

**Representative Justin L. Fawson** proposes the following substitute bill:

**PODIATRIC PHYSICIAN PRACTICE AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Justin L. Fawson**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill amends provisions related to the scope of practice for a licensed podiatric physician.

**Highlighted Provisions:**

This bill:

- ▶ amends provisions related to the scope of practice for a licensed podiatric physician;

and

- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-5a-103**, as enacted by Laws of Utah 2015, Chapter 230

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-5a-103** is amended to read:



26 **58-5a-103. Scope of practice.**

27 (1) Subject to ~~[Subsections (4) and (5)]~~ the provisions of this section, an individual  
 28 licensed as a podiatric physician under this chapter may perform a surgical procedure on a bone  
 29 of the foot or ankle~~[, except that the individual].~~

30 (2) Except as provided in ~~H~~→ ~~[Subsection (4)]~~ Subsections (3) and (4) ←~~H~~, an individual  
 30a licensed as a podiatric  
 31 physician under this chapter may not perform:

- 32 (a) an ankle fusion;
- 33 (b) a massive ankle reconstruction; or
- 34 (c) a reduction of a trimalleolar ankle fracture.

35 ~~[(2) Notwithstanding Subsections (1)(a), (b), and (c), and subject to Subsections (4)~~  
 36 ~~and (5), an individual licensed as a podiatric physician under this chapter that meets the~~  
 37 ~~additional training requirements described in Subsection (3) may perform a surgical procedure~~  
 38 ~~that is related to the treatment of a foot or ankle condition, including the treatment of a foot or~~  
 39 ~~ankle condition that involves the soft tissues, including tendons, ligaments, and nerves, of the~~  
 40 ~~foot or ankle, except that the individual may only:]~~

41 (3) An individual licensed as a podiatric physician under this chapter who meets the  
 42 requirements described in Subsection (4) may only:

- 43 (a) treat a fracture of the tibia if at least one portion of the fracture line enters the ankle  
 44 joint;
- 45 (b) treat a foot or ankle condition using hardware, including screws, plates, staples,  
 46 pins, and wires, if at least one portion of the hardware system is attached to a bony structure at  
 47 or below the ankle mortise; and
- 48 (c) place hardware for the treatment of soft tissues in the foot or ankle no more  
 49 proximal than the distal 10 centimeters of the tibia.

50 ~~[(3) An]~~ (4) Subject to Subsection (3), an individual licensed as a podiatric physician  
 51 under this chapter may ~~[not]~~ ~~H~~→ only ←~~H~~ perform ~~[the procedures]~~ a procedure described in  
 51a Subsection (2)

52 [unless] if the individual:

- 53 (a) (i) graduated on or after June 1, 2006, from a three-year residency program in  
 54 podiatric medicine and surgery that was accredited, at the time of graduation, by the Council on  
 55 Podiatric Medical Education; and

56 (ii) is board certified in reconstructive rearfoot and ankle surgery by the American

57 Board of Foot and Ankle Surgery;

58 (b) (i) graduated on or after June 1, 2006, from a three-year residency program in  
59 podiatric medicine and surgery that was accredited, at the time of graduation, by the Council on  
60 Podiatric Medical Education;

61 (ii) is board qualified in reconstructive rearfoot ankle surgery by the American Board  
62 of Foot and Ankle Surgery; and

63 (iii) provides the division documentation that the podiatric physician has completed  
64 training or experience, which the division determines is acceptable, in standard or advanced  
65 [midfoot,] rearfoot[;] and ankle procedures; or

66 (c) (i) graduated before June 1, 2006, from a residency program in podiatric medicine  
67 and surgery that was at least two years in length and that was accredited, at the time of  
68 graduation, by the Council on Podiatric Medical Education;

69 (ii) (A) is board certified in reconstructive rearfoot ankle surgery by the American  
70 Board of Foot and Ankle Surgery;

71 (B) if the residency described in Subsection [~~(3)~~] (4)(c)(i) is a PSR-24 24-month  
72 podiatric surgical residency, provides proof that the individual completed the residency, to a  
73 hospital that is accredited by the Joint Commission, and meets the hospital's credentialing  
74 criteria for foot and ankle surgery; or

75 (C) in addition to the residency described in Subsection [~~(3)~~] (4)(c)(i), has completed a  
76 fellowship in foot and ankle surgery that was accredited by the Council on Podiatric Medical  
77 Education at the time of completion; and

78 (iii) provides the division documentation that the podiatric physician has completed  
79 training and experience, which the division determines is acceptable, in standard or advanced  
80 [midfoot,] rearfoot[;] and ankle procedures.

81 [~~(4)~~] (5) An individual licensed as a podiatric physician under this chapter may not  
82 perform an amputation proximal to Chopart's joint.

83 [~~(5)~~] (6) An individual licensed as a podiatric physician under this chapter may not  
84 perform a surgical treatment on an ankle, on a governing structure of the foot or ankle above  
85 the ankle, or on a structure related to the foot or ankle above the ankle, unless the individual  
86 performs the surgical treatment:

87 (a) in an ambulatory surgical facility, a general acute hospital, or a specialty hospital, as

88 defined in Section 26-21-2; and

89 (b) subject to review by a quality care review body that includes qualified, licensed

90 physicians and surgeons.