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**IDAPA 24
TITLE 11
CHAPTER 01**

24.11.01 - RULES OF THE STATE BOARD OF PODIATRY

000. LEGAL AUTHORITY (RULE 0).

These rules are hereby prescribed and established pursuant to the authority vested in the State Board of Podiatry, by the provisions of Section 54-605, Idaho Code. (7-1-93)

001. TITLE AND SCOPE (RULE 1).

These rules shall be cited as IDAPA 24.11.01, "Rules of the State Board of Podiatry." (7-1-93)

002. WRITTEN INTERPRETATIONS (RULE 2).

The board may have written statements that pertain to the interpretation of the rules of this chapter. Such interpretations, if any, are available for public inspection and copying at cost in the main office of the Bureau of Occupational Licenses. (3-13-02)

003. ADMINISTRATIVE APPEALS (RULE 3).

Administrative Appeals shall be governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. (3-13-02)

004. INCORPORATION BY REFERENCE (RULE 4).

The document titled American Podiatric Medical Association's Code of Ethics as published by the American Podiatric Medical Association, dated March 2013 and referenced in Section 500, is herein incorporated by reference and is available for review at the Board's office and on the Board's web site at <http://www.ibol.idaho.gov>. (3-20-14)

005. ADDRESS OF THE IDAHO BOARD OF PODIATRY (RULE 5).

The office of the Board of Podiatry is located within the Bureau of Occupational Licenses, 700 W. State Street, Boise, Idaho 83702. The Bureau is open between the hours of 8:00 a.m. and 5:00 p.m. each day except Saturdays, Sundays and holidays. The telephone number of the Board is (208) 334-3233. The Board's fax number is (208) 334-3945. The Board's e-mail address is pod@ibol.idaho.gov. The Board's official website is <http://www.ibol.idaho.gov>. (3-29-10)

006. PUBLIC RECORDS (RULE 6).

The records associated with the Board of Podiatry are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-13-02)

007. -- 009. (RESERVED)

010. DEFINITIONS AND STANDARDS (RULE 10).

01. Act. The Act means Chapter 143 Idaho session Laws of 1957 codified as Chapter 6, Title 54, Idaho Code, and any amendments thereto. (7-1-93)

02. Board. The Board means the State Board of Podiatry, as prescribed in Section 54-604, Idaho Code. (7-1-93)

03. Licensure. Licensure means a license to practice podiatry in Idaho. (3-13-02)

04. Reputable School. A "reputable school" of podiatry is defined as an approved podiatry school located within the United States or Canada and designated as such by the Council on Podiatric Medical Education and the American Podiatric Medical Association. (3-20-14)

05. Bureau. The Bureau means the Bureau of Occupational Licenses, as prescribed in Sections 54-605 and 67-2602, Idaho Code. (3-13-02)

011. -- 099. (RESERVED)

100. GENERAL QUALIFICATIONS OF LICENSURE (RULE 100).

- 01. Residence.** Residence in Idaho shall not be an eligibility requirement for licensure. (3-13-02)
- 02. Age.** All applicants shall be at least twenty-one (21) years of age. (3-13-02)
- 03. Character.** All applicants shall be of good moral character. (3-13-02)
- 04. Citizenship Requirement for Exam.** Citizenship shall not be an eligibility requirement for examination or licensure. All persons making application for licensure are required to be legally eligible to reside and obtain employment in the United States. (3-20-14)

101. -- 149. (RESERVED)

150. PRE-PROFESSIONAL EDUCATION.

All applicants shall provide official documentation of credits granted for at least two (2) full years of general college study in a college or university of recognized standing. (3-20-14)

151. PROFESSIONAL EDUCATION.

All applicants shall possess evidence of graduation from four (4) full years of study in a reputable school of podiatry, as defined in Subsection 010.04 of these rules. (3-13-02)

152. PODIATRIC RESIDENCY (RULE 152).

01. Residency Required for Licensure. A candidate may not apply for licensure until completion of an accredited podiatric residency as approved by the Council on Podiatric Medical Education of no less than twenty-four (24) months, a minimum of twelve (12) months of which must be surgical. (4-11-06)

02. Submission of Verification of Residency Curriculum. Notwithstanding the provisions of Subsection 152.01, a candidate shall cause to be provided directly from the residency program such official documentation of completion of the entire curriculum as the board may require. Any deviation of this requirement must be approved by the Board. (4-11-06)

153. -- 199. (RESERVED)

200. CREDENTIALS TO BE FILED BY ALL APPLICANTS (RULE 200).

01. Application. An application for licensure shall be completed on a form approved by the board and submitted to the bureau. (3-20-14)

02. Certified Copy of National Board Results. A copy of the applicable National Board results which has been certified as true and correct by the examining entity. (7-1-97)

03. Photograph Requirement. All applications shall be accompanied by an unmounted passport photograph of the applicant taken not more than one (1) year prior to the date of application. (3-13-02)

04. Educational Certificate Requirement. Each applicant shall be required to provide official documentation of a collegiate education of not less than two (2) years in an accredited college or university giving instruction in letters and sciences. (3-20-14)

05. Diploma. Certified photostatic copy of diploma granted by any college of podiatry and official certified transcripts indicating graduation from the program. (3-13-02)

06. Residency Certification Requirement. All applications shall include certification of completion of a residency as defined in Rule 152. (3-13-02)

201. -- 299. (RESERVED)

300. FEES (RULE 300).

- 01. Application Fee.** A fee shall accompany all applications. The fee shall be two hundred dollars (\$200). (7-1-97)
- 02. Original License Fee.** The original license fee shall be four hundred dollars (\$400). (4-9-09)
- 03. Written Exam Fee.** The fee for examination shall be equal to that charged by the national examining entity and shall be paid directly to the examination provider. (3-20-14)
- 04. Annual Renewal Fee.** Fee for annual renewal of licenses, five hundred dollars (\$500). (3-21-12)
- 05. Annual Renewal Fee for Inactive License.** Annual renewal fee is two hundred fifty dollars (\$250). (4-6-15)
- 06. Fee Non-Refundable.** All fees are non-refundable, except that if a license is not issued, the license fee will be refunded. (3-20-14)

301. -- 399. (RESERVED)

400. LICENSURE BY EXAMINATION (RULE 400).

- 01. Examination of Applicants.** All applicants must successfully pass all parts of the American Podiatric Medical Licensing Examination developed and administered by the National Board of Podiatric Medical Examiners. (3-20-14)
- 02. Passing Grade.** A passing grade in all subjects examined shall be the grade as established by the examination provider. (3-20-14)

401. LICENSURE BY ENDORSEMENT (RULE 401).

Under Section 54-613, Idaho Code, applicants for licensure by endorsement may be granted a license upon the approval of the Board. Each applicant for licensure by endorsement must provide documentation for each of the following before licensure will be considered: (3-15-02)

- 01. Complete Application.** A complete application together with the required fee. (4-11-06)
- 02. Certification of License.** Certification of having maintained a current license or other authority to practice issued by a regulatory board of Podiatry in any state or territory. (4-11-06)
- 03. Credentials.** Credentials as required in Subsections 200.02 through 200.05. (3-29-10)
- 04. Examination.** Successful passage of a written licensure examination covering all those subjects noted in Section 54-606, Idaho Code. Official certification of examination must be received by the board directly from: (4-11-06)
- a.** The applicant's state or territory of licensure; or (3-15-02)
 - b.** The national board of podiatric medical examiners. (3-20-14)
- 05. Residency.** Proof of completion of the residency requirement as set forth in Subsection 200.06 of this rule. However, if the applicant graduated from a college of podiatry prior to 1993, this requirement will be waived. (3-29-10)
- 06. Practical Experience.** Having practiced podiatry under licensure for three (3) of the last five (5) years immediately prior to the date of application. (4-11-06)

07. Continuing Education. Having obtained at least twelve (12) hours of continuing education during the twelve (12) months prior to the date of application. Effective January 1, 2015, having obtained at least fifteen (15) hours of continuing education germane to the practice of podiatry during the twelve (12) months prior to the date of application. (3-20-14)

08. Disciplinary Action. Has not been the subject of any disciplinary action including pending or unresolved licensure actions within the last five (5) years immediately prior to application and has never had a license to practice podiatry revoked or suspended either voluntarily or involuntarily in any jurisdiction. (3-29-10)

402. TEMPORARY LICENSES (RULE 402).
No temporary licenses shall be granted for the practice of podiatry in Idaho. (3-13-02)

403. -- 409. (RESERVED)

410. ORIGINAL APPLICATION (RULE 410).
The original application will be considered null and void after a period of two (2) years from date of original application if no license has been issued. (4-2-08)

411. -- 424. (RESERVED)

425. INACTIVE STATUS (RULE 425).

01. Request for Inactive Status. Each person requesting an inactive status during the renewal of their active license must submit a written request and pay the inactive license fee. (4-6-15)

02. Inactive License Status. (4-6-15)

a. All continuing education requirements will be waived during the time that a licensee maintains an inactive license in Idaho. (4-6-15)

b. Inactive license renewal applications and licenses will be marked "Inactive." (4-6-15)

c. When the licensee desires active status, the licensee must show acceptable fulfillment of continuing education requirements for the previous twelve (12) months and submit a fee equivalent to the difference between the inactive and active renewal fee. (4-6-15)

d. A licensee shall not practice in Idaho while on inactive status. (4-6-15)

426. -- 449. (RESERVED)

450. SCOPE OF PRACTICE (RULE 450).

01. Competence. Upon being granted a license to practice podiatry, a practitioner is authorized to provide only those services and treatments for which that practitioner has been trained and prepared to provide. Information contained within the application file and supplemental certified information of additional training and experience included in the credential file maintained by the practitioner shall be prima facie evidence of the practitioner's education and experience. It is the responsibility of the individual practitioner to ensure that the information in his credential file is accurate, complete and supplemented to support all procedures, applications and treatments employed by the practitioner. Practice beyond a practitioner's documented education and experience may violate the adopted code of ethics and be grounds for discipline by the board. (4-11-06)

02. Advanced Surgical Procedures. Advanced surgical procedures shall be performed in a licensed hospital or certified ambulatory surgical center accredited by the joint commission on accreditation of healthcare organizations or the accreditation association for ambulatory health care where a peer review system is in place. Advanced surgical procedures shall be defined as: (4-11-06)

a. Ankle fractures - Open Reduction and Internal Fixation. (4-11-06)

- b. Ankle and rearfoot arthrodesis. (4-11-06)
- c. Nerve surgery of the leg. (4-11-06)
- d. Major tendon repair or transfer surgery - proximal to ankle. (4-11-06)
- e. Autogenous bone grafting. (4-11-06)
- f. External fixation of the rearfoot, ankle and leg. (4-11-06)

451. -- 499. (RESERVED)

500. STANDARDS OF THE ETHICAL PRACTICE OF PODIATRY (RULE 500).

The standards for the ethical practice of podiatry shall be the American Podiatric Medical Association's Code of Ethics as referenced in Section 004 of these rules and are hereby adopted and shall apply to all practitioners of podiatry. (5-3-03)

501. -- 549. (RESERVED)

550. DISCIPLINE (RULE 550).

01. Civil Fine. The Board may impose a civil fine not to exceed one thousand dollars (\$1,000) upon a licensed podiatrist for each violation of Sections 54-608 and 54-609, Idaho Code. (3-18-99)

02. Costs and Fees. The Board may order a licensed podiatrist to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee for violation of Sections 54-608 and 54-609, Idaho Code. (3-18-99)

551. -- 699. (RESERVED)

700. CONTINUING EDUCATION (RULE 700).

01. Post Graduate Education Requirement for License Renewal. Each podiatrist licensed by the state of Idaho shall attend in each twelve (12) month period preceding the renewal of a license to practice podiatry in Idaho, a minimum of twelve (12) full hours of post-graduate podiatry education courses. Effective January 1, 2015, each podiatrist licensed by the state of Idaho shall attend in each twelve-month period preceding the renewal of a license to practice podiatry in Idaho, a minimum of fifteen (15) full hours of post-graduate podiatry education courses. No more than ten (10) hours of continuing education may be obtained on-line. Courses must be germane to the practice of podiatry; and (3-20-14)

- a. Approved by the Council on Podiatric Medical Education; or (4-2-08)
- b. Otherwise approved by the Board. (4-2-08)

02. Submission of License Renewal Application Form. Each licensed Idaho podiatrist will be furnished a license renewal application form by the Bureau of Occupational Licenses on which each podiatrist shall be required to certify by signed affidavit that compliance with the continuing education requirements has been met and shall submit the renewal application together with the required fees to the Bureau. (3-15-02)

03. Verification of Attendance. It shall be necessary for each licensee to maintain verification of attendance by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee and provided to the Board upon the request of the Board or its agent. The Board will conduct random audits to monitor compliance. Failure to provide proof of meeting the continuing education upon request of the Board shall be grounds for disciplinary action. (3-20-14)

04. Carryover of Continuing Education Hours. Continuing education courses not claimed for credit in the current renewal year may be credited for the next renewal year. A maximum of fifteen (15) hours may be carried forward from the immediately preceding year. (3-20-14)

05. Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health, when certified by a medical doctor, or for other good cause. The licensee must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board. (3-20-14)

701. -- 799. (RESERVED)

800. RULEMAKING HISTORY PRIOR TO JULY 1, 1993 (RULE 800).

All previous rules of this board are hereby repealed and these Rules approved by the board on January 25, 1978, shall become effective on this date. Amended and readopted effective October 15, 1987. Amended and readopted effective May 29, 1991. Amended and readopted effective August 1, 1997. (7-1-98)

801. -- 999. (RESERVED)

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