

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

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:



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 Subsection (4), an individual 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] perform [the procedures] a procedure described in 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.