

**Effective 5/12/2015**

**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) "Indirect supervision" means the same as that term is defined by the division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (3) "Medical assistant" means an unlicensed individual working under the indirect supervision of a licensed podiatric physician and engaging in specific tasks assigned by the licensed podiatric physician in accordance with the standards and ethics of the podiatry profession.
- (4) "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 Section 58-5a-103.
- (5) "Unlawful conduct" includes:
  - (a) the conduct that constitutes unlawful conduct under Section 58-1-501; and
  - (b) for an individual who is not licensed under this chapter:
    - (i) using the title or name podiatric physician, podiatrist, podiatric surgeon, foot doctor, foot specialist, or D.P.M.; or
    - (ii) implying or representing that the individual is qualified to practice podiatry.
- (6) "Unprofessional conduct" includes, for an individual licensed under this chapter:
  - (a) the conduct that constitutes unprofessional conduct under Section 58-1-501;
  - (b) communicating to a third party, without the consent of the patient, information the individual acquires in treating the patient, except as necessary for professional consultation regarding treatment of the patient;
  - (c) allowing the individual's name or license to be used by an individual who is not licensed to practice podiatry under this chapter;
  - (d) except as described in Section 58-5a-306, employing, directly or indirectly, any unlicensed individual to practice podiatry;
  - (e) using alcohol or drugs, to the extent the individual's use of alcohol or drugs impairs the individual's ability to practice podiatry;
  - (f) unlawfully prescribing, selling, or giving away any prescription drug, including controlled substances, as defined in Section 58-37-2;
  - (g) gross incompetency in the practice of podiatry;
  - (h) willfully and intentionally making a false statement or entry in hospital records, medical records, or reports;
  - (i) 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;
  - (j) willfully using false or fraudulent advertising; and
  - (k) conduct the division defines as unprofessional conduct by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Amended by Chapter 230, 2015 General Session