

PODIATRIC PHYSICIAN PRACTICE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Justin L. Fawson

Senate Sponsor: _____

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

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

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

58-5a-103. Scope of practice.

(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:

29 (a) on a bone of the foot or ankle~~[-except that the individual]; or~~

30 (b) that is related to the treatment of a foot or ankle condition, including a condition
31 that involves the soft tissues of the foot or ankle, including tendons, ligaments, and nerves.

32 (2) Except as provided in Subsection (4), an individual licensed as a podiatric
33 physician under this chapter may not perform:

34 (a) an ankle fusion;

35 (b) a massive ankle reconstruction; or

36 (c) a reduction of a trimalleolar ankle fracture.

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

43 (3) An individual licensed as a podiatric physician under this chapter may only:

44 (a) treat a fracture of the tibia if at least one portion of the fracture line enters the ankle
45 joint;

46 (b) treat a foot or ankle condition using hardware, including screws, plates, staples,
47 pins, and wires, if at least one portion of the hardware system is attached to a bony structure at
48 or below the ankle mortise; and

49 (c) place hardware for the treatment of soft tissues in the foot or ankle no more
50 proximal than the distal 10 centimeters of the tibia.

51 ~~[(3)]~~ (4) An individual licensed as a podiatric physician under this chapter may ~~[not]~~
52 only perform ~~[the procedures]~~ a procedure described in Subsection (2) ~~[unless]~~ if the
53 individual:

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

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

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

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

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

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

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

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

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

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

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

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

88 (a) in an ambulatory surgical facility, a general acute hospital, or a specialty hospital, as
89 defined in Section 26-21-2; and

90 (b) subject to review by a quality care review body that includes qualified, licensed
91 physicians and surgeons.

Legislative Review Note
Office of Legislative Research and General Counsel