



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Podiatric Medical Board

- Preproposal Statement of Inquiry was filed as WSR 14-03-041 ; or
- Expedited Rule Making--Proposed notice was filed as WSR ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

Chapter 246-922 WAC - Podiatric Physicians and Surgeons. Amending and repealing sections of rule related to tasks performed by unlicensed personnel, exam requirements, and approved schools of podiatric medicine.

Hearing location(s): Department of Health - Kent
Building 2, Suite 310
20425 72nd Ave. S.
Kent, WA 980327

Date: 08/06/2015

Time: 10:30 a.m.

Submit written comments to:

Name: Brett Cain
Address: PO Box 47852
Olympia WA 98504-7852
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax (360) 236-2901 by (date) 08/04/2015

Assistance for persons with disabilities: Contact

Cece Zenker at (360) 236-4633 by 08/03/2015

TTY (800) 833-6388 or () 711

Date of intended adoption: 08/06/2015

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of the proposed rules is to replace the outdated language and standards regarding accepted schools of podiatric medicine and exam requirements with current terms and standards. The proposed rules will also repeal the current section relating to tasks that may be performed by unlicensed personnel so that it is clear that assistive personnel working for podiatric physicians will need to obtain a medical assistant credential to perform the clinical tasks listed under RCW 18.360.050 and may not work without a credential.

Reasons supporting proposal:

The board is proposing repealing WAC 246-922-100 to avoid conflicting with the medical assistant statute and proposing changes to WAC 246-922-030 and -040 to ensure that these sections are current and relevant.

Statutory authority for adoption:
RCW 18.22.015 and RCW 18.130.050

Statute being implemented:
chapter 18.22 RCW and RCW 18.360.050

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 29, 2015

TIME: 4:04 PM

WSR 15-14-090

DATE 06/29/2015

NAME (type or print)
Suzanne Wilson, DPM

SIGNATURE

TITLE
Chair

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Department of Health, Podiatric Medical Board

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Brett Cain	111 Israel Rd SE Tumwater WA 98504	(360) 236-4766
Implementation.... Brett Cain	111 Israel Rd SE Tumwater WA 98504	(360) 236-4766
Enforcement..... Brett Cain	111 Israel Rd SE Tumwater WA 98504	(360) 236-4766

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Brett Cain

Address: PO Box 47852
Olympia WA 98504-7852

phone (360) 236-4766

fax (360) 236-2901

e-mail brett.cain@doh.wa.gov

No: Please explain:

AMENDATORY SECTION (Amending WSR 91-10-041, filed 4/25/91, effective 5/26/91)

WAC 246-922-030 Approved schools of podiatric medicine. For the purpose of the laws relating to podiatric medicine, the board approves (~~the following list of schools of podiatric medicine: California College of Podiatric Medicine, San Francisco, California; College of Podiatric Medicine and Surgery, Des Moines, Iowa; New York College of Podiatric Medicine, New York, New York; Ohio College of Podiatric Medicine, Cleveland, Ohio; Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania; Dr. William Scholl College of Podiatric Medicine, Chicago, Illinois; Barry University School of Podiatric Medicine, Miami Shores, Florida~~) the schools accredited by the Council on Podiatric Medical Education.

AMENDATORY SECTION (Amending WSR 91-10-041, filed 4/25/91, effective 5/26/91)

WAC 246-922-040 Examinations. (~~(1) In order to be licensed to practice podiatric medicine and surgery in the state of Washington, all applicants except those who are seeking licensure by endorsement from another state under subsection (8) of this section, must pass Part I and Part II of the national examination prepared by the National Board of Podiatric Medical Examiners in addition to the PMLexis examination approved by the Washington state podiatric medical board as the state examination.~~

~~(2) The Washington state podiatric medical examination shall include the following topics: Medicine and general podiatric medicine, to include but not limited to, microbiological diseases, dermatology, neurology, cardiovascular respiratory, musculoskeletal, metabolic and endocrine, medical emergencies and trauma, rheumatology; and therapeutics, to include but not limited to, pharmacology, physical medicine and rehabilitation, local therapy, systemic therapy, surgery, and biomechanics.~~

~~(3) The state examination shall be administered twice annually on the second Tuesday of June and the first Tuesday of December. Applications for examination or reexamination shall be received in the office of the professional licensing services division, department of health, no later than April 15th for the following June examination and October 1 for the following December examination.~~

~~(4) Every applicant for a podiatric physician and surgeon license shall be required to pass the state examination with a grade of at least 75.~~

~~(5) The board shall approve the method of grading each examination, and shall apply such method uniformly to all applicants taking the examination.~~

~~(6) The board and the department shall not disclose any applicant's examination score to anyone other than the applicant, unless requested to do so in writing by the applicant.~~

~~(7) The applicant will be notified, in writing, of his or her examination scores.~~

~~(8) Applicants for licensure who have been licensed by examination in another state or who have successfully passed the examinations~~

~~given by the National Board of Podiatric Medical Examiners will be required to pass the state approved examination. If the examination taken in another state is the Virginia or PMLexis examination and the applicant passed the Virginia examination or PMLexis on or after June 1988 the applicant shall be deemed to have passed the approved examination in this state.~~

~~(9) Applicants failing the state approved examination whether taken in this or another state in which the Virginia or PMLexis examination was taken after June 1988 may be reexamined no more than three times. Applicants who have failed the state approved examination three times may petition the board to be permitted to retake the examination on additional occasions and the applicant must provide satisfactory evidence to the board that he or she has taken remedial measures to increase his or her likelihood of passing the examination. If the applicant does not provide satisfactory evidence to the board, the board shall deny the request to retake the examination until such time that the applicant can provide satisfactory evidence of remedial measures undertaken to increase his or her likelihood of passing the examination.)~~ In order to obtain a license to practice podiatric medicine and surgery in the state of Washington, an applicant must:

(1) Successfully pass all parts of the American Podiatric Medical Licensing Examination administered through the National Board of Podiatric Medical Examiners; or

(2) Be licensed by examination in another state or territory of the United States, or the District of Columbia; and

(a) On or after June 1988, have successfully passed Parts I, II, and III of the national examination prepared by the National Board of Podiatric Medical Examiners; or

(b) Have successfully passed Parts I and II of the national examination administered through the National Board of Podiatric Medical Examiners in addition to the Virginia licensing examination or the PMLexis examination.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-922-100 Acts that may be delegated to an unlicensed person.