

24.11.01 – RULES OF THE STATE BOARD OF PODIATRY

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Section 54-605, Idaho Code. ()

001. SCOPE.

These rules govern the practice of podiatry in Idaho. ()

002. INCORPORATION BY REFERENCE.

~~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 <https://apps.dopl.idaho.gov/DOPLPortal/BoardAdditional.aspx?Bureau=POD&BureauLinkID=38>.~~

The current and updated document titled "Code of Ethics," published by the American Podiatric Medical Association, Inc. is ~~herein adopted and~~ incorporated by reference and is available on the association's website. [Code of Ethics_FINAL_1669749709677_2.pdf \(apma.org\)](#) ()

003. -- 009. (RESERVED)

010. DEFINITIONS AND STANDARDS.

01. 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. ()

011. -- 149. (RESERVED)

~~150. PRE-PROFESSIONAL EDUCATION.~~

~~All applicants must 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. ()~~

~~151. PROFESSIONAL EDUCATION.~~

~~All applicants must possess evidence of graduation from four (4) full years of study in a reputable school of podiatry, as defined in Subsection 010.02 of these rules. ()~~

152. PODIATRIC RESIDENCY.

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. ()

02. Submission of Verification of Residency Curriculum. ~~Notwithstanding the provisions of Subsection 152.01, a~~ A candidate must provide 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. ()

153. -- 199. (RESERVED)

~~200. CREDENTIALS TO BE FILED BY ALL APPLICANTS.~~

~~**01. Certified Copy of National Board Results.** A copy of the applicable National Board results that has been certified as true and correct by the examining entity. ()~~

Commented [KS1]: Reworked to remove the 2013 date to ensure that this board is always referencing the most up-to-date and current document. Also added in rule 500 standards of ethical practice of podiatry.
Board approved during 1/11/2023 meeting

Commented [KS2]: Reworked into Licensure Approved Education.

Commented [KS3]: Duplicative of 54-606(1), this is a statutory requirement of what the approved podiatry program must require

EXAMINATION FOR LICENSES. (1) Every person, except as hereinafter provided, desiring to commence the practice of podiatry within this state shall make written application to the state board of podiatry upon forms to be prescribed and furnished by the board for a license so to do. Such applications shall be accompanied by a fee as established by board rule not to exceed four hundred dollars (\$400). Each applicant shall be at least twenty-one (21) years of age, shall not have been convicted, found guilty, or received a withheld judgment or a suspended sentence in this state or in any other state of a crime that is deemed relevant in accordance with section 67-9411(1), Idaho Code, shall have completed an accredited podiatric residency as defined by board rule, and shall be a graduate of some reputable school of podiatry accredited by the board. A reputable school of podiatry for the purposes herein shall mean a school of podiatry requiring for graduation the graduation from an accredited high school, credits granted for at least two full years of general college study in a college or university of recognized standing, and four (4) full years of study in such school of podiatry or its equivalent.

Commented [KS4]: Remove- it is duplicative of the diploma section outlined in the below section.
Board approved during 1/11/2023 meeting.

Commented [KS5]: Reworked into licensure section.

~~02. — Educational Certificate Requirement. Each applicant must 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. ()~~

~~03. — Diploma. Certified photostatic copy of diploma granted by any college of podiatry and official certified transcripts indicating graduation from the program. ()~~

~~04. — Residency Certification Requirement. All applications must include certification of completion of a residency as defined in Rule 152. ()~~

201. -- 299. (RESERVED)

300. FEES.

All fees are non-refundable; if a license is not issued, the license fee will be refunded.

FEE TYPE	AMOUNT (Not to Exceed)
Application	\$200
Original License	\$400
Written Examination	Set by National Examining Entity
Annual Renewal	\$500
Inactive License Annual Renewal	\$250

Commented [KS6]: Remove- duplicative of pre-professional education.
Board approved during 1/11/2023 meeting.

Commented [KS7]: Combine with new Submission of Verification of Residency Curriculum. Board approved during 1/11/2023 meeting.

Commented [KS8]: The Board does not set this fee therefore it is not needed in rule.

Commented [KS9]: Reworked into Licensure Approved Examination

Commented [KS10]: Board agreed to strike during 4.5.2023 meeting.

Commented [KS11]: Duplicative of 54-613

54-613. LICENSE BY ENDORSEMENT. The board may issue a license to an applicant by endorsement where the applicant has passed an examination for and is currently licensed to practice podiatry in another state. The applicant must satisfy in all other respects the requirements for licensure in this act and any rules adopted by the board. All applications for licensure by endorsement must be accompanied by an application fee as established by board rule not to exceed four hundred dollars (\$400).

Commented [KS12]: Board agreed to strike during 4.5.2023 meeting.

Commented [MC13]: Duplicative of 54-613

54-613. LICENSE BY ENDORSEMENT. The board may issue a license to an applicant by endorsement where the applicant has passed an examination for and is currently licensed to practice podiatry in another state. The applicant must satisfy in all other respects the requirements for licensure in this act and any rules adopted by the board. All applications for licensure by endorsement must be accompanied by an application fee as established by board rule not to exceed four hundred dollars (\$400).

301. -- 399. (RESERVED)

400. LICENSURE BY EXAMINATION.

~~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. ()~~

~~02. — Passing Grade. A passing grade in all subjects examined is the grade established by the examination provider. ()~~

~~401. — LICENSURE BY ENDORSEMENT.~~

~~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 have a license in good standing in another jurisdiction, provide documentation for each of the following before licensure will be considered: ()~~

~~01. — 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. ()~~

~~02. — Credentials. Credentials as required in Subsections 200.01 through 200.04. ()~~

~~03. — 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 the applicant's state or territory of licensure or the national board of podiatric medical examiners. ()~~

~~a. The applicant's state or territory of licensure; or ()~~

~~b. The national board of podiatric medical examiners. ()~~

~~04. **Residency.** Proof of completion of the residency requirement as set forth in Subsection 200.04 of this rule. However, if the applicant graduated from a college of podiatry prior to 1993, this requirement will be waived. ()~~

~~05. **Practical Experience.** Having practiced podiatry under licensure for three (3) of the last five (5) years immediately prior to the date of application. ()~~

~~06. **Continuing Education.** Having completed 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. ()~~

~~07. **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. ()~~

~~402. **TEMPORARY LICENSES.**~~

~~No temporary licenses will be granted for the practice of podiatry in Idaho. ()~~

~~403. -- 409. (RESERVED)~~

~~410. **ORIGINAL APPLICATION.**~~

~~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. ()~~

~~411. -- 424. (RESERVED)~~

~~425. **INACTIVE STATUS.**~~

~~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. ()~~

~~02. **Inactive License Status.** ()~~

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

~~b. 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. ()~~

~~426. -- 449. (RESERVED)~~

~~450. **SCOPE OF PRACTICE.**~~

~~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 the education, training, and experience to provide, 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 is 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. ()~~

Commented [KS14]: Board agreed to strike during 4.5.2023 meeting.

Commented [KS15]: The Board doesn't have authority for this rule.

Commented [KS16]: Board agreed to strike during 4.5.2023 meeting.

Commented [KS17]: Board agreed to strike during 4.5.2023 meeting.

Commented [KS18]: If we don't offer, we don't include in our rules. Board agreed to strike during 4.5.2023 meeting.

Commented [KS19]: Recommend striking. Not used by any of the other healthcare boards. Powers of the division administrator also covers this in 67-2604(m). Board agreed to strike during 4.5.2023 meeting.

Commented [KS20]: Recommend striking as it is duplicative of Title 67 Chapter 26 [T67CH26.pdf \(idaho.gov\)](https://www.idaho.gov/T67CH26.pdf). Board agreed to strike during 4.5.2023 meeting.

Commented [KS21]: Reworded as Ethical Practice to better demonstrate statutory intention.

01. Ethical Practice. A licensee must comply with the applicable standard of care when practicing podiatry, taking into account the licensee's education, training, and experience. ()

~~02. Advanced Surgical Procedures. Advanced surgical procedures must be performed in a licensed hospital or certified ambulatory surgical center accredited by a nationally recognized accreditation entity 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 are defined as: ()~~

- ~~a. Ankle fractures—Open Reduction and Internal Fixation. ()~~
- ~~b. Ankle and rearfoot arthrodesis. ()~~
- ~~c. Nerve surgery of the leg. ()~~
- ~~d. Major tendon repair or transfer surgery proximal to ankle. ()~~
- ~~e. Autogenous bone grafting. ()~~
- ~~f. External fixation of the rearfoot, ankle and leg. ()~~

451. -- 499. (RESERVED)

~~500. STANDARDS OF THE ETHICAL PRACTICE OF PODIATRY. The standards for the ethical practice of podiatry is the American Podiatric Medical Association's Code of Ethics as referenced in Section 002 of these rules and are hereby adopted and apply to all practitioners of podiatry. ()~~

501. -- 549. (RESERVED)

~~550. DISCIPLINE.~~

~~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. ()~~

~~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. ()~~

551. -- 699. (RESERVED)

700. CONTINUING EDUCATION

~~01. Education Requirement for License Renewal. Each podiatrist licensed by the state of Idaho must complete in each twelve month period preceding the renewal of a license to practice podiatry in Idaho every two years, a minimum of thirty (30) fifteen (15) full hours of podiatry continuing education. Continuing education includes lectures, conferences, seminars, moderator guided panel discussions, clinical and practical workshops, internet based learning and home study. Education must be germane to the practice of podiatry, and ()~~

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

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

Commented [KS22]: Duplicative of 54-602(2)

(2) Advanced surgical procedures, as determined by the state board of podiatry, 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.

Commented [KS23]: Duplicative of 64-206 (1-5) Definition of Podiatry

Commented [KS24]: Recommend striking. Combined into 002. Incorporation by reference. Board approved during 1.22.2023 meeting.

Commented [KS25]: No statutory authority to fine.

Commented [KS26]: The APA and Idaho Code 12-117 govern when a board can award fees and costs.

Commented [KS27]: Alaska: 2-year cycle 50 hours/ 25 per year.
Montana: TBD
Nevada: 50 credits every 2 years
Oregon: 50 credits every 2 years
South Dakota: 30 credits every 2 years
Utah: 40 credits every 2 years
Washington: 100 hours every 2 years
Wyoming: 40 hours every 2 years

Board approved moving from an annual CE cycle to a two year cycle.

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03. Verification of Completion. A licensee must maintain verification of completion by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours completed by the licensee. This verification must 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 will be grounds for disciplinary action.
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~~**04. Carryover of Continuing Education Hours.** Continuing education 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.~~ ()

~~**05. Special Exemption.** The Board has 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.~~ ()

701. -- 999. (RESERVED)

Commented [KS28]: Recommend striking to come into alignment with all other health care boards in DOPL. Board agreed to strike during 4.5.2023 meeting.

Commented [KS29]: Recommend striking. Division policy is being drafted for all boards for exemption requests to ensure consistency. Board agreed to strike during 4.5.2023 meeting.

DRAFT