, dentistry, and podiatry within the scope of their respective licenses. Such bylaws shall not discriminate on the basis of the staff member's holding a degree of doctor of medicine, doctor of osteopathy, doctor of dental science, or doctor of podiatric medicine within the scope of their respective licensure. Provision shall be made in the bylaws for the right to pursue and practice full surgical privileges for holders of a degree of doctor of medicine, doctor of osteopathy, doctor of dental science, or doctor of podiatric medicine within the scope of their respective licensure. Such rights and privileges may be limited or restricted upon the basis of an individual practitioner's demonstrated
training, experience, current competence, professional ethics, health status, or failure to abide by
the hospital's rules, regulations, and procedures.

(2) Nothing in this section shall be construed to require a hospital to offer a specific service or
services not otherwise offered or to buy, construct, or renovate facilities, to purchase equipment,
hire additional staff, or to comply with other requirements of law concerning its planning,
financing, or operation. If a health service is offered, the hospital shall not discriminate between
persons holding a degree of doctor of medicine, doctor of osteopathy, or doctor of podiatric
medicine who are authorized by law to perform such services.

(3) A hospital may require the coadmittance by a medical doctor or doctor of osteopathy for any
patient admitted for surgical treatment by a podiatrist or dentist. The responsibility for obtaining
such coadmittance shall be that of the podiatrist or dentist admitting said patient and not of the
hospital. Patients admitted for podiatric or dental care shall receive the same basic medical
appraisal as patients admitted for other services. Such appraisal shall include an admission history
and physical examination by a medical doctor or doctor of osteopathy who is either on the
medical staff or approved by the medical staff of such hospital. The findings of such appraisal
shall be recorded on the patient's medical record. The admitting podiatrist or dentist shall be
responsible for that part of the history and examination which is related to podiatry or dentistry.
The medical doctor or doctor of osteopathy shall be responsible for the treatment of any medical
problem which may be present on admission or arise during hospitalization of such podiatric or
dental patient. Such doctor shall evaluate the general medical condition of the podiatric or dental
patient and determine, after consultation if necessary, the overall risk of the pending surgical
treatment to the patient's health.

(4) Within one hundred eighty days after May 25, 1983, the governing body of every hospital
subject to the provisions of part 3 of this article or established pursuant to section 32-1-1003,
C.R.S., which does not limit staff privileges to employees or contracting physicians of such
hospital, shall provide in its bylaws reasonable standards and procedures to be applied by such
hospital and its staff in considering and acting upon applications for staff membership or
privileges by a person holding a Colorado license to practice as a doctor of medicine, doctor of
osteopathic medicine, podiatrist, or dentist in conformance with the requirements of any national
accrediting body to which the hospital subscribes. Such standards and procedures shall be
available for public inspection and shall be based on an applicant's individual training, experience,
current competence, professional ethics, health status, and the hospital’s rules of professional
conduct applied equally to all persons holding a Colorado license to practice as a doctor of
medicine, doctor of osteopathic medicine, podiatrist, or dentist.

(5) Hospital rules and regulations shall be reasonable, necessary, and applied in good faith equally
and in a nondiscriminatory manner to all staff members, or applicants seeking to become staff
members, holding a degree of doctor of medicine, doctor of osteopathic medicine, doctor of dental science, or doctor of podiatric medicine.


CONNECTICUT GENERAL STATUTES
TITLE 20. PROFESSIONAL AND OCCUPATIONAL LICENSING, CERTIFICATION, TITLE PROTECTION AND REGISTRATION. EXAMINING BOARDS
CHAPTER 375. PODIATRY

§ 20-50. Podiatric medicine defined
“Podiatric medicine” means the diagnosis and treatment, including medical and surgical treatment, of ailments of the foot and the anatomical structures of the foot and the administration and prescription of drugs incidental thereto. It shall include treatment of local manifestations of systemic diseases as they appear on the foot. A doctor of podiatric medicine, licensed pursuant to this chapter may prescribe, administer and dispense drugs and controlled substances in schedule II, III, IV or V, in accordance with section 21a-252, in connection with the practice of podiatric medicine.


§ 20-50a. Requirements for surgery
Podiatric surgery requiring an anesthetic other than a local anesthetic shall be performed in a facility accredited by the Joint Commission on Accreditation of Healthcare Organizations or a free standing surgery center accredited by the Accreditation Association for Ambulatory Health Care, by a licensed podiatrist who is accredited by the credentials committee of the medical staff of such facility to perform podiatric surgery in conformance with rules promulgated by the chief of the surgical department of said facility taking into account the training, experience, demonstrated competence and judgment of each such licensed podiatrist, and such podiatrist shall comply with such rules. Podiatric surgery shall not include amputation of the leg or foot other than from the transmetatarsal level to the toes.


§ 20-54. Qualifications for general practice. Qualifications for medical and nonsurgical treatment of the ankle
(a) No person other than those described in section 20-57 and those to whom a license has been reissued as provided by section 20-59 shall engage in the practice of podiatry in this state until such person has presented to the department satisfactory evidence that such person has had a high school education or its equivalent, has received a diploma or other certificate of graduation from an accredited school or college of chiropody or podiatry approved by the Board of Examiners in Podiatry with the consent of the Commissioner of Public Health nor shall any person so practice until such person has obtained a license from the Department of Public Health after meeting the requirements of this chapter. A graduate of an approved school of chiropody or podiatry subsequent to July 1, 1947, shall present satisfactory evidence that he or she has been a resident student through not less than four graded courses of not less than thirty-two weeks each in such approved school and has received the degree of D. S. C., Doctor of Surgical Chiropody, or Pod. D., Doctor of Podiatry, or other equivalent degree; and, if a graduate of an approved chiropody or podiatry school subsequent to July 1, 1951, that he or she has completed, before beginning the study of podiatry, a course of study of an academic year of not less than thirty-two weeks’ duration in a college or scientific school approved by said board with the consent of the Commissioner of Public Health, which course included the study of chemistry and physics or biology; and if a graduate of an approved college of podiatry or podiatric medicine subsequent to July 1, 1971, that he or she has completed a course of study of two such prepodiatry college years, including the study of chemistry, physics or mathematics and biology, and that he or she received the degree of D. P. M., Doctor of Podiatric Medicine. No provision of this section shall be construed to prevent graduates of a podiatric college, approved by the Board of Examiners in Podiatry with the consent of the Commissioner of Public Health, from receiving practical training in podiatry in a residency program in an accredited hospital facility which program is accredited by the Council on Podiatric Education.

(b) A licensed podiatrist who is board qualified or certified by the American Board of Podiatric Surgery or the American Board of Podiatric Orthopedics and Primary Podiatric Medicine may engage in the medical and nonsurgical treatment of the ankle and the anatomical structures of the ankle, as well as the administration and prescription of drugs incidental thereto, and the nonsurgical treatment of manifestations of systemic diseases as they appear on the ankle. Such licensed podiatrist shall restrict treatment of displaced ankle fractures to the initial diagnosis and the initial attempt at closed reduction at the time of presentation and shall not treat tibial pilon fractures. For purposes of this [subsection] section, "ankle" means the distal metaphysis and epiphysis of the tibia and fibula, the articular cartilage of the distal tibia and distal fibula, the ligaments that connect the distal metaphysis and epiphysis of the tibia and fibula and the talus, and the portions of skin, subcutaneous tissue, fascia, muscles, tendons and nerves at or below the level of the myotendinous junction of the triceps surae.

(c) No licensed podiatrist may independently engage in the surgical treatment of the ankle, including the surgical treatment of the anatomical structures of the ankle, as well as the administration and prescription of drugs incidental thereto, and the surgical treatment of
manifestations of systemic diseases as they appear on the ankle, until such licensed podiatrist has obtained a permit from the Department of Public Health after meeting the requirements set forth in subsection (d) or (e) of this section, as appropriate. No licensed podiatrist who applies for a permit to independently engage in the surgical treatment of the ankle shall be issued such permit unless (1) the commissioner is satisfied that the applicant is in compliance with all requirements set forth in subsection (d) or (e) of this section, as appropriate, and (2) the application includes payment of a fee in the amount of one hundred dollars. For purposes of this section, "surgical treatment of the ankle" does not include the performance of total ankle replacements or the treatment of tibial pilon fractures.

(d) The Department of Public Health may issue a permit to independently engage in standard ankle surgery procedures to any licensed podiatrist who: (1) (A) Graduated on or after June 1, 2006, from a three-year residency program in podiatric medicine and surgery that was accredited by the Council on Podiatric Medical Education, or its successor organization, at the time of graduation, and (B) holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization; (2) (A) graduated on or after June 1, 2006, from a three-year residency program in podiatric medicine and surgery that was accredited by the Council on Podiatric Medical Education, or its successor organization, at the time of graduation, (B) is board qualified, but not board certified, in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, and (C) provides documentation satisfactory to the department that such licensed podiatrist has completed acceptable training and experience in standard or advanced midfoot, rearfoot and ankle procedures; or (3) (A) graduated before June 1, 2006, from a residency program in podiatric medicine and surgery that was at least two-years in length and was accredited by the Council on Podiatric Medical Education at the time of graduation, (B) holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, and (C) provides documentation satisfactory to the department that such licensed podiatrist has completed acceptable training and experience in standard or advanced midfoot, rearfoot and ankle procedures; except that a licensed podiatrist who meets the qualifications of subdivision (2) of this subsection may not perform tibial and fibular osteotomies until such licensed podiatrist holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Medicine, or its successor organization. For purposes of this subsection, "standard ankle surgery procedures" includes soft tissue and osseous procedures.

(e) The Department of Public Health may issue a permit to independently engage in advanced ankle surgery procedures to any licensed podiatrist who has obtained a permit under subsection (d) of this section, or who meets the qualifications necessary to obtain a permit under said subsection (d), provided such licensed podiatrist: (1) (A) Graduated on or after June 1, 2006, from a three-year residency program in podiatric medicine and surgery that was accredited by the Council on Podiatric Medical Education, or its successor organization, at the time of graduation,
(B) holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, and (C) provides documentation satisfactory to the department that such licensed podiatrist has completed acceptable training and experience in advanced midfoot, rearfoot and ankle procedures; or (2) (A) graduated before June 1, 2006, from a residency program in podiatric medicine and surgery that was at least two-years in duration and was accredited by the Council on Podiatric Medical Education at the time of graduation, (B) holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, and (C) provides documentation satisfactory to the department that such licensed podiatrist has completed acceptable training and experience in advanced midfoot, rearfoot and ankle procedures. For purposes of this subsection, "advanced ankle surgery procedures" includes ankle fracture fixation, ankle fusion, ankle arthroscopy, insertion or removal of external fixation pins into or from the tibial diaphysis at or below the level of the myotendinous junction of the triceps surae, and insertion and removal of retrograde tibiotalocalcaneal intramedullary rods and locking screws up to the level of the myotendinous junction of the triceps surae, but does not include the surgical treatment of complications within the tibial diaphysis related to the use of such external fixation pins.

(f) A licensed podiatrist who (1) graduated from a residency program in podiatric medicine and surgery that was at least two years in duration and was accredited by the Council on Podiatric Medical Education, or its successor organization, at the time of graduation, and (2) (A) holds and maintains current board certification in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, (B) is board qualified in reconstructive rearfoot ankle surgery by the American Board of Podiatric Surgery, or its successor organization, or (C) is board certified in foot and ankle surgery by the American Board of Podiatric Surgery, or its successor organization, may engage in the surgical treatment of the ankle, including standard and advanced ankle surgery procedures, without a permit issued by the department in accordance with subsection (d) or (e) of this section, provided such licensed podiatrist is performing such procedures under the direct supervision of a physician or surgeon licensed under chapter 370 who maintains hospital privileges to perform such procedures or under the direct supervision of a licensed podiatrist who has been issued a permit under the provisions of subsection (d) or (e) of this section, as appropriate, to independently engage in standard or advanced ankle surgery procedures.

(g) The Commissioner of Public Health shall appoint an advisory committee to assist and advise the commissioner in evaluating applicants' training and experience in midfoot, rearfoot and ankle procedures for purposes of determining whether such applicants should be permitted to independently engage in standard or advanced ankle surgery procedures pursuant to subsection (d) or (e) of this section. The advisory committee shall consist of four members, two of whom shall be podiatrists recommended by the Connecticut Podiatric Medical Association and two of whom shall be orthopedic surgeons recommended by the Connecticut Orthopedic Society.
(h) The Commissioner of Public Health shall adopt regulations, in accordance with chapter 54, to implement the provisions of subsections (c) to (f), inclusive, of this section. Such regulations shall include, but not be limited to, the number and types of procedures required for an applicant's training or experience to be deemed acceptable for purposes of issuing a permit under subsection (d) or (e) of this section. In identifying the required number and types of procedures, the commissioner shall seek the advice and assistance of the advisory committee appointed under subsection (g) of this section and shall consider nationally recognized standards for accredited residency programs in podiatric medicine and surgery for midfoot, rearfoot and ankle procedures. The commissioner may issue permits pursuant to subsections (c) to (e), inclusive, of this section prior to the effective date of any regulations adopted pursuant to this section.

(i) The Department of Public Health's issuance of a permit to a licensed podiatrist to independently engage in the surgical treatment of the ankle shall not be construed to obligate a hospital or outpatient surgical facility to grant such licensed podiatrist privileges to perform such procedures at the hospital or outpatient surgical facility.


**Noteworthy cases and opinions:**


Chiropodists or podiatrists are not allowed by law to prescribe or administer internally any narcotic or antibiotic drugs to patients who are under treatment by them. (1960) 31 Op.Atty.Gen. 140.


Section 20-65, forbidding practice of chiropody without a license, and this section, defining chiropody [now, podiatry] as the making of models of the feet and palliative and mechanical treatment of functional and structural ailments of the feet, prohibit the making of models of the
feet only in connection with the palliative and mechanical treatment of functional and structural ailments of the feet and do not prohibit custom shoe manufacturer from making a plaster cast of each of the customer's feet and the obtaining of a model or last of each foot and the fashioning of a show over such model or last. *Connecticut Chiropody Soc., Inc. v. Murray*, 153 A.2d 412, 146 Conn. 613 (1959).

**DISTRICT OF COLUMBIA OFFICIAL CODE 2001 EDITION**
**DIVISION I. GOVERNMENT OF DISTRICT.**
**TITLE 3. DISTRICT OF COLUMBIA BOARDS AND COMMISSIONS.**
**SUBTITLE I. GENERAL.**
**CHAPTER 12. HEALTH OCCUPATIONS BOARDS.**
**SUBCHAPTER I. DEFINITIONS; SCOPE.***

§ 3-1201.02. Definitions of health occupations.
For the purposes of this chapter, the term:
(14) “Practice of podiatry” means the diagnosis, treatment, or prevention of any ailment of the human foot by medical, surgical, or mechanical means, but does not include:

(A) The amputation of the foot;

(B) The administration of an anesthetic agent other than a local one; or

(C) The general medical treatment of any systemic disease causing manifestations in the foot.

*Cite to:* D.C. Code § 3-1201.02 (2006).

**DELAWARE CODE**
**TITLE 24. PROFESSIONS AND OCCUPATIONS**
**CHAPTER 5. PODIATRY**
**SUBCHAPTER I. BOARD OF PODIATRY**

§ 502 Definitions.
The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them under this section, except where the context clearly indicates a different meaning:
(1) “Board” shall mean the State Board of Podiatry established in this chapter.

(2) “Diagnosis” shall mean the ascertainment of a disease or ailment by its general symptoms.
(3) “Division” shall mean the State Division of Professional Regulation.

(4) “Electrical treatment” shall mean the administration of electricity to the foot and ankle by means of electrodes, machinery, rays and the like.

(5) “Excessive use or abuse of drugs” shall mean any use of narcotics, controlled substances or illegal drugs without a prescription from a licensed physician or the abuse of alcoholic beverages such that it impairs a person's ability to perform the work of a podiatrist.

(6) “Manipulative treatment” shall mean the use of the hand or machinery in the operation of or working upon the foot and its articulations.

(7) “Mechanical treatment” shall mean the application of any mechanical appliance made of steel, leather, felt or any material to the foot or the shoe for the purpose of treating any disease, deformity or ailment.

(8) “Medical treatment” shall mean the application to or prescription for the foot and ankle of medicine, pads, adhesives, felt, plasters or any medicinal agency.

(9) “Podiatrist” shall mean a person who is qualified to practice podiatry and is licensed under this chapter.

(10) “Practice of podiatry” shall mean the diagnosis and the medical, surgical, mechanical, manipulative and electrical treatment of all ailments of the foot and ankle. Amputation of the foot shall be restricted to state licensed podiatrists who have completed an American Podiatric Medical Association accredited surgical residency program acceptable to the Board and have current amputation privileges, or have fulfilled the credentialing criteria of the surgical committee of the Joint Committee on Accreditation of Hospitals accredited hospital where the amputation is to be performed.

(11) “State” shall mean the State of Delaware.

(12) “Substantially related” means the nature of the criminal conduct, for which the person was convicted, has a direct bearing on the fitness or ability to perform 1 or more of the duties or responsibilities necessarily related to podiatry.

(13) “Surgical treatment” shall mean the use of any cutting instrument to treat a disease, ailment or condition.

§461.003. Definitions
As used in this chapter:

(1) “Board” means the Board of Podiatric Medicine as created in this chapter.

(2) “Certified podiatric X-ray assistant” means a person who is employed by and under the direct supervision of a licensed podiatric physician to perform only those radiographic functions that are within the scope of practice of a podiatric physician licensed under this chapter. For purposes of this subsection, the term “direct supervision” means supervision whereby a podiatric physician orders the X-ray, remains on the premises while the X-ray is being performed and exposed, and approves the work performed before dismissal of the patient.

(3) “Department” means the Department of Health.

(4) “Podiatric physician” means any person licensed to practice podiatric medicine pursuant to this chapter.

(5) “Practice of podiatric medicine” means the diagnosis or medical, surgical, palliative, and mechanical treatment of ailments of the human foot and leg. The surgical treatment of ailments of the human foot and leg shall be limited anatomically to that part below the anterior tibial tubercle. The practice of podiatric medicine shall include the amputation of the toes or other parts of the foot but shall not include the amputation of the foot or leg in its entirety. A podiatric physician may prescribe drugs that relate specifically to the scope of practice authorized herein.


Noteworthy opinion and case:

It was within the authority of a chiropodist to X-ray the spine and put lifts in the shoes as a means of treating the foot or leg of a patient, subject to the following limitations: (1) that the X-ray picture be taken of the lower spine only, (2) that such X-ray picture be used only to assist in diagnosing and treating the condition of the leg or foot as set forth in former § 461.01 (see, now, this section) and (3) that the use of the X-ray by a duly licensed chiropodist be limited, in all events, to the extent of education and training on the subject as taught in a recognized and approved school of chiropody; on the other hand, if the subject of X-ray was not taught in the school or schools of chiropody then the graduates thereof were not qualified and were not licensed to use X-ray in any manner whatsoever. Op.Atty.Gen., 060-84, April 21, 1960.
Board of Podiatric Medicine properly exercised its delegated legislative authority when it issued rule defining term “human leg,” as used in statute defining practice of podiatric medicine, to include the entire lower extremity; several experts testified as to the multiple meanings of the term “human leg” within the anatomic, medical, and podiatric fields, a broader definition was consistent with the proposed rule, and the proposed rule did not enlarge or modify the statute. Board of Podiatric Medicine v. Florida Medical Ass'n, App. 1 Dist., 779 So.2d 658 (2001).

Board of Podiatric Medicine properly exercised its delegated legislative authority when it issued rule defining term “surgical treatment,” as used in statute defining practice of podiatric medicine, to encompass distinctively operative kinds of treatment, and not injections, X-rays, and other medical, palliative, and mechanical diagnostic techniques and treatments; the definition was consistent with evidence presented at a hearing and consistent with the statute. Board of Podiatric Medicine v. Florida Medical Ass'n, App. 1 Dist., 779 So.2d 658 (2001).

GEORGIA CODE
TITLE 43. PROFESSIONS AND BUSINESSES
CHAPTER 35. PODIATRY PRACTICE

§ 43-35-3. Definitions
As used in this chapter, the term:

(1) “Board” means the State Board of Podiatry Examiners.

(2) “License” means a valid and current certificate of registration issued by the division director on behalf of the board which shall give the person to whom it is issued authority to engage in the practice prescribed thereon.

(3) “Licensee” means one who holds a license under this chapter.

(4) “Person” means a human person only.

(5) “Podiatric medicine,” which includes chiropody, podiatry, and podiatric medicine and surgery, means that portion of the practice of medicine identified by the acts described in any one or more of the following:

(A) Charging a fee or other compensation, either directly or indirectly, for any history or physical examination of a patient in a person’s office or in a hospital, clinic, or other similar facility prior
to, incident to, and necessary for the diagnosis and treatment, by primary medical care, surgical or other means, of diseases, ailments, injuries, or abnormal conditions of the human foot and leg;

(B) Holding oneself out to the public, either directly or indirectly, as being engaged in the practice of podiatric medicine;

(C) Displaying or using a title or abbreviation such as “Doctor of Podiatric Medicine,” “D.P.M.,” “Foot Doctor,” “Foot Specialist,” “Foot Surgeon,” “Foot and Ankle Surgeon,” or other letters, designations, or symbols or signs of any type which expressly or implicitly indicate to the general public that the user renders treatment to the foot, ankle, and leg under the provisions of this chapter;
(D) Performing surgery on the foot or leg of a patient, except that when such surgery is performed under general anesthesia it shall be permissible only when said surgery is performed at a facility permitted and regulated as a hospital or ambulatory surgical treatment center under Article 1 of Chapter 7 of Title 31 and when said general anesthesia is administered under the direction of a duly licensed physician;
(E) Performing amputations of the toe; or

(F) Performing amputations distal to and including the tarsometatarsal joint but only when performed in a facility permitted and regulated as a hospital or ambulatory surgical treatment center under Article 1 of Chapter 7 of Title 31 and when performed by a podiatrist who is certified by the board in meeting the requirements which shall be established by regulations of the board which have been jointly approved by the board and the Composite State Board of Medical Examiners.

(6) “Podiatric resident” means a person who is engaged in a postgraduate program of study or practice within this state approved by the board.

(7) “Podiatrist” means a physician and surgeon of the human foot and leg who is subject to this chapter.

§ 463E-1 Definitions.
As used in this chapter:
“Board” means board of medical examiners.

“Department” means department of commerce and consumer affairs.

“Foot appliance” means any artificial apparatus used as a replacement for, an addition to, or in the treatment of the human foot whether it is medical, surgical, mechanical, manipulative, or electrical in nature.

“Podiatrist” means a person in the professional practice of podiatric medicine.

“Podiatric medicine” means the medical, surgical, mechanical, manipulative, and electrical diagnosis and treatment of the human foot, malleoli, and soft tissues about the ankle, except for ankle fractures, including the nonsurgical treatment of the muscles and tendons of the leg governing the functions of the foot, but does not include any amputation, except for digital amputation, treatment of systemic conditions, or the use of any anesthetic except local anesthetic.


IDAHO CODE
TITLE 54. PROFESSIONS, VOCATIONS, AND BUSINESSES
CHAPTER 6. PODIATRISTS

§ 54-602 Podiatry defined.
(1) Podiatry shall, for the purpose of this chapter, mean the diagnosis and mechanical, electrical, medical, physical and surgical treatment of ailments of the human foot and leg, and the casting of feet for the purpose of preparing or prescribing corrective appliances, prosthetics, and/or the making of custom shoes for corrective treatment; provided, however, that the casting of feet for preparing corrective appliances, prosthetics and/or custom shoes may be permitted on the prescription of a duly licensed person in the healing arts in this state. Podiatrists shall be limited in their practice to the human foot and leg. Surgical treatment, as herein used, shall mean the surgical treatment of the foot and ankle and those soft tissue structures below the knee governing the function of the foot and ankle, but shall not include the amputation of the leg, surgery of the knee joint, surgery of the bony structures proximal to the distal half of the tibia, or the administration or monitoring of general anesthesia.

(2) Advanced surgical procedures, as determined by the state board of podiatry, shall be performed in a licensed hospital or certified ambulatory surgical center accredited by the joint
commission on accreditation of healthcare organizations or the accreditation association for ambulatory health care where a peer review system is in place.

(3) A podiatrist may administer narcotics and medications in the treatment of ailments of the human foot and leg in the same manner as a physician and surgeon licensed to practice under chapter 18, title 54, Idaho Code.

(4) It is not the intent of this section, and nothing herein shall be so construed, to prohibit the sale of noncustom built shoes that are commonly sold by merchants in commercial establishments. (5) A podiatrist is defined as a natural person who practices podiatry and who within the scope of this chapter is a physician and surgeon of the foot and ankle, and shall be referred to as a podiatric physician and surgeon; provided, further, that nothing within this chapter shall prohibit any physician or surgeon, registered and licensed as such and authorized to practice under the laws of the state of Idaho, or any physician or surgeon of the United States army, navy or public health service when in actual performance of his duties, from practicing medicine and surgery.


ILLINOIS COMPILED STATUTES
CHAPTER 225. PROFESSIONS AND OCCUPATIONS
HEALTH ACT 100. PODIATRIC MEDICAL PRACTICE ACT OF 1987

§100/5. Definitions
§ 5. Definitions. As used in this Act:

(A) “Department” means the Department of Professional Regulation.

(B) “Director” means the Director of Professional Regulation.

(C) “Board” means the Podiatric Medical Licensing Board appointed by the Director.

(D) “Podiatric medicine” or “podiatry” means the diagnosis, medical, physical, or surgical treatment of the ailments of the human foot including amputations; provided that amputations of the human foot are limited to 10 centimeters proximal to the tibial talar articulation. “Podiatric medicine” or “podiatry” shall include the provision of topical and local anesthesia and moderate and deep sedation as defined by Department rule under the Medical Practice Act of 1987.

(E) “Human foot” means the ankle and soft tissue which insert into the foot as well as the foot.

(F) “Podiatric physician” means a physician licensed to practice podiatric medicine.
(G) “Postgraduate training” means a minimum one year postdoctoral structured and supervised educational experience approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association which includes residencies and preceptorships.


INDIANA CODE
TITLE 25. PROFESSIONS AND OCCUPATIONS
ARTICLE 29. PODIATRISTS
CHAPTER 1. REGULATION OF PODIATRISTS

§ 25-29-1-12 “Podiatric medicine” defined
Sec. 12. (a) “Podiatric medicine” means the diagnosis or medical, surgical (as described in IC 25-22.5-1-1.1(a)(1)(C)), and mechanical treatment of the human foot and related structures.

(b) Podiatric medicine includes the administration of local anesthetics.


§ 25-29-1-13 “Podiatrist” defined
Sec. 13. “Podiatrist” means an individual who:

(1) practices podiatric medicine; and

(2) uses one (1) or more of the following designations:

(A) Doctor of podiatric medicine.
(B) Podiatric physician.
(C) Podiatric surgeon.

§25-29-1-16 “Surgical treatment” defined
§ 16. “Surgical treatment” means the incision, excision, or disarticulation of parts of the human foot and related structures to treat a disease, a deformity, or an ailment of the foot. The term does not include the amputation of the entire foot, but does include the amputation of an entire toe if the amputation is performed at an institution:

(1) that is approved by a joint commission of accredited hospital organizations; and

(2) where comanagement of the patient is being performed by a physician licensed under IC 25-22.5.


INDIANA ADMINISTRATIVE CODE
TITLE 845. BOARD OF PODIATRIC MEDICINE
ARTICLE 1. PODIATRISTS
RULE 1. DEFINITIONS

§ 1. The following definitions apply throughout this title (845 IAC):
(1) “Board” means the board of podiatric medicine.

(2) “Bureau” means the health professions bureau established by IC 25-1-5-3.

(3) “Diagnosis” means the examination of a patient, parts of a patient’s body, or materials taken or removed from a patient’s body, or materials produced by a patient’s body, to determine the source or nature of a disease or other physical or mental condition relating to ailments of the human foot.

(4) “Drug or medicine” means any medicine, compound, or chemical or biological preparation intended to be used for the diagnosis, cure, mitigation, or prevention of diseases or abnormalities of man or woman which are recognized in the Physician’s Desk Reference, 47th Edition, 1993, or otherwise established as a drug or medicine, by federal or state law. The term shall include local anesthetics as defined in subdivision (5).

(5) “Local anesthetics” means a drug or gas that produces a partial or total loss of the sense of pain or touch that is limited in use to an area of the body around the site of its application and is induced to permit performance of a surgical procedure.

(6) “Mechanical treatment of ailments of the human foot” means to prescribe, direct, order, or designate the use of, or manner of using an orthotic, orthotic device, orthosis, prosthetic device, prosthesis, or casting of the foot for devices or custom shoes for corrective treatment. The casting of the feet for orthoses, appliances, braces, and custom shoes may be permitted on the prescription of a practitioner licensed to do so in Indiana. It is not the intent of this article (845 IAC 1) to
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prohibit the sale of noncustom built shoes or inserts that are commonly sold by merchants in commercial establishments.

(7) “Medical treatment of ailments of the human foot” means to prescribe, direct, order, or designate the use of, or manner of using, a drug, medicine, or treatment by spoken or written words or other means, except for the systematic or regular, continuous, long term treatment of systemic diseases affecting the human foot and the administration of general anesthesia.

(8) “Surgical treatment of ailments of the human foot” means the incision, excision, or disarticulation of parts of the foot and related structures to treat a disease, deformity, or ailment of the foot, excluding the amputation of an entire foot. A podiatrist may disarticulate an entire toe if performed according to IC 25-29-1-16.


INDIANA ADMINISTRATIVE CODE  
TITLE 845. BOARD OF PODIATRIC MEDICINE  
ARTICLE 1. PODIATRISTS  
RULE 6. STANDARDS OF PROFESSIONAL CONDUCT

845 IAC 1-6-1 Standards of professional conduct and practice  
Authority: IC 25-29-1-3 Affected: IC 25-29 Sec. 1. (h) A podiatrist may administer local anesthesia. (j) The podiatric surgeon of record is responsible for maintaining the health of the patient pre-operatively, operatively, and post-operatively until the patient is discharged from his service, except for the regular long-term or systematic control of systemic diseases that are under the care of a medical or osteopathic physician.  
Cite to: 845 Ind. Admin. Code 1-6-1  
Current with amendments included in the Indiana Register, Volume 29, No. 9, June 1, 2006.

IOWA CODE  
TITLE IV. PUBLIC HEALTH  
SUBTITLE 3. HEALTH-RELATED PROFESSIONS  
CHAPTER 149. PODIATRY

§149.1. Persons engaged in practice – definitions  
1. For the purpose of this subtitle the following classes of persons shall be deemed to be engaged in the practice of podiatry:
a. Persons who publicly profess to be podiatric physicians or who publicly profess to assume the duties incident to the practice of podiatry.

b. Persons who diagnose, prescribe, or prescribe and furnish medicine for ailments of the human foot, or treat such ailments by medical, mechanical, or surgical treatments.

2. As used in this chapter, “human foot” means the ankle and soft tissue which insert into the foot as well as the foot.

3. “Podiatric physician” means a physician or surgeon licensed under this chapter to engage in the practice of podiatric medicine and surgery.

Cite to: Iowa Code § 149.1 (2005); Iowa Code Ann. § 149.1 (West 2006).

§149.5. Amputations – anesthesia – prescription drugs
A license to practice podiatry shall not authorize the licensee to amputate the human foot. A licensed podiatric physician may administer local anesthesia. Conscious sedation may be administered by a licensed podiatric physician in a hospital or an ambulatory surgical center. A licensed podiatric physician may prescribe and administer drugs for the treatment of human foot ailments as provided in section 149.1.

Cite to: Iowa Code § 149.5 (2005); Iowa Code Ann. § 149.5 (West 2006).

Noteworthy opinion:

The commissioner of insurance has power to require an express exclusion of treatment of the feet in an insurance policy if it is the desire of the insurer to exclude such treatment from such general terms as “physicians and surgeons.” Op.Atty.Gen., Aug. 17, 1962.

A podiatrist may perform surgery on the foot, not amounting to amputation thereof, where a general anesthetic is given to the patient by a physician or other authorized licensed person. However, the podiatrist may not himself administer a general anesthetic to the patient but may administer a local one on the foot. Op.Atty.Gen. (Kelly), Feb. 11, 1975.

A podiatrist may use whatever narcotic drugs may be necessary to produce local anesthesia in the treatment and surgery of the foot. Op.Atty.Gen.1940, p. 598.

A podiatrist may employ narcotic drugs as anesthetics but may use them only as local anesthetics. Op.Atty.Gen.1938, p. 665.

KANSAS STATUTES ANNOTATED
CHAPTER 65.—PUBLIC HEALTH
ARTICLE 20.—REGULATION OF PODIATRISTS

As used in the podiatry act, unless the context otherwise requires:

(a) “Board” means the state board of healing arts.

(b) “Podiatrist” means one practicing podiatry.

(c) “Podiatry” means the diagnosis and treatment of all illnesses of the human foot.

Noteworthy opinion:
1992 Main Volume Attorney General’s Opinions: Insurance coverage to include reimbursement or indemnity for services performed by optometrist, dentist or podiatrist. 92-4.
Current through the 2004 Regular Session.

(a) It shall be unlawful for any person to profess to be a podiatrist, to practice or assume the duties incidental to podiatry, to advertise or hold oneself out to the public as a podiatrist, or to use any sign or advertisement with the word or words podiatrist, foot specialist, foot correctionist, foot expert, practapedist or chiropodist, or any other term or terms indicating that such person is a podiatrist or that such person practices or holds oneself out as practicing podiatry or foot correction in any manner, without first obtaining from the board a license authorizing the practice of podiatry in this state, except as hereinafter provided.

(b) A licensed podiatrist shall be authorized to prescribe such drugs or medicine, and to perform such surgery on the human foot or toes, including amputation of the toes, as may be necessary to the proper practice of podiatry, but no podiatrist shall amputate the human foot or administer any anesthetic other than local.

(c) This act shall not prohibit the recommendation, advertising, fitting or sale of corrective shoes, arch supports, or similar mechanical appliances, or foot remedies by manufacturers, wholesalers or retail dealers.

KENTUCKY REVISED STATUTES
TITLE XXVI. OCCUPATIONS AND PROFESSIONS
CHAPTER 311. PHYSICIANS, OSTEOPATHS, PODIATRISTS, AND RELATED
MEDICAL PRACTITIONERS PRACTICE OF PODIATRY

§311.380 Definitions for KRS 311.390 to 311.510
As used in KRS 311.390 to 311.510, unless the context otherwise requires:

(1) “Board” means the State Board of Podiatry;

(2) “Podiatry” is that profession of the health sciences which deals with the examination, diagnosis, treatment, and prevention of diseases, conditions, and malfunctions affecting the human foot and its related or governing structures, by employment of medical, surgical, or other means;

(3) “Podiatrist” is a physician and surgeon who has graduated from a college of podiatric medicine accredited by the Council on Podiatry Education of the American Podiatry Association or approved by state licensing boards.


LOUISIANA REVISED STATUTES
TITLE 37. PROFESSIONS AND OCCUPATIONS
CHAPTER 7. PODIATRY

§ 611. Definitions
As used in this Chapter:
(1) “Board” means the Louisiana State Board of Medical Examiners.

(2) “Licensed podiatric physicians and surgeons” means one licensed and holding a certificate under this Chapter.

(3)(a)(i) “Podiatry” is that profession of the health sciences which deals with the prevention, examination, diagnosis, medical, surgical, and adjuvant treatment of the human foot. The “foot” is defined as that part of the human anatomy which consists of the tarsal bones, metatarsal bones, phalanges, and all supportive and/or connective tissue immediately adjacent thereto not to extend past the proximal end of the talus. Surgical treatment by podiatric physicians involving use of general or spinal anesthesia is prohibited unless such treatment is performed in a facility accredited by the Joint Commission on Accreditation for Hospitals or the Accreditation Association of Ambulatory Health Care. In the event that a facility has applied for accreditation
by the Joint Commission on Accreditation for Hospitals or the Accreditation Association of Ambulatory Health Care, such treatment may be performed in such facility but shall cease if the accrediting procedure exceeds two years or accreditation is not granted. Podiatry does not include the administration of general or spinal anesthetics by a podiatrist but does include the use of local anesthetics.

(ii) Podiatry may also include treatment of the ankle, muscles, or tendons of the lower leg governing the functions of the foot and ankle by a podiatrist who has completed advanced training determined to be sufficient by the board at a program accredited by a nationally recognized accrediting association acceptable by the board. Implementation of the provisions of this Subparagraph shall be made pursuant to rules promulgated by the board which are predicated on the education or level of training, or both, of an applicant.

(b) In any podiatric surgery requiring general or spinal anesthesia, the anesthetic shall be administered by a physician anesthesiologist or by a certified registered nurse anesthetist under the direction and supervision of a physician anesthesiologist who is proximately present in the operating suite. In any podiatric surgery requiring a spinal anesthetic, epidural anesthetic, or regional nerve block, the anesthetic or nerve block shall be administered by a physician anesthesiologist.


§ 616. Issuance of certificate
If the requirements of R.S. 37:613 are met to the satisfaction of the board, the board shall issue to the applicant a certificate to practice podiatry. A certificate issued by the board shall reflect an applicant’s practice prerogatives based upon the applicant’s education or level of training, or both.


MAINE REVISED STATUTES
TITLE 32. PROFESSIONS AND OCCUPATIONS
CHAPTER 51. PODIATRISTS
SUBCHAPTER I. GENERAL PROVISIONS

§ 3551. Definitions
As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.
1. Board. “Board” means the Board of Licensure of Podiatric Medicine.

2. License. “License” means authorization to practice podiatric medicine.

3. Podiatrist. “Podiatrist” means an individual currently licensed to practice podiatric medicine.

4. Practice of podiatric medicine. “Practice of podiatric medicine” means the diagnosis and treatment of maladies of the human foot and ankle by medical, surgical or mechanical means. Practice of podiatric medicine includes the administration of local anesthesia in conjunction with the practice of podiatry. The use of general anesthesia is permitted in conjunction with the practice of podiatry when administered or supervised by a medical or osteopathic physician who assumes responsibility for the administration of that anesthesia to a patient being treated by a podiatrist.


Noteworthy case:

Podiatrists are not physicians within meaning of Health Security Act (§ 2501 et seq. of title 24). LaCroix v. Caron, 423 A.2d 24 (Me. 1980).

CODE OF MARYLAND
HEALTH OCCUPATIONS
TITLE 16. PODIATRISTS
SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS

§ 16-101. Definitions
(a) In this title the following words have the meanings indicated.

(b) “Board” means the State Board of Podiatric Medical Examiners.

(c) “License” means, unless the context requires otherwise, a license issued by the Board to practice podiatry.

(d) “Licensed podiatrist” means, unless the context requires otherwise, a podiatrist who is licensed by the Board to practice podiatry.

(e) “Podiatrist” means an individual who practices podiatry.
(f)(1) “Practice podiatry” means to diagnose or surgically, medically, or mechanically treat the human foot or ankle, the anatomical structures that attach to the human foot, or the soft tissue below the mid-calf.

(2) “Practice podiatry” does not include:

(i) Surgical treatment of acute ankle fracture; or

(ii) Administration of an anesthetic, other than a local anesthetic.


§ 16-103. Osseous surgical procedures; restrictions
(a) All osseous surgical procedures of the ankle, arthrodeses of 2 or more tarsal bones, and complete tarsal osteotomies that are performed by a licensed podiatrist shall be performed in a licensed hospital or ambulatory surgical center, subject to the provisions of § 19-351 of the Health–General Article.

(b) A licensed podiatrist who performs an osseous surgical procedure of the ankle, arthrodesis of 2 or more tarsal bones, or a complete tarsal osteotomy in a licensed ambulatory surgical center must:

(1) Have current surgical privileges at a licensed hospital for the same procedure; and

(2) Meet the requirements of the ambulatory surgical center.

(c) Nothing in this title shall prohibit a licensed hospital or ambulatory surgical center from establishing qualifications or delineating privileges for the performance of surgical procedures of the human foot or ankle, the anatomical structures that attach to the human foot, or the soft tissue below the mid-calf by a licensed podiatrist in the hospital or ambulatory surgical center.

Cite to: Md. Code Ann., Health Occ. § 16-103 (West 2006).
§ 13. Podiatry; definition; application of Secs. 13 to 23
Podiatry as used in this chapter shall mean the diagnosis and the treatment of the structures of the human foot by medical, mechanical, surgical, manipulative and electrical means without the use of other than local anesthetics, and excepting treatment of systemic conditions, and excluding amputation of the foot or toes. This and the ten following sections shall not apply to surgeons of the United States army, navy or of the United States Public Health Service, nor to physicians registered in the commonwealth. The term physician and surgeon when used in sections twelve B, twelve G, twenty-three N and eighty B shall include a podiatrist acting within the limitation imposed by this section.


Noteworthy opinion:
Chiropodists and podiatrists are not entitled or qualified under the laws of the Commonwealth to use narcotic drugs in the course of their professional practice. Op. Atty. Gen., March 21, 1940, p. 51.

MICHIGAN COMPILED LAWS
CHAPTER 333. HEALTH
PUBLIC HEALTH CODE
ARTICLE 15. OCCUPATIONS
PART 180. PODIATRIC MEDICINE AND SURGERY

§333.18001. Definitions; principles of construction
Sec. 18001. (1) As used in this part:

(a) "Podiatrist" means a physician and surgeon licensed under this article to engage in the practice of podiatric medicine and surgery.

(b) "Practice as a physician's assistant" means the practice of medicine, osteopathic medicine and surgery, and podiatric medicine and surgery under the supervision of a physician or podiatrist licensed under this article.

(c) "Practice of podiatric medicine and surgery" means the examination, diagnosis, and treatment of abnormal nails, superficial excrescences occurring on the human hands and feet, including corns, warts, callosities, and bunions, and arch troubles or the treatment medically, surgically, mechanically, or by physiotherapy of ailments of human feet or ankles as they affect the condition of the feet. It does not include amputation of human feet, or the use or administration of
anesthetics other than local.

(d) "Supervision" means that term as defined under section 16109 except that it includes the existence of a predetermined plan for emergency situations including, but not limited to, the designation of a podiatrist to supervise a physician's assistant in the absence of the primary supervising podiatrist.

(e) "Task force" means the joint task force created in section 17025.

(2) In addition to the definitions in this part, article 1 contains general definitions and principles of construction applicable to all articles in this code and part 161 contains definitions applicable to this part.


Noteworthy cases and opinions:

A “podiatrist” is one who treats ailments of human foot, and is limited to practitioner who is only authorized to treat human feet, and he is not medical or osteopathic doctor who specializes in treatment of foot. DeHart v. State, Dept. of Licensing and Regulation, Bd. of Registration in Podiatry, 293 N.W.2d 806, 97 Mich.App 307 (1980).

Chiropodists were considered physicians and surgeons within meaning and scope of Podiatry Act (former § 338.301 et seq.; see, now, this section and § 333.18011 et seq.). Op.Atty.Gen.1961-62, No. 4014, p. 287.

Doctors of chiropractic medicine were not “doctors of medicine” within Medical Care Corporations Act, § 550.312 provision that medical care corporation should not furnish medical care otherwise than through “doctors of medicine” or surgical chiropody or podiatry. Op.Atty.Gen.1969, No. 4640.

Podiatrist’s use of chelation therapy constituted practice of medicine, and, podiatrist having unlawfully invaded field of medicine, his actions were properly judged by standards of practice for licensed doctors of medicine and he could be required to adhere to standards of practice of those who were properly licensed. DeHart v. State Dept. of Licensing and Regulation, Bd. of Registration in Podiatry, 293 N.W.2d 806, 97 Mich.App. 307 (1980).
MINNESOTA STATUTES
HEALTH
CHAPTER 153. PODIATRY

§153.01. Definitions

Subdivision 1. Words, terms, and phrases. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

Subdivision 2. Podiatric medicine. “Podiatric medicine” means the diagnosis or medical, mechanical, or surgical treatment of the ailments of the human hand, foot, ankle, and the soft tissue of the lower leg distal to the tibial tuberosity. Medical or surgical treatment includes partial foot amputation and excludes amputation of the hand or fingers. Use of local anesthetics is within the scope of medical and surgical management in patient care. Use of anesthetics, other than local, is excluded, except as provided in section 153.26. Podiatric medicine includes the prescribing or recommending of appliances, devices, or shoes for the correction or relief of foot ailments. Podiatric medicine includes the prescribing or administering of any drugs or medications necessary or helpful to the practice of podiatric medicine as defined by this subdivision. For a podiatrist who has completed a residency, podiatric medicine includes the performance of all or part of the medical history and physical examination for the purpose of hospital admission for podiatric management or preoperative podiatric surgery.

Cite to: Minn. Stat. § 153.01 (2005); Minn. Stat. Ann. § 153.01 (West 2006).

MISSISSIPPI CODE
TITLE 73. PROFESSIONS AND VOCATIONS
CHAPTER 27. PODIATRISTS

§ 73-27-1. Definitions; authority to prescribe and administer drugs and tests
(1) The practice of podiatric medicine is that profession concerned with the prevention, examination, diagnosis and medical, surgical and adjuvant treatment of conditions of the human foot. For the purposes of this chapter, "foot" means that part of the human anatomy which consists of the tarsal bones, metatarsal bones and phalanges.

(2) A podiatrist is a medical care provider who engages in the practice of podiatric medicine.
(3) A podiatrist may prescribe and administer drugs and tests, excluding general and spinal anesthesia, that are essential to the practice of podiatric medicine when used for or in connection with treatment of disorders of the human foot.


MISSOURI REVISED STATUTES
TITLE XXII. OCCUPATIONS AND PROFESSIONS
CHAPTER 330. PODIATRISTS

§ 330.010. Definitions
1. The word “board” whenever used in this chapter means the state board of podiatric medicine.

2. The definitions of the words “podiatrist” or “physician of the foot” shall for the purpose of this section be held to be the diagnosis, medical, physical, or surgical treatment of the ailments of the human foot, with the exception of administration of general anesthetics, or amputation of the foot and with the further exception that the definitions shall not apply to bone surgery on children under the age of one year. The use of such drugs and medicines in the treatment of ailments of the human foot shall not include the treatment of any systemic diseases. For the purposes of this chapter, the term “human foot” includes the ankle and the tendons which insert into the foot as well as the foot. For surgery of the ankle only, the doctor of podiatric medicine licensed pursuant to this chapter shall either be board certified in foot and ankle surgery by the American Board of Podiatric Surgery or shall complete a twenty-four-month postgraduate clinical residency in podiatric surgery; provided, however, any newly licensed doctor of podiatric medicine desiring to perform ankle surgery and licensed pursuant to this chapter after January 1, 2005, shall be required to complete a twenty-four-month postgraduate clinical residency in podiatric surgery. Nothing in this section shall be construed to prohibit a doctor of podiatric medicine from performing ankle surgery under the direct supervision of a doctor who is authorized to perform surgery of the ankle. Surgical treatment of the ankle by a doctor of podiatric medicine shall be performed only in a licensed acute care hospital or a licensed ambulatory surgical clinic. A doctor of podiatric medicine performing ankle surgery shall be required to complete the biennial continuing medical education hourly credit requirements as established by the state board of podiatric medicine. The doctor of podiatric medicine shall have obtained approval of the physician's credentialing committee of a licensed acute care hospital or a licensed ambulatory surgical clinic.

Noteworthy opinions:

A chiropodist, podiatrist or physician of the foot may perform surgical treatment of the ailments of the human foot when a general anesthetic has been administered by a person licensed to administer anesthetics. Op. Atty. Gen. No. 118, Snowden, 12-20-82.

Determining proper arch support needed to make a shoe fit properly and placing such support in shoe does not constitute the practice of podiatry by a shoe salesman. Op. Atty. Gen. No. 207, Humphreys, 5-20-71.

Chiropodists are prohibited from treating systemic diseases including "nerves", even though such diseases affect patient's foot. Op. Atty. Gen. No. 312, Hailey, 9-9-64.

Montana Code  
Title 37. Professions and Occupations  
Chapter 6. Podiatry  
Part 1. General

§37-6-101. Definitions
Unless the context requires otherwise, in this chapter, the following definitions apply:

(1) “Board” means the board of medical examiners provided for in 2-15-1731.

(2) “Department” means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(3) “Podiatrist” means a physician or surgeon of the foot and ankle, licensed to diagnose and treat ailments of the human functional foot and ankle.

(4) “Podiatry” means the diagnosis and treatment of ailments of the human functional foot and ankle as provided in 37-6-102.


Noteworthy opinions:

Chiropodists (now podiatrists) licensed under the laws of this state legally may prescribe drugs as a part of their professional treatment. However, their right to administer or prescribe drugs is limited to the direct treatment of an ailment of the human foot. (See 1995 amendment.) 29 A.G. Op. 33 (1961). (See 37-6-105.)
1995 Amendment
Chapter 402 in definition of podiatrist, in two places, and in one place in definition of podiatry inserted “and ankle.”

§37-6-102. Scope of practice
(1) A podiatrist may diagnose and treat ailments of the human functional foot and ankle by all systems and means. The functional foot is the anatomical foot and any muscle, tendon, ligament, or other soft tissue structure that is directly attached to the anatomical foot and that impacts on or affects the foot or foot function. The ankle is the articulation between the talus, tibia, and fibula and their related soft tissue structures.

(2) A podiatrist may not administer any anesthetic other than a local anesthetic.

REVISED STATUTES OF NEBRASKA
CHAPTER 71. PUBLIC HEALTH AND WELFARE
ARTICLE 1. LICENSES; PROFESSIONAL AND OCCUPATIONAL
(K) PRACTICE OF PODIATRY

§ 71-173. Terms, defined.
For purposes of the Uniform Licensing Law:
(1) The following persons shall be deemed to be practicing podiatry: Persons who publicly profess to be podiatrists or who publicly profess to assume the duties incident to the practice of podiatry;

(2) Practice of podiatry means the diagnosis or medical, physical, or surgical treatment of the ailments of the human foot, ankle, and related governing structures except (a) the amputation of the forefoot, (b) the general medical treatment of any systemic disease causing manifestations in the foot, and (c) the administration of anesthetics other than local; and

(3) Podiatrist means a physician of the foot, ankle, and related governing structures.


§ 71-174.02. Podiatry; surgery; restrictions.
A podiatrist shall not perform surgery on the ankle other than in a licensed hospital or ambulatory surgical center, and a podiatrist who performs surgery on the ankle in a licensed hospital or ambulatory surgical center shall have successfully completed an advanced postdoctoral surgical residency program of at least one year's duration which is recognized as suitable for that purpose by the Board of Podiatry.
No podiatrist initially licensed in this state on or after September 1, 2001, shall perform surgery on the ankle unless such person has successfully completed an advanced postdoctoral surgical residency program of at least two years’ duration which is recognized as suitable for that purpose by the Board of Podiatry.


NEVADA REVISED STATUTES ANNOTATED
TITLE 54. PROFESSIONS, OCCUPATIONS AND BUSINESSES
CHAPTER 635. PODIATRY
LICENSES

§635.085. Authorized activities of licensed podiatric physician
1. Except as otherwise provided in subsection 2, a podiatric physician licensed by the board may:

(a) Administer electricity to the foot or leg by means including electrodes, machinery and rays.

(b) Use his hands and machinery to work upon the foot or leg and its articulations.

(c) Apply any mechanical appliance to the foot or leg or in the shoe to treat any disease, deformity or ailment.

(d) Apply pads, adhesives, felt, plasters and any medicine to the foot and leg.

(e) Prescribe and dispense controlled substances and dangerous drugs.

(f) Construct models of the feet.

(g) Administer a local anesthetic.

(h) Use any cutting instrument to treat a disease, ailment or condition.

(i) Treat the effects of a systemic disease upon the foot or leg.

(j) Amputate a toe if he:

(1) Performs the amputation in a hospital as defined in NRS 449.012 or a surgical center for ambulatory patients as defined in NRS 449.019;
(2) Is authorized by the hospital or surgical center to perform the amputation;

(3) Has completed a program of surgical training as a resident and provides proof satisfactory to the hospital or surgical center of his completion of the program;

(4) Complies with any other requirements established by the hospital or surgical center; and

(5) Performs the amputation in accordance with the standard of care required for a physician licensed pursuant to chapter 630, 630A or 633 of NRS.

2. A podiatric physician shall not:
   (a) Treat any other effect of a systemic disease unless the disease originates in the foot or leg.
   (b) Amputate a leg or foot.


REVISED STATUTES OF THE STATE OF NEW HAMPSHIRE
TITLE XXX. OCCUPATIONS AND PROFESSIONS
CHAPTER 315. PODIATRY

§315:6 Scope of Podiatric Practice.
Except where disciplinary action has been taken by the board pursuant to RSA 315:9, the board shall issue the certificate for a licensed podiatrist to whoever satisfactorily passes an examination, and thereupon he shall have legal authority to diagnose and to treat by medical, mechanical, electrical and surgical means ailments of the human foot and lower leg. Allowable surgical treatment in a health care facility shall be determined by that health care facility credential committee, and such surgical treatment shall be performed at that health care facility. Such certificate shall not authorize the licensee to administer general anesthesia. Licenses shall not be issued for a period exceeding one year and shall be renewed as provided herein.

NEW JERSEY STATUTES
TITLE 45. PROFESSIONS AND OCCUPATIONS
SUBTITLE 1. PROFESSIONS AND OCCUPATIONS REGULATED BY STATE BOARDS OF REGISTRATION AND EXAMINATION
CHAPTER 5. CHIROPODY (PODIATRY)

§45:5-7. Scope of examination; filing of application and examination papers; issuance of license; definitions; display of license; residents licensed in other states; certificate to podiatrist leaving state; license after revocation

All examinations shall be written in the English language, but the board, in its discretion, may use supplementary oral or practical examinations, either of the whole class or of individuals. The examinations shall be in all subjects taught and practiced in the legally incorporated schools or colleges of podiatry, in good standing in the opinion of the board, which confer the degree of doctor of surgical chiropody or other doctorate degree in podiatry. Said application and examination papers shall be deposited in the files of the said board for at least 5 years, and they shall be prima facie evidence of all matters therein contained. All licenses shall be signed by the president and secretary of the board and shall be attested by the seal thereof.

If the examination is satisfactory, the board shall issue a license entitling the applicant to practice podiatry in this State.

“Podiatry” or “practice of podiatry” is defined to be the diagnosis or treatment of or the holding out of a right or ability to diagnose or treat any ailment of the human foot, including local manifestations of systemic diseases as they appear on the lower leg or foot but not treatment of systemic diseases of any other part of the body, or the holding out of a right or ability to treat the same by any one or more of the following means: local medical, mechanical, surgical, manipulative and physio-therapeutic, including the application of any of the aforementioned means to the lower leg and ankle for the treatment of a foot ailment. Such means shall not be construed to include the amputation of the leg or foot. The term "local medical" hereinbefore mentioned shall be construed to mean the prescription or use of a therapeutic agent or remedy where the action or reaction is intended for a localized area or part. A podiatrist is a physician within the scope of this chapter, and may be referred to as a podiatric physician.

Every person practicing podiatry under this act shall at all times conspicuously display in his place of practice his license and yearly registration to practice. It shall be unlawful to practice podiatry in this State without so displaying such license and registration. Any applicant for a license to practice podiatry upon proving that he has been examined and licensed by the examining and licensing board of another State, territory of the United States, or the District of Columbia, may in the discretion of the board be granted a license to practice podiatry without further examination upon payment to the board of a license fee of $100.00; provided, such applicant shall furnish proof that he can fulfill the requirements demanded in the other sections of this chapter relating to
applicants for admission by examinations; provided further, that the laws of such State, territory
or the District of Columbia accords equal reciprocal rights to a licensed podiatrist of this State,
who desires to practice his profession in such State, territory or the District of Columbia; provided
further, that said applicant has been in lawful and ethical practice of podiatry in the State, territory
or District of Columbia from which he applies for 5 full consecutive years next prior to filing his
application; and provided, further, that said applicant shall, within 6 months after the issuance of
his license hereunder, remove to this State, establish his permanent and only legal residence and
cease to operate his practice in the State from which he applies and not use such license for part-
time practice in this State. An affidavit setting forth his intention to comply with the requirements
of this proviso must be filed with the application for license. In any such application for a license
without examination, all reciprocal questions of academic requirements of other states, territories
or the District of Columbia shall be determined by the board. The board shall consider each
application for such license on its individual merits and may, in its discretion and without
establishing a precedent, waive the requirements for internship in lieu of 10 or more years of
active and continuous ethical practice outside of this State.

The board may issue to any licensed podiatrist of this State, known to it to be of good moral
character and who has conducted an ethical practice in this State, and who desires to remove his
residence and practice to another state, a certificate or certification authenticated with its seal,
which shall attest such information as may be necessary for competent boards of other states to
determine reciprocity qualifications, upon payment of a fee of $10.00.

The board may, in its discretion, accept in lieu of its own examination, either in whole or in part,
the certificate of the National Board of Podiatry Examiners; and provided further, that the
applicant satisfies in all other respects the requirements for licensure by examination. Such
application to the board shall be accompanied by an application fee of $100.00 plus $10.00 for
verification. In the event an oral or practical examination or both is given under this provision, an
additional fee of $25.00 may be required for examiner compensation.

The board, in its discretion, may grant a license without further examination to any person whose
previous license has been revoked under R.S. 45:5-8 and upon payment to the board of a license
fee of $100.00.


Noteworthy case and opinion:

That portion of this section, which authorizes the licensure of podiatrists through endorsement of
licenses issued in other jurisdictions on the podiatrist's establishing legal residence in New Jersey
and practicing only in this State is unconstitutional and should not be enforced.
Licensed chiropodist in rendition of his professional services is required to exercise degree of care, knowledge and skill ordinarily possessed and exercised in similar situations by members of his profession. Jones v. Stess, 111 N.J.Super. 283, 268 A.2d 292 (A.D.1970).

NEW MEXICO STATUTES
CHAPTER 61. PROFESSIONAL AND OCCUPATIONAL LICENSES
ARTICLE 8. PODIATRY ACT

§ 61-8-2. Definitions
As used in the Podiatry Act:

A. “board” means the board of podiatry;

B. “foot and ankle radiation technologist” means a person who takes x-rays of the foot and ankle under the supervision of a podiatrist; and

C. “practice of podiatry” means engaging in that primary health care profession, the members of which examine, diagnose, treat and prevent by medical, surgical and biomechanical means ailments affecting the human foot and ankle and the structures governing their functions, but does not include amputation of the foot or the personal administration of a general anesthetic. A podiatrist, pursuant to the laws of this state, is defined as a physician and surgeon within the scope of his license.


CODE OF NEW MEXICO RULES
TITLE 16. OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 21. PODIATRISTS
PART 1. GENERAL PROVISIONS
All new rules, amendments, and repeals effective prior to January 1, 2006.

§16.21.1.8 Scope of Practice
For the purpose of clarification of the Podiatry Act, Section 61-8-2(C) NMSA 1978, the practice of podiatry:

A. in regard to surgical treatment shall be limited to the tuberosity of the tibia and the area distal thereto, excepting the skin and subcutaneous tissues of the thigh;
B. does not include amputation of the foot, however, it does allow removal of any part thereof;

C. does not include the personal administration of a general anesthetic, however, it does allow the use of the services of a certified registered nurse anesthetist; and

D. a licensed podiatrist may assist a licensed medical or osteopathic physician in the performance of any surgery of the lower extremities.

[16.21.1.8 NMAC - Rp, Rule IX, 10-15-04]

Cite to: N.M Code R. § 16.21.1.8 (Weil 2006); For legal research, use citation, NM ADC 16.21.1

CONSOLIDATED LAWS OF NEW YORK
EDUCATION LAW
CHAPTER 16. OF THE CONSOLIDATED LAWS
TITLE VIII. THE PROFESSIONS
ARTICLE 141. PODIATRY

§ 7001. Definition of practice of podiatry
1. The practice of the profession of podiatry is defined as diagnosing, treating, operating and prescribing for any disease, injury, deformity or other condition of the foot, and may include performing physical evaluations in conjunction with the provision of podiatric treatment. Podiatrists may treat traumatic open wound fractures only in hospitals, as defined in article twenty-eight of the public health law.

2. The practice of podiatry shall not include treating any part of the human body other than the foot, nor treating fractures of the malleoli or cutting operations upon the malleoli. Podiatrists licensed to practice, but not authorized to prescribe or administer narcotics prior to the effective date of this subdivision, may do so only after certification by the department in accordance with the qualifications established by the commissioner. The practice of podiatry shall include administering only local anesthetics for therapeutic purposes as well as for anesthesia and treatment under general anesthesia administered by authorized persons.

Cite to: N.Y. Educ. Law § 7001 (McKinney 2006).

§ 7002. Practice of podiatry and use of title “podiatrist”
Only a person licensed or exempt under this article shall practice podiatry or use the title “podiatrist” or “chiropodist.”
Noteworthy case:
The purpose of Education Law of 1910 § 1402 [now this section in part] was to protect the public health by prohibiting anyone from treating or diagnosing foot ailments unless qualified and by requiring such qualification to be shown by the possession of a license. The acts of a registered nurse, who was engaged by shoe store, in giving massage and laboratory treatments under the direction of a licensed podiatrist, did not constitute the practice of chiropody. People v. Dr. Scholl's Foot Comfort Shops, 277 N.Y. 151, 13 N.E.2d 750 (1938).

Cite to: N.Y. Educ. Law § 7002 (McKinney 2006).

GENERAL STATUTES OF NORTH CAROLINA
CHAPTER 90. MEDICINE AND ALLIED OCCUPATIONS
ARTICLE 12A. PODIATRISTS

§ 90-202.2. “Podiatry” defined
(a) Podiatry as defined by this Article is the surgical, medical, or mechanical treatment of all ailments of the human foot and ankle, and their related soft tissue structures to the level of the myotendinous junction. Excluded from the definition of podiatry is the amputation of the entire foot, the administration of an anesthetic other than local, and the surgical correction of clubfoot of an infant two years of age or less.

(b) Except for procedures for bone spurs and simple soft tissue procedures, any surgery on the ankle or on the soft tissue structures related to the ankle, any amputations, and any surgical correction of clubfoot shall be performed by a podiatrist only in a hospital licensed under Article 5 of Chapter 131E of the General Statutes or in a multispecialty ambulatory surgical facility that is not a licensed office setting, and that is licensed under Part D of Article 6 of Chapter 131E of the General Statutes. Before performing any of the surgeries referred to in this subsection in a multispecialty ambulatory surgical facility, the podiatrist shall have applied for and been granted privileges to perform this surgery in the multispecialty ambulatory surgical facility. The granting of these privileges shall be based upon the same criteria for granting hospital privileges under G.S. 131E-85.

(c) The North Carolina Board of Podiatry Examiners shall maintain a list of podiatrists qualified to perform the surgeries listed in subsection (b) of this section, along with specific information on the surgical training successfully completed by each licensee.

§43-05-01 Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. “Board” means the North Dakota board of podiatric medicine.

2. “Clinical residency” means a formal, structured postdoctoral training program approved by the board, which is sponsored by and conducted in an accredited institution approved by the board or conducted by a college of podiatric medicine accredited and approved by the Council on Podiatric Medical Education, American Podiatric Medical Association, or other accrediting agency approved by the board. The term also includes a preceptorship approved by the board until January 1, 1995.

3. “False or misleading statement or advertising” includes a statement, claim, or advertising 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;
   g. Contains other representations or implications that in reasonable probability will cause an ordinary, prudent person to misunderstand or be deceived; or
   h. Represents that a manifestly incurable condition, sickness, disease, or injury can be cured.

4. “Health care facility” means a medical hospital, skilled nursing care facility, intermediate care facility, basic care facility, boarding house, or swing-bed hospital approved to furnish long-term care service, or any other facility licensed to provide health care services.
5. “Podiatric medicine” means the profession of the health services concerned with the diagnosis and treatment of conditions affecting the human foot and ankle including local manifestations of systemic conditions by all appropriate systems and means and includes the prescribing or administering of drugs or medications necessary or helpful to that profession.

6. “Podiatrist” means a person who is qualified to practice podiatric medicine in this state.

7. “Preceptorship” means a formal, structured postdoctoral training program approved by the board and conducted by a podiatrist primarily in an office setting and controlled and supervised by a college of podiatric medicine accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association, or another accrediting agency approved by the board.

8. “Provider” means a licensed person, homecare provider, medical or health services clinic, hospital, or health care facility, organization, institution, or agency that furnishes health care services.


OHIO REVISED CODE ANNOTATED
TITLE XLVII. OCCUPATIONS–PROFESSIONS
CHAPTER 4731. PHYSICIANS; LIMITED PRACTITIONERS
PODIATRIC MEDICINE AND SURGERY

§4731.51 Practice of podiatric medicine and surgery
The practice of podiatric medicine and surgery consists of the medical, mechanical, and surgical treatment of ailments of the foot, the muscles and tendons of the leg governing the functions of the foot; and superficial lesions of the hand other than those associated with trauma. Podiatrists are permitted the use of such preparations, medicines, and drugs as may be necessary for the treatment of such ailments. The podiatrist may treat the local manifestations of systemic diseases as they appear in the hand and foot, but the patient shall be concurrently referred to a doctor of medicine or a doctor of osteopathic medicine and surgery for the treatment of the systemic disease itself. General anaesthetics may be used under this section only in colleges of podiatric medicine and surgery approved by the medical board pursuant to section 4731.53 of the Revised Code and in hospitals approved by the joint commission on the accreditation of hospitals, or the American osteopathic association. The use of x-ray or radium for therapeutic purposes is not permitted.

Cite to: Ohio Rev. Code Ann. § 4731.51 (West 2006).

Noteworthy case:
The managing authorities of a hospital, whether public or private, under the power to adopt reasonable rules and regulations for the government and operation thereof, in the absence of any statutory restriction, may prescribe the qualifications of physicians and surgeons for admission to practice therein, and may adopt and enforce reasonable regulations concerning the qualifications of practitioners to engage in particular kinds of practice, or to perform particular kinds of operations, and also concerning the conditions under which operations, or particular kinds of operations or other services may be performed. Davidson v. Youngstown Hospital Ass'n, 19 Ohio App.2d 246, 250 N.E.2d 892, 48 O.O.2d 371 (Mahoning 1969).

**OHIO ADMINISTRATIVE CODE**
**TITLE 4731 MEDICAL BOARD**
**CHAPTER 4731-20. PODIATRY**

§4731-20-01 Definition of foot
(A) “Foot,” as used in section 4731.51 of the Revised Code, is defined as the terminal appendage of the lower extremity and includes the ankle joint which consists of the tibial plafond, its posterolateral border (posterior malleolus), the medial malleolus, distal fibula (lateral malleolus) and the talus.


§4731-20-02 Surgery: ankle joint
(A) A podiatric physician may perform surgery on the ankle joint, if:

(1) The podiatric physician holds privileges to perform surgery on the ankle joint from one or more of the following entities:

(a) A college of podiatric medicine and surgery approved by the board pursuant to section 4731.51 of the Revised Code;

(b) A hospital approved by the joint commission on the accreditation of health care organizations or the American osteopathic association; or

(c) An ambulatory surgical facility approved by the department of health pursuant to its authority under Chapter 3702. of the Revised Code; and

(2) The podiatric physician can demonstrate adequate education, training and experience needed to conform to minimal standards of care of similar practitioners under the same or similar circumstances by meeting either of the following criteria:
(a) Having attained board qualified status from the American board of podiatric surgery and having successfully completed at least a twenty-four month residency in podiatric surgery approved by the council on podiatric medical education, or

(b) Holding privileges to perform surgery on the ankle joint from an institution meeting criteria under paragraph (A)(1) of this rule, providing that such privileges were granted prior to the effective date of this rule.

(3) A podiatric physician who performs surgery on the ankle joint other than in accordance with all the terms of this rule violates divisions (B)(6) and (B)(20) of section 4731.22 of the Revised Code.


OKLAHOMA STATUTES
TITLE 59. PROFESSIONS AND OCCUPATIONS
CHAPTER 4. PODIATRIC MEDICINE PRACTICE ACT

§ 142. Acts constituting practice of podiatric medicine—Exceptions
A. Podiatric medicine is that profession of the health sciences concerned with the diagnosis and treatment of conditions affecting the human foot and ankle, including the local manifestations of systemic conditions, by all appropriate systems and means.

B. Any one or more of the following shall be deemed to be practicing podiatric medicine:

1. In any way examining, diagnosing, recommending for, prescribing for, caring for or treating in this state ailments, diseased conditions, deformities or injuries of the human foot and ankle, whether or not done directly thereon;

2. Massage or adjustment in connection with such examining, diagnosing, recommending, prescribing, treating, or caring for;

3. Fitting, building, or otherwise furnishing pads, inserts, appliances, inlays, splints, or supports, or giving or using medicament or anesthetics in connection with such examining, diagnosing, recommending, prescribing, treating, caring for, or fitting; and
4. Offering in this state to any person to do or cause to be done, or attempting in this state to do or cause to be done, any or all of the foregoing.

C. The provisions of the Podiatric Medicine Practice Act shall not apply to:

1. The sale of proprietary or patented foot remedies, pads, supports or corrective shoes;

2. The fitting or recommending of appliances, devices, or shoes for the prevention, correction, or relief of foot ailments or troubles, by regularly established retail dealers or their regular salesmen, not holding themselves out to the public as podiatric physicians under the terms of this act; or

3. A person providing services or assistance in case of an emergency if no fee or other consideration is contemplated, charged, or received.


OREGON REVISED STATUTES
TITLE 52. OCCUPATIONS AND PROFESSIONS
CHAPTER 677. REGULATION OF MEDICINE, PODIATRY AND ACUPUNCTURE
(GENERAL PROVISIONS)

§677.805. Definitions
As used in ORS 677.805 to 677.855:

(1) “Ankle” means the tibial plafond and its posterolateral border or posterior malleolus, the medial malleolus, the distal fibula or lateral malleolus, and the talus.

(2) “Board” means the Board of Medical Examiners for the State of Oregon.

(3) “Council” means the Advisory Council on Podiatry.

(4) “Podiatric physician and surgeon” means a podiatric physician and surgeon whose practice is limited to treating ailments of the human foot, ankle and tendons directly attached to and governing the function of the foot and ankle.

(5) “Podiatry” means the diagnosis or the medical, physical or surgical treatment of ailments of the human foot, ankle and tendons directly attached to and governing the function of the foot and ankle, except treatment involving the use of a general or spinal anesthetic unless the treatment is
performed in a hospital certified in the manner described in ORS 441.055 (2) or in an ambulatory surgical center certified by the Department of Human Services and is under the supervision of or in collaboration with a physician licensed to practice medicine by the Board of Medical Examiners for the State of Oregon. “Podiatry” does not include the administration of general or spinal anesthetics or the amputation of the entire foot.


Noteworthy cases and opinions:
Throughout ORS chapter 677, the statutes that are intended to encompasses both podiatrists and physicians use both terms, rather than the term ‘physician’ alone; accordingly, a podiatrist is not a ‘physician’ under ORS chapter 677. Rather, a podiatrist is a ‘podiatric physician’ under ORS chapter 677. Op.Atty.Gen. OP-6463, July 16, 1992, 1992 WL 526809.

Podiatrists made sufficient factual showing on claim that two-tier reimbursement system of health plan, under which they were reimbursed at lower rate as nonmembers and were required, unlike members, to bill subscribers, constituted horizontal price-fixing agreement in violation of Section 1 of Sherman Anti-Trust Act so as to avoid summary judgment, where they established that physicians constituted majority of health plan board members, supporting inference that health plan was controlled by competitive providers; trier of fact could reasonably conclude that physician board members, even if not competing directly with podiatrist, shared similar economic interests with those board members and health plan physicians who competed directly and that therefore board as a whole may have acted in anticompetitive interests of member physicians who competed with podiatrists for provision of foot care. Sherman Anti-Trust Act, § 1, 15 U.S.C.A. § 1. Hahn v. Oregon Physicians’ Service, 868 F.2d 1022, certiorari denied 110 S.Ct. 140, 493 U.S. 846, 107 L.Ed.2d 99 (1988).

Podiatrists produced sufficient evidence to avoid summary judgment on their claim that health plan's exclusion of podiatrists, taking together two-tiered reimbursement policy under which nonmembers were reimbursed for services at lower rate than members, constituted group boycott, where they raised reasonable inference to refute health plan's claimed justification of overbilling by podiatrists, by evidence suggesting that exclusion of podiatrists was not prompted by that reason and that overall costs for foot procedures performed by podiatrists were lower than those of plan's member physicians. Sherman Anti-Trust Act, § 1, 15 U.S.C.A. § 1. Hahn v. Oregon Physicians’ Service, 868 F.2d 1022, certiorari denied 110 S.Ct. 140, 493 U.S. 846, 107 L.Ed.2d 99 (1988).

Distinguishing between chiropractors and other practitioners of the medical arts as regards licensing of health care facilities and use of such facilities by the various medical practitioners is reasonable and is not invidiously discriminatory since such classifications are rationally related to

§ 677.812. Surgery on ankle; limitations
Surgery of the ankle as defined in ORS 677.805 must be conducted (1) In a hospital certified in the manner described in ORS 441.055 (2) or in an ambulatory surgical center certified by the Department of Human Services; and (2) By a podiatric physician and surgeon who meets the qualifications for ankle surgery established by rule of the Board of Medical Examiners.


PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES
TITLE 63 P.S. PROFESSIONS AND OCCUPATIONS
CHAPTER 3. Podiatry

§ 42.2. Definitions
The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

(a) “Podiatric Medicine” shall mean the diagnosis and treatment including mechanical and surgical treatment of ailments of the foot, and those anatomical structures of the leg governing the functions of the foot and the administration and prescription of drugs incidental thereto. It shall include treatment of local manifestations of systemic diseases as they appear on the foot but shall not include amputation of the leg or foot or treatment of systemic diseases of any other part of the body.

(b) “Board” shall mean the State Board of Podiatry.

(c) “Department” shall mean the Department of State.


Noteworthy opinion:

LAWS OF PUERTO RICO
TITLE TWENTY. EXAMINING BOARDS AND PROFESSIONAL COLLEGES
CHAPTER 93. BOARD OF EXAMINERS OF PODIATRISTS

§ 2851 Definitions
For the purposes of this chapter, the following definitions shall have the meaning indicated below:

(a) Podiatry or podology.— The specialized field of medicine which studies the diseases and ailments of the human foot.

(b) Podiatrist.— The person who examines, diagnoses, treats, prevents and cares for the diseases and ailments of the human foot, using medical or surgical knowledge and methods, or any other scientific knowledge and methods.

(c) Board.— Board of Examiners of Podiatrists created by this chapter.

(d) Secretary.— Person appointed by the Secretary of Health to carry out the duties of Secretary of the Board of Examiners of Podiatrists.

(e) Recertification.— Shall mean the procedure provided for health professionals in §§ 3001 et seq. of Title 24.


GENERAL LAWS OF RHODE ISLAND
TITLE 5. BUSINESSES AND PROFESSIONS
CHAPTER 29. PODIATRISTS

§5-29-1. Definitions. —
(a) “Board” means the Rhode Island board of examiners in podiatry.

(b) “Department” means the Rhode Island department of health.

(c) “Director” means the director of the Rhode Island department of health.

(d) “Health care facility” means any institutional health service provider licensed pursuant to the provisions of chapter 17 of title 23.

(e) “Health maintenance organization” means a public or private organization licensed pursuant to the provisions of chapter 17 of title 23 or chapter 41 of title 27.
(f) “Limited registrant” means a person holding a limited registration certificate pursuant to the provisions of this chapter.

(g) “Nonprofit medical services corporation” or “nonprofit hospital service corporation” or “nonprofit podiatry/medical service corporation” means any corporation organized pursuant to chapter 19 or 20 of title 27 for the purpose of establishing, maintaining and operating a nonprofit medical hospital.

(h) “Peer review board” means any committee of a state or local podiatry association or society, or a committee of any licensed health care facility, or the podiatry staff of the committee, or any committee of a podiatric care foundation or health maintenance organization, or any staff committee or consultant of a hospital, medical, or podiatric service corporation, the function of which, is to evaluate and improve the quality of podiatric care rendered by providers of podiatric care service or to determine that podiatric care services rendered were professionally indicated or were performed in compliance with the applicable standard of care or that the cost for podiatric care rendered was considered reasonable by the providers of professional podiatric care services in the area and shall include a committee functioning as a utilization review committee under the provisions of the Health Insurance for the Aged Act (Medicare) or as a professional standards review organization or statewide professional standards review council under the provisions of P.L. 92-603, 42 U.S.C. § 1301 et seq., (professional standards review organizations) or a similar committee or a committee of similar purpose, to evaluate or review the diagnosis or treatment of the performance or rendition of podiatric services which are performed under public podiatric programs of either state or federal design.

(i) “Person” means any individual, partnership, firm, corporation, association, trust or estate, state or political subdivision or instrumentality of a state.

(j) “Podiatrist” means a person with a license to practice podiatric medicine and surgery in this state under the provisions of this chapter.

(k) “Podiatrist,” a person licensed as described in this chapter, shall be considered a physician and surgeon of the foot and ankle. For the purposes of reimbursement by and for subscriber benefits/participation agreements with health maintenance organizations, nonprofit medical service corporations, for-profit medical service corporations, and third party insurers, it is unlawful to discriminate against podiatrists.

(l) “Practice of podiatry.” Any person is practicing podiatry within the meaning of this chapter who uses or permits to be used, directly or indirectly, for profit or otherwise, for their own self or for any other person, in connection with their own name, the word “podiatrist” or “podiatric physician and surgeon,” or the title DPM, or any other words, letters, titles, or descriptive matter,
personal or not, which directly or indirectly implies the practice of podiatry, or who owns, leases, maintains, or operates a podiatry business in any office or other room or rooms where podiatry operations are performed, or directly or indirectly is manager, proprietor or conductor of the business; or who directly or indirectly informs the public in any language, orally, in writing, or by drawings, demonstrations, specimens, signs, or pictures that he or she can perform or will attempt to perform foot operations of any kind; or who undertakes, by any means or method, gratuitously or for a salary, fee, money, or other reward paid or granted directly or indirectly to himself or herself or to any other person, to diagnose or profess to diagnose, or to treat or profess to treat, or to prescribe for or profess to prescribe for any of the lesions, diseases, disorders, or deficiencies of the pedal extremity. The foot is defined to be the pedal extremity of the human body and its articulations, and shall include the tendons and muscles of the lower leg only as they are involved in the condition of the foot.

(m) Wherever in the general or public laws there appear the words chiropody, chiropodist and chiropodists, the words podiatry, podiatrist and podiatrists shall be substituted.


CODE OF LAWS OF SOUTH CAROLINA 1976
TITLE 40. PROFESSIONS AND OCCUPATIONS
CHAPTER 51. PODIATRISTS AND PODIATRY

§ 40-51-10. Terms “podiatry” or “podiatrist” and “chiropody” or “chiropodist” are identical. The terms “chiropody” or “chiropodist” or their derivatives and the terms “podiatry” or “podiatrist” or their derivatives shall convey and imply identical meanings.


For the purposes of this chapter:

(1) “Podiatry” shall mean the diagnosis, medical and surgical treatment limited to ailments of the human foot, except the administration of an anaesthetic other than local.

(2) “Diagnosis” shall mean to ascertain a disease or ailment by symptoms and findings and does not confer the right to use X-ray other than for diagnosis.

(3) “Medical treatment” shall mean the application or prescribing of any therapeutic agent or remedy for the relief of foot ailments, except the medical treatment of any systemic disease causing manifestations in the foot.
(4) “Surgical treatment” shall mean the use of any cutting instrument to treat a disease, ailment, deformity or condition of the foot, but shall not confer the right to amputate the foot or toes.


Noteworthy cases and opinions:

Under these statutes, the practice of podiatry is limited to the diagnosis, medical, and surgical treatment of local ailments of the human foot, provided, medical treatment is not permitted to extend to the treatment of any systemic disease causing manifestations in the foot; nor can surgical treatment extend to the amputation of the foot or toes. Suber v. South Carolina State Bd. of Health, 259 S.C. 558, 193 S.E.2d 520 (S.C. 1972).


The duty and responsibility is conferred upon the State Board of Health to determine whether the granting of the right to an applicant to dispense controlled substances or drugs is consistent with the public health and safety and to deny such right if it is not so found. Therefore, a medical practitioner is entitled to a permit to dispense controlled drugs only if the Board determines that such is in the public interest. Suber v. South Carolina State Bd. of Health, 259 S.C. 558, 193 S.E.2d 520 (S.C. 1972).

Licensed podiatrist can refer patients to physical therapist for physical therapy treatment of human foot. 1984 Op Atty Gen, No. 84-45, p. 108.

SOUTH DAKOTA CODIFIED LAWS
TITLE 36. PROFESSIONS AND OCCUPATIONS
CHAPTER 36-8. PODIATRISTS

§ 36-8-1. Podiatric medicine defined
Podiatric medicine is that profession of the health sciences concerned with the diagnosis and treatment of conditions affecting the human foot and their governing and related structures, and the soft tissues inserting into the foot, including the local manifestations of systemic conditions, by all appropriate systems and means. A person licensed pursuant to this chapter as a podiatrist shall be designated a podiatric physician.
§ 63-3-101. Podiatrists; definition; ankle surgery
(a) Within this chapter, “podiatrist” means one who examines, diagnoses, or treats medically, mechanically, or surgically, the ailments of the human foot, ankle and soft tissue structures extending no higher than the distal tibial metaphyseal flair, including the use and prescribing of drugs and medications, but excluding the direct applications of general anesthesia by a podiatrist and the amputation of the foot. A podiatrist may perform Achilles tendon repair, subject to the provisions of subsection (b), but may not perform surgery on Pilon fractures or tibial fractures that do not enter the ankle joint.

(b) A licensed podiatrist may perform ankle surgery only when that podiatrist meets the requirements of either subdivision (b)(1) or (b)(2):

(1) Was, prior to October 2, 1995, credentialed to perform ankle surgery by a JCAHO-accredited hospital in Tennessee or JCAHO-accredited ambulatory surgical treatment center in Tennessee; provided, that a podiatrist who qualifies to perform ankle surgery under this subdivision (b)(1) must, if the podiatrist wishes to continue to perform ankle surgery:

(A) Notify the board as to the hospital or ambulatory surgical treatment center at which the podiatrist was credentialed to perform ankle surgery prior to October 2, 1995;

(B) Obtain, and maintain evidence of obtaining, at least ten (10) hours of approved continuing education related to ankle surgery annually; and

(C) Comply with any other requirements established by the board to ensure continued proficiency in performing ankle surgery; or

(2) Has completed a surgical residency program at least twenty-four (24) months in length that has been approved by the council on podiatric medical education and is currently eligible for certification to perform reconstructive rearfoot/ankle surgery by the American Board of Podiatric Surgery; provided, that a podiatrist who qualifies to perform ankle surgery under this subdivision (b)(2) must obtain certification to perform reconstructive rearfoot/ankle surgery from the
American Board of Podiatric Surgery within six (6) years of May 24, 2000, or within six (6) years of first becoming eligible for certification, whichever date is later, and may not continue to perform ankle surgery if that podiatrist has not obtained certification by the end of the six-year period.

(c) A licensed podiatrist may perform ankle surgery only in a JCAHO-accredited hospital or ambulatory surgical treatment center licensed under title 68 at which the podiatrist has surgical privileges to perform ankle surgery. A podiatrist who performs ankle surgery in an ambulatory surgical treatment center must first have surgical privileges to perform ankle surgery at a local hospital. A licensed podiatrist who performs ankle surgery must meet the same standard of care applicable to orthopaedic surgeons who perform ankle surgery.

(d) Licensed podiatrists may perform non-surgical care on the ankle without meeting the requirements of subsection (b).


Cross reference: Insurance reimbursement of podiatrists, see § 56-7-2402.

Noteworthy case:  Evidence did not support finding by Board of Registration in Podiatry that ankle sprain fell within statutory definition of “podiatrist,” which definition was limited to treatment of ailments of human “foot”; in order for Board to determine that ankle sprain was ailment of human foot, it had to determine that term foot included ankle, and there was no evidence establishing that term foot in fact meant foot and ankle; moreover, Board’s finding that podiatrists had to be allowed to treat structure adjacent to foot to effectively treat ankle sprains in fact expanded practice of podiatry beyond that authorized by statute. West’s Tenn.Code, § 63-3-101. Tenn. Medical Ass’n v. Bd. of Registration in Podiatry, 907 S.W.2d 820 (1990), appeal denied.

No deference would be accorded determination by Board of Registration in Podiatry that ankle sprain fell within statutory definition of “podiatrist,” which was limited to treatment of ailments of human “foot”; whether term foot included ankle was matter of statutory interpretation and did not require Board’s knowledge of podiatric practices or fall within sole expertise of podiatrist. West’s Tenn.Code, § 63-3-101. Tenn. Medical Ass’n v. Bd. of Registration in Podiatry, 907 S.W.2d 820 (1990), appeal denied.
CHAPTER 1155-2. GENERAL RULES AND REGULATIONS GOVERNING THE PRACTICE OF PODIATRY

(18) Podiatrist – Means one who examines, diagnoses, or treats medically, mechanically, or surgically, the ailments of the human foot, ankle and soft tissue structures extending no higher than the distal tibial metaphyseal flair, including the use and prescribing of drugs and medications, but excluding the direct applications of general anesthesia by a podiatrist and the amputation of the foot. A podiatrist may perform Achilles tendon repair, subject to the provisions of T.C.A. § 63-3-101, but may not perform surgery on Pilon fractures or tibial fractures which do not enter the ankle joint.

Cite to: Tenn. Comp. R. & Regs. 1155-2-0.01(18) (2005).

TEXAS STATUTES AND CODES
OCCUPATIONS CODE
TITLE 3. HEALTH PROFESSIONS
SUBTITLE C. OTHER PROFESSIONS PERFORMING MEDICAL PROCEDURES
CHAPTER 202. PODIATRISTS
SUBCHAPTER A. GENERAL PROVISIONS

§ 202.001. Definitions
(a) In this chapter:

(1) “Board” means the Texas State Board of Podiatric Medical Examiners.

(2) “Executive director” means the employee of the board who manages the board’s day-to-day operations.

(3) “Podiatrist” means a person who:

(A) is licensed under this chapter to practice podiatry and who directly or indirectly charges money or other compensation for podiatric services; or

(B) publicly professes or claims to be a podiatrist, foot specialist, or doctor or uses any title, degree, letter, syllable, or word that would lead the public to believe that the person is a practitioner authorized to practice or assume the duties incident to the practice of podiatry.
(4) “Podiatry” means the treatment of or offer to treat any disease, disorder, physical injury, deformity, or ailment of the human foot by any system or method. The term includes podiatric medicine.
(b) In the laws of this state:

(1) “chiropody” means podiatry; and

(2) “chiropodist” means podiatrist.


Noteworthy opinions:


Whether hyperbaric oxygen therapy is within the practice of podiatry depends upon the resolution of factual questions, however, if hyperbaric oxygen therapy is within the practice of podiatry, its practice by podiatrists is regulated by the Board of Podiatric Medical Examiners, not the Board of Medical Examiners. Op.Atty.Gen. 1996, No. DM-423.


§ 202.606. Criminal Penalty: Amputation of Foot

(a) A podiatrist commits an offense if the podiatrist amputates a human foot.

(b) An offense under this section is punishable by:

(1) a fine of not less than $100 or more than $500;

(2) confinement in the county jail for not less than 30 days or more than six months; or

(3) both the fine and confinement.

Noteworthy opinions:


TEXAS ADMINISTRATIVE CODE
TITLE 22. EXAMINING BOARDS
PART 18. TEXAS STATE BOARD OF PODIATRIC MEDICAL EXAMINERS
CHAPTER 375. RULES GOVERNING CONDUCT

§ 375.1. Definitions
The following words and terms, when used in this chapter, shall have the following meanings, unless the context indicates otherwise:

(1) Board–The Texas State Board of Podiatric Medical Examiners.

(2) Foot–The foot is the tibia and fibula in their articulation with the talus, and all bones to the toes, inclusive of all soft tissues (muscles, nerves, vascular structures, tendons, ligaments and any other anatomical structures) that insert into the tibia and fibula in their articulation with the talus and all bones to the toes.

(3) Medical Records–Any records, reports, notes, charts, x-rays, or statements pertaining to the history, diagnosis, evaluation, treatment or prognosis of the patient including copies of medical records of other health care practitioners contained in the records of the podiatric physician to whom a request for release of records has been made.

(4) Office–In the singular, includes the plural.

(5) Public communication–Any written, printed, visual, or oral statement or other communication made or distributed, or intended for distribution, to a member of the general public or the general public at large.

(6) Solicitation–A private communication to a person concerning the performance of a podiatric service for such person.

Noteworthy opinion:

The Texas State Board of Podiatric Medical Examiners may not adopt a rule that enlarges the practice of podiatry beyond what chapter 202 of the Occupations Code permits. See Tex. Occ. Code Ann. ch. 202 (Vernon 2001). By definition the term “foot” as “the tibia and fibula in their articulation with the talus…inclusive of all soft tissues…that insert into the tibia and fibula in their articulation with the talus,” the Board has extended the practice of podiatry beyond what section 202.001 of the Occupations Code authorizes. Atty Gen Opinion No. JC-0441, December 17, 2001. [This opinion is currently the subject of litigation]

UTAH CODE
TITLE 58. OCCUPATIONS AND PROFESSIONS
CHAPTER 5A. PODIATRIC PHYSICIAN LICENSING ACT
PART 1. DEFINITIONS

§ 58-5a-102. Definitions
In addition to the definitions under Section 58-1-102, as used in this chapter:

(1) “Board” means the Podiatric Physician Board created in Section 58-5a-201.

(2) “Practice of podiatry” means the diagnosis and treatment of conditions affecting the human foot and ankle and their manifestations of systemic conditions by all appropriate and lawful means, subject to the following provisions:

(a) surgical procedures may be performed upon all bones of the foot and ankle, with the exception of the following procedures:

(i) ankle fusion;
(ii) massive ankle reconstruction; and

(iii) reduction of trimalleolar fractures of the ankle;

(b) surgical treatment of any condition of the ankle and governing and related structures of the foot and ankle above the ankle shall be:

(i) performed in an ambulatory surgical facility, general acute hospital, or a specialty hospital, as defined in Section 26-21-2; and
(ii) subject to review by a quality care review body which includes qualified licensed physicians and surgeons.

(3)(a) “Unlawful conduct” as defined in Section 58-1-501 includes the following conduct by a person not licensed under this chapter:

(i) using the title or name podiatric physician, podiatrist, foot doctor, foot specialist, or D.P.M.; or

(ii) implying or representing he is qualified to practice podiatry.

(b) “Unlawful conduct” as defined in Section 58-1-501 includes the following conduct by a person licensed under this chapter:

(i) administering general anesthesia; or

(ii) amputating the foot.

(4) “Unprofessional conduct” as defined in Section 58-1-501 and as may be further defined by rule, includes:

(a) communicating to a third party, without the consent of the patient, information acquired in treating the patient that is necessary to enable the podiatric physician to treat the patient except as necessary for professional consultation regarding treatment of a patient;

(b) allowing one’s name or license as a podiatric physician to be used by another person who is not licensed to practice podiatry in this state;

(c) employing, directly or indirectly, any unlicensed person to practice podiatry;

(d) use of alcohol or drugs to the extent a licensee's ability to safely engage in the practice of podiatry is impaired;

(e) unlawfully prescribing, selling, or giving away any prescription drug, including controlled substances, as defined in Section 58-37-2;

(f) gross incompetency in the practice of podiatry;

(g) willfully and intentionally making a false statement or entry in hospital records, medical records, or reports;
(h) willfully making a false statement in reports or claim forms to governmental agencies or insurance companies with the intent to secure payment not rightfully due; or

(i) willfully using false or fraudulent advertising.


VERMONT STATUTES
TITLE TWENTY-SIX. PROFESSIONS AND OCCUPATIONS
CHAPTER 7. PODIATRY
SUBCHAPTER 1. GENERAL PROVISIONS

§ 321 Definitions
In this chapter, unless the context requires another meaning:

(1) “Board” means the board of medical practice.

(2) “Disciplinary action” means any action against a licensee or an applicant by the board, the appellate officer, or on appeal therefrom, when that action suspends, revokes, limits or conditions licensure in any way, and includes reprimands.

(3) “Practice of podiatry,” by a podiatric physician, means any medical, mechanical, surgical, electrical, manipulation, strapping or bandaging treatment of the ailments pertaining to the human foot and lower leg distal to the myotendinous junction of the triceps surae. If spinal or general anesthesia is required, it shall be administered by a health care professional regulated under this title who is authorized to administer anesthesia within the scope of his or her practice. In the case of amputations other than toe amputations and in the case of surgical treatment at or above the ankle, the surgical treatment shall be performed only in a general hospital licensed under chapter 43 of Title 18 or a certified ambulatory surgical center as defined in section 9432 of Title 18. For purposes of this section, “ankle” means the joint between the tibia and fibula proximally and the talus distally.


Noteworthy opinion:

§ 168a Practice of podiatry defined
A podiatrist is a person licensed to practice podiatry who is entitled to perform any or all of the acts prescribed in this section. A person practices podiatry who holds himself out as able to and does diagnose, treat, operate and prescribe for any disease, injury, deformity or other condition of the foot, including surgery. Podiatric services are inclusive of the treatment of warts, leg ulcers, ingrown nails, corns, calluses, heel pain, fractures, skin lesions, and amputations or other surgeries limited to the foot. Any restrictions to the above will be determined by the governing board following review of the physician's credentials to determine appropriate training via residency, fellowship, or preceptorship. Nothing in this section shall confer the right to treat any other part of the human body, nor shall it be construed as permitting the treatment of fractures of the malleoli or cutting operations upon the malleoli.


§ 54.1-2900. Definitions
As used in this chapter, unless the context requires a different meaning:
“Acupuncturist” means individuals approved by the Board to practice acupuncture. This is limited to “licensed acupuncturist” which means an individual other than a doctor of medicine, osteopathy, chiropractic or podiatry who has successfully completed the requirements for licensure established by the Board (approved titles are limited to: Licensed Acupuncturist, Lic.Ac., and L.Ac.).

“Auricular acupuncture” means the subcutaneous insertion of sterile, disposable acupuncture needles in predetermined, bilateral locations in the outer ear when used exclusively and specifically in the context of a chemical dependency treatment program.
“Board” means the Board of Medicine.

“Healing arts” means the arts and sciences dealing with the prevention, diagnosis, treatment and cure or alleviation of human physical or mental ailments, conditions, diseases, pain or infirmities.

“Practice of athletic training” means the prevention, recognition, evaluation, and treatment of injuries or conditions related to athletic or recreational activity that requires physical skill and utilizes strength, power, endurance, speed, flexibility, range of motion or agility or a substantially similar injury or condition resulting from occupational activity immediately upon the onset of such injury or condition; and subsequent treatment and rehabilitation of such injuries or conditions under the direction of a licensed physical therapist and the patient’s physician or under the direction of any doctor of medicine, osteopathy, chiropractic, podiatry, or dentistry, while using heat, light, sound, cold, electricity, exercise or mechanical or other devices.

“Practice of podiatry” means the medical, mechanical and surgical treatment of the ailments of the human foot and ankle, but does not include amputation of the foot proximal to the transmetatarsal level through the metatarsal shafts. Amputations proximal to the metatarsal-phalangeal joints may only be performed in a hospital or ambulatory surgery facility accredited by an organization listed in § 54.1-2939. The Board of Medicine shall determine whether a specific type of treatment of the foot and ankle is within the scope of practice of podiatry.

“Practice of radiologic technology” means the application of x-rays to human beings for diagnostic or therapeutic purposes.


§ 54.1-2939. Surgery by podiatrists on patients under general anesthesia limited
Podiatrists shall not perform surgery on patients under a general anesthetic except in a hospital approved by the Joint Commission on Accreditation of Health Care Organizations or in an ambulatory surgery center approved by the Joint Commission on Accreditation of Health Care Organizations, the Accreditation Association of Ambulatory Health Care, Inc., or the American Association for Accreditation of Ambulatory Surgery Facilities, Inc. Podiatrists shall perform such surgery only to the extent permitted by this chapter and the rules of such hospital.


Noteworthy cases and opinions:
In chiropodist’s action in slander against adjusting firm based on statement made by firm’s employee while persuading injured employee being treated by chiropodist to go to a certain
orthopaedic surgeon, evidence sustained finding that adjuster’s statement that a chiropodist was “a doctor for ingrowing toenails, flat feet and falling arches,” went beyond bounds of fair comment on an admittedly qualified privileged occasion. Code 1950, § 54-273(8). Crawford & Co. v. Graves, 100 S.E.2d 714, 199 Va. 495 (1957).


CODE OF WASHINGTON
TITLE 18. BUSINESSES AND PROFESSIONS
CHAPTER 18.22. PODIATRIC MEDICINE AND SURGERY

§ 18.22.035. Practice of podiatric medicine and surgery—Quality—Definition—Prescriptions—Limitations
(1) A podiatric physician and surgeon is responsible for the quality of podiatric care.

(2) The practice of podiatric medicine and surgery is the diagnosis and the medical, surgical, mechanical, manipulative, and electrical treatments of ailments of the human foot.
(3) Podiatric physicians and surgeons may issue prescriptions valid at any pharmacy for any drug, including narcotics, necessary in the practice of podiatry.

(4) Podiatrists shall not:

(a) Amputate the foot;

(b) Administer spinal anesthetic or any anesthetic that renders the patient unconscious; or

(c) Treat systemic conditions.


WASHINGTON ADMINISTRATIVE CODE
TITLE 246. HEALTH, DEPARTMENT OF
CHAPTER 246-922. PODIATRIC PHYSICIANS AND SURGEONS

§ 246-922-001. Scope of practice.
(1) An ‘ailment of the human foot’ as set forth in RCW 18.22.010 is defined as any condition, symptom, disease, complaint, or disability involving the functional foot. The functional foot
includes the anatomical foot and any muscle, tendon, ligament, or other soft tissue structure directly attached to the anatomical foot and which impacts upon or affects the foot or foot function and osseous structure up to and including the articulating surfaces of the ankle joint.

(2) In diagnosing or treating the ailments of the functional foot, a podiatric physician and surgeon is entitled to utilize medical, surgical, mechanical, manipulative, radiological, and electrical treatment methods and the diagnostic procedure or treatment method may be utilized upon an anatomical location other than the functional foot. The diagnosis and treatment of the foot includes diagnosis and treatment necessary for preventive care of the well foot.

(3) A podiatric physician and surgeon may examine, diagnose, and commence treatment of ailments for which differential diagnoses include an ailment of the human foot. Upon determination that the condition presented is not an ailment of the human foot, the podiatric physician and surgeon shall obtain an appropriate consultation or make an appropriate referral to a licensed health care practitioner authorized by law to treat systemic conditions. The podiatric physician and surgeon may take emergency actions as are reasonably necessary to protect the patient's health until the intervention of a licensed health care practitioner authorized by law to treat systemic conditions.

(4) A podiatric physician and surgeon may diagnose or treat an ailment of the human foot caused by a systemic condition provided an appropriate consultation or referral for the systemic condition is made to a licensed health care practitioner authorized by law to treat systemic conditions.

(5) A podiatric physician and surgeon shall not administer a general or spinal anesthetic, however, a podiatric physician and surgeon may treat ailments of the human foot when the treatment requires use of a general or spinal anesthetic provided that the administration of the general or spinal anesthetic is by or under the supervision of a physician authorized under chapter 18.71 or 18.57 RCW.


Noteworthy opinions:

Chiropodists may not prescribe, but may administer as part of general and post-operative treatment of the human foot, narcotics or other drugs; and may administer whatever is proper for local anesthesia including narcotics for operations which they may legally perform. Op.Atty.Gen No. 49-51-458, March 1, 1951.

§ 30-3-4. Definitions
As used in this article:

(1) “Board” means the West Virginia board of medicine established in section five of this article. Whenever any other provision of this code refers to the “medical licensing board of West Virginia,” the reference shall be construed to mean and refer to the “West Virginia board of medicine” as created and established in this article.

(2) “Medical peer review committee” means a committee of, or appointed by, a state or local professional medical society, or a committee of, or appointed by, a medical staff of a licensed hospital, long-term care facility or other health care facility, or any health care peer review organization as defined in section one, article three-c of this chapter, or any other organization of professionals in this state formed pursuant to state or federal law and authorized to evaluate medical and health care services.

(3) “Practice of medicine and surgery” means the diagnosis or treatment of, or operation or prescription for, any human disease, pain, injury, deformity or other physical or mental condition.

(4) “Practice of podiatry” means the examination, diagnosis, treatment, prevention and care of conditions and functions of the human foot and ankle by medical, surgical and other scientific knowledge and methods; with surgical treatment of the ankle authorized only when a podiatrist has been granted privileges to perform ankle surgery by a hospital’s medical staff credentialing committee based on the training and experience of the podiatrist; and medical and surgical treatment of warts and other dermatological lesions of the hand which similarly occur in the foot. When a podiatrist uses other than local anesthesia, in surgical treatment of the foot, the anesthesia must be administered by, or under the direction of, an anesthesiologist or certified registered nurse anesthetist authorized under the state of West Virginia to administer anesthesia. A medical evaluation shall be made by a physician of every patient prior to the administration of other than local anesthesia.

(5) “State director of health” means the state director of health or his or her designee, which designee shall act as secretary of the board and shall carry out any and all responsibilities assigned in this article to the secretary of the board.

Cite to: W. Va. Code, § 30-3-4 (2005); W. VA. Code Ann. § 30-3-4 (West 2006).
Noteworthy case:


WISCONSIN STATUTES
REGULATION AND LICENSING
CHAPTER 448. MEDICAL PRACTICES
SUBCHAPTER IV. PODIATRISTS AFFILIATED CREDENTIALING BOARD

§448.60. Definitions
In this subchapter:
(1) “Affiliated credentialing board” means the podiatrists affiliated credentialing board.
(2) “Licensee” means a person who is licensed under this subchapter.

(3) “Podiatrist” means an individual possessing the degree of doctor of podiatric medicine or doctor of surgical chiropody or equivalent degree as determined by the affiliated credentialing board, and holding a license to practice podiatry or podiatric medicine and surgery granted by the affiliated credentialing board.

(4) “Podiatry” or “podiatric medicine and surgery” means that branch or system of the practice of podiatric medicine and surgery that involves treating the sick which is limited to conditions affecting the foot and ankle, but does not include the use of a general anesthetic unless administered by or under the direction of a person licensed to practice medicine and surgery under subch. II.

(5) “Unprofessional conduct” means an act or attempted act of commission or omission, as defined by the affiliated credentialing board by rule under s. 448.695 (1), or an act by a podiatrist in violation of ch. 450 or 961.

Noteworthy opinions:


If the means employed by a podiatrist to cure or manage a disease within the proper bounds of his practice include the injection of drugs or medicine, performance and interpretation of laboratory work such as blood counts, or the writing of prescriptions he may perform such acts without violating the limits of his practice. Op.Atty.Gen., Aug. 1, 1973.
§ 33-9-101 Definitions.
(a) As used in this act:

(i) “Podiatry” means the diagnosis or the medical, mechanical or surgical treatment of the ailments of the human foot, ankle and tendons that insert into the foot. Surgical treatment of the ankle and tendons that insert into the foot shall be limited to licensed podiatrists who have completed a podiatric surgical residency training program as approved by the board through rule and regulation. Podiatry also includes the fitting or the recommending of appliances, devices or shoes for the correction or relief of minor foot ailments. The practice of podiatric medicine shall include the amputation of the toes or other parts of the foot but shall not include the amputation of the foot or leg in its entirety. A podiatrist may not administer any anesthetic other than local. A general anesthesia shall be administered in a hospital by an anesthesiologist or certified nurse anesthetist authorized under the laws of this state to administer anesthesia. Podiatrists are permitted to use and to prescribe drugs and controlled substances as may be necessary in the practice of podiatry.


Noteworthy case:

Chiropodist must not administer general anesthetic: The provision of this section that it must not be construed to “confer . . . the right to use any anesthetic other than local” is equivalent to a provision that a chiropodist must not give a general anesthetic. State v. Catellier, 63 Wyo. 123, 179 P.2d 203 (1947).